

**PRISON CONDITIONS IN CAMEROON: THE NARRATIVES OF  
FEMALE INMATES**

**by**

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## **SUMMARY**

### **PRISON CONDITIONS IN CAMEROON: THE NARRATIVES OF FEMALE INMATES**

This study explores and critically analyses the lived experiences of female inmates in six selected prisons in Cameroon. The study contributes to the available knowledge regarding prison conditions from the perspectives of female inmates– a subject which has been under researched globally and has received little attention from researchers in Cameroon. The Cameroon Penitentiary Regulation (CPR) professes to be gender neutral and, therefore, it ignores the special needs of female inmates. The central research question is: How do the national policies and laws on prison conditions in Cameroon relate to the lived and narrated experiences of female inmates? The study is informed by two major frameworks, namely, Foucault’s analytical framework from his seminal work *Discipline and Punish* (1977) and a feminist analytical framework, standpoint feminism, which fills the gap in Foucault’s thesis that is largely devoid of gender analysis.

The study is qualitative, using in-depth interviews and observations. It involved a sample of 38 research participants, comprising 18 female inmates, 18 prison staff members and two NGO representatives. The findings reveal that both international and national ratified policies are merely “paperwork”, lacking effective implementation in the prisons selected for this study. There is a general lack of infrastructural facilities in prisons and this prevents classification as suggested by the CPR 1992 and ratified international instruments. In general, there was a lack of educational and other training facilities in all the prisons visited. The few educational facilities available were those supported by NGOs and FBOs, suggesting that, without their presence in prisons, prison conditions would have been even more appalling than the findings revealed. Torture and corporal punishment were meted out to female inmates, regardless of the regular visits by human rights organisations to prisons. There are no provisions made for conjugal visits in the prisons. Same-sex relationships exist in Cameroonian prisons, either because of sexual preference or as a substitute for heterosexual relationships.

The reform of the dated CPR 1992 and the Cameroon Penal Code 1967 is essential. Such reform should take into consideration both the specific needs of female inmates and current debates on the imprisonment of women.

**KEY TERMS:** Prison conditions, Cameroon, narratives, female inmates, feminist criminology, discipline and punishment, pregnancy, breastfeeding and childbearing, sexuality, NGOs and FBOs.

## DECLARATION

I declare that “Prison conditions in Cameroon: The narratives of female inmates” is my own work and that all the sources that I have used or quoted have been indicated and acknowledged by means of complete references.

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**Signature**

**HELEN NAMONDO FONTEBO**

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**Date**

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## **DEDICATION**

No person living is more deserving of this research than my beloved husband, Fontebo Walters Mbah, whose endearing love and support brings out the best in me – a patient husband who endured my constant absence and assisted wholeheartedly to transcribe the interviews conducted in the course of this study.

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## **LIST OF ABBREVIATIONS AND ACRONYMS**

ACAT	Action by Christians for the Abolition of Torture
ACHPR	African Charter for Human and People's Rights
AI	Amnesty International
CEDAW	Convention on the Elimination of all Forms of Discrimination against Women
CPC	Cameroon Penal Code
CPE	Cameroon Pidgin English
CPF	Correctional Policy Framework
CPR	Cameroon Penitentiary Regulation
DCS	Department of Correctional Service
DO	Divisional officer
FBOs	Faith-based organisations
FP	Fieldwork Photographs
GCE	General Certificate of Education
GNP	Gross national product
ICCPCC	International Catholic Commission for Prison Pastoral Care
IRAD	The Institute of Agricultural Research for Development
LHR	Lawyers for Human Rights
NCHRF	National Commission on Human Rights Freedoms
NCPC	New Criminal Procedure Code
NGO	Non-Governmental Organisations
PACDET	Improvement of Detention Conditions and Respect for Human Rights
PA	Prison A
PB	Prison B
PC	Prison C
PD	Prison D
PE	Prison E
PF	Prison F
SDO	Senior Divisional Officer
SMRs	Standard Minimum Rules for the Treatment of Prisoners
SR	Special Rapporteur
UDHR	Universal Declaration of Human Rights

UN	United Nations
UNAID	United Nations Joint Programme on HIV and AIDS
USDS	United States Department of States
WID	Women in Development

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# **CHAPTER ONE**

## **PERSPECTIVES ON PRISON CONDITIONS AND THE NARRATIVES OF FEMALE INMATES**

### **1.1 BACKGROUND TO THE STUDY**

This study is aimed at helping to provide answers as to whether there is a discrepancy or variation between policy/laws and practice in relation to female inmates in prisons in Cameroon. This type of empirical research is important in the context of Cameroon, given the outcry about the deplorable prison conditions in Africa contained in a book edited by Jeremy Sarkin (2008) and entitled *Human Rights in African Prisons*. Although this book examined prison conditions in various African countries in detail, there are superficial references to Cameroon only and this has warranted a thorough investigation into Cameroon's position in this current discourse. In this study, the focus was on female inmates, a category of inmates that has elicited comparatively little research in general and has been almost entirely ignored in Cameroon.

An important element of current incarceration practices is the concept of reformation, namely, that a prisoner should come out of prison a better person. However, if the prisoner is to be reformed for his or her eventual return into society, then it is essential that the prisoner is treated humanely during incarceration. Nevertheless, it would appear that the humane treatment of prisoners in Cameroon is a luxury, with New Bell Prison Douala, a maximum security prison located in the economic capital, being classified as "hell on earth" (US Department of State 2009:5). New Bell Prison Douala is the largest prison in the country and, yet, almost none of the basic human rights of its inmates are respected. As regards sanitation, the septic tanks are always full beyond capacity and reports have indicated that the inmates themselves struggle to unblock these septic tanks. The insufficient number of toilets means that some inmates are left with diarrhoea stools on their bodies and they often go for several days without taking a bath. The situation is further aggravated by the fact that the state does not provide toiletries to inmates as is the custom in other parts of the world.

In addition, because of the shortage of food some of the inmates resort to digging in the dustbins in the prison to pick up the peelings of vegetables, cocoyams and other foodstuffs

thrown away by other inmates, and then cooking their findings. This often leads to health hazards which result in the high death toll, as the state provides limited medication for the prison inmates (Atabong 2008). In short, the situation in New Bell Prison is indicative of the low levels of hygiene and insufficient food in Cameroon prisons and demonstrates the lack of care and financial commitment to prisoners and also the lack of programmes aimed at effective rehabilitation. The UN Rule 57 of the Standard Minimum Rules for the Treatment of Prisoners (SMRs) 1955 would do much to change this situation. The rule states that:

Imprisonment and other measures which result in cutting off an offender from the outside world are afflictive by the very fact of taking from the person the right of self-determination by depriving him of his liberty. Therefore, the prison system shall not, except as incidental to justifiable segregation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

It is clear from the above, that, in order to match policy and practice in penitentiary institutions, Cameroon should reflect what international agreements and national policy have accepted as “appropriate”. However, it is a fact that the extent to which prison inmates’ rights are protected shows the type of progress a country has made as a civilised nation or people (Hudson 2002). It is therefore essential that policy documents in Cameroon address the specific difficulties of female inmates since their human rights are at risk and must be protected.

This study focused on ‘unsilencing’ the female inmates who, in particular, have been “muted” in the criminal justice system. I have shown below how their experiences have remained marginalised in the debates around policy. Moreover, I examined how the criminal justice system is responding to the changes generated by the steady number of women being incarcerated. It is unacceptable that the Cameroon Penitentiary Regulation (CPR) was written without addressing the specific needs of women, although it cannot be said that male inmates are any better off in prison than the female inmates. It is my observation that the argument of Morris (1987:2) to the effect that “theories of criminality have been developed from male subjects and validated on male subjects” still holds true in Cameroon. The assumption accepted by many is that the CPR is gender neutral and applies to all criminals, including women. According to Morris (1987:2):

Theories of crime should be able to take account of both men's and women's behaviour and to highlight those factors which operate differently on men and women. Whether or not a particular theory helps to understand women's crime better is of fundamental, not marginal, significance for criminology.

However, Coyle (2005:67) argues that it is the low number of female prisoners that makes it understandable that the prison system is organised from a male perspective. Nevertheless, this has disastrous consequences for female inmates.

Although there are women's prisons in some countries, in others, men and women are held in the same prison and are not always separated (Samakaya-Makarati 2003). There are no exclusively female prisons in Cameroon and, in most prisons, the women do not have a separate yard for outside activities and they share the same yard with men. In some cases they even share toilet facilities. For example, the Yabassi Principal Prison (in the Nkam Littoral region of Cameroon) awakens female prisoners at five o'clock in the morning to give them access to the bathrooms before the men. Thus, by implication, the women have no access to the bathrooms during the day.

The literature on female imprisonment focuses primarily on North America and Europe, while prisons in Africa, Latin America and Asia are under researched. While there is some information concerning prisons in the reports of non-governmental organisations (NGOs), such as Human Rights Watch and Amnesty International, most of the African literature on prisons emanates from South Africa and, to a lesser extent, from Nigeria. For most other African countries the data is sparse and the available information largely superficial (Sarkin 2008). Statistics on the female prison population are available for some African countries, such as Cameroon's neighbour, Nigeria which has a prison population of 40 444 of which 756 are female, and also South Africa which has the largest prison population on the continent (and the ninth largest in the world) of 157 402 and a female population of 3 129 (Walmsley 2007; United Nations Office on Drugs and Crime 2007:12). However, in Cameroon the prison population is indicated as 20 000 (ACHPR: 2002) only, without any gender differentiation. At the end of 2009, the Ministry of Justice reported that the government was holding 24 000 inmates (USDS 2009), although the report also did not provide figures on gender differentiation.

It would appear that the efforts of the UN under the SMRs (1955) set out what are generally good principles and practices regarding the treatment of prisoners. Prisoners are routinely subjected to torture, mutilation and mental abuse, practices which are analogous to slavery and dispossession (Smith 2005:347). This situation adds credence to the demands for the recognition of distinct women's rights as opposed to men's rights. One may wonder why there is a constraint in enforcing the rights of inmates in prison when the laws are blatantly clear and appear "beautiful" on paper. Farr (2000:4, see also Daly & Chesney-Lind 1988:510) is of the opinion that gender neutral systems do not adequately reflect the criminality of women nor do they address the correctional needs of women since gender-neutral policies are tied to specific male bodies.

Bastick and Brett (2005:5) identified several, specific difficulties women experience when imprisoned, and illustrated that these difficulties are not limited to specific regions, or to 'developed' or 'developing' countries. According to Bastick and Brett, women in prisons all over the world suffer from intersecting discrimination, and are largely ignored in prison systems which are designed for men. This argument is supported by Coyle (2005: xi), who believes that prisons are the same in every country in some respects.

Nevertheless, I agree with Esherick's (2007:93) argument that, in most countries, women who commit crimes serve time behind bars, but how and why they get there, and what happens to them while in state custody, varies dramatically from country to country, depending on each nation's culture and laws. Furthermore, the way in which they are treated also depends on how many women in that particular country commit crime.

## **1.2 PROBLEM STATEMENT**

Despite the efforts of the African Commission to ameliorate prison conditions and its attempts to set some important standards, its approach has not been coherent nor has a clear policy been developed (Murray 2008). In this respect the Special Rapporteur's visit to Cameroon in 2002 and the recommendations advanced for a better prison life seemed to comprise a written rather than a practical document since it would appear that prison conditions are deteriorating instead of improving (ACHPR 2002), while the differences between the prison experiences of the male and female inmates seemed not to be a cause for

concern. In addition, the visit of the Special Rapporteur in the wake of the advent of the twenty-first century did not trigger any reform of the Cameroon Prison Regulation of 1992. Research in the field of prison conditions has shown that most prisons were built to suit the needs of men, with the needs of women being addressed as an afterthought only (Samakayi-Makarati 2003:11). Many prisons are therefore poorly adapted to accommodate the special needs of women, while the conditions of female imprisonment have attracted no attention in Cameroon as women's programmes are much neglected. These programmes are underfunded and poorly equipped in comparison to men's programmes. The matter is even more complicated in Cameroon which has not made provision for women's prisons except for women's wings in male prisons. This situation is aggravated by the fact that the penitentiary administrators in Cameroon state that pregnant women and those with children are not allowed in prison although this is not the case in reality. There are no special care measures for pregnant women, mothers with children inside the prison, or minor children outside the prison, or menstruation and issues specific to the well-being of women inmates.

Furthermore, prison policy makers in Cameroon have not considered that, although inmates of both sexes may suffer from isolation from their families, mothers and their children suffer particularly from the separation imposed by imprisonment. In most prisons, the mothers of infants and those who give birth while in prison are separated from their children. As painful as the separation may be for the mother, the implications for the development of the children are even more crucial. Many prisons and organisations have developed programmes to promote contact and relations between mothers and their children. However, this is not happening in Cameroon where the government has to struggle with budgetary constraints, pockets of corruption and administrative bottlenecks. Prison staff members may also struggle to make ends meet and therefore provisions for prisoners are often redirected to their own pockets, leaving the inmates even more destitute.

The problems and needs of female inmates are particularly important following current international debates advocating a gender-specific or women-centred approach to imprisonment. This study uncovers whether Cameroon is part of this ongoing debate and, if not, whether its correctional policy framework and other policies, initiatives and models adequately address the issues relating to the specific needs and difficulties of women.

The aim of this study is, therefore, to close the gap between policy and practice in Cameroon in the presence of reports which indicate a set of clear standards against which the prisons in Cameroon may be measured. This would be compared with the narrated lived experiences of female inmates in an attempt to understand the state of prisons in Cameroon.

### **1.3 THE RESEARCH QUESTIONS**

Based on the research objectives, the following research questions will guide the study: The central research question of this study is: **How do the national policies and laws on prison conditions in Cameroon relate to the lived and narrated experiences of female inmates?**

The subsidiary questions include the following:

- What are the existing policies relating to female inmates in selected prisons in Cameroon?
- How effective are these policies in addressing the problems and needs/priorities of selected female inmates in selected prisons in Cameroon?
- What are the narratives of the selected female inmates and how does imprisonment impact on women's lives?
- What is the relationship between prison conditions as seen by prison staff and the narratives of female inmates in selected prisons in Cameroon?

### **1.4 THE OBJECTIVES OF THE STUDY**

Central to this study is the premise that prisons do not have the resources to implement the rehabilitation techniques that are espoused in theory, with the result that prisons are merely institutions for punishment (Wahidin 2004). This study will focus on policy documents on prison conditions and then conduct an in-depth analysis of prison conditions in Cameroon, while taking into account the initiatives/efforts undertaken by the government and other NGOs or bodies which are aimed at the improvement of the conditions of female inmates in prison. The study will further explore the extent to which these initiatives accord with international debates relating to the treatment of female inmates in practice in relation to the way in which policy impacts on the ways in which prisons are being administered for women. The main research objective is therefore: **to examine the national policies and laws on prison conditions in Cameroon and how they relate to the lived and narrated experiences of female inmates.**

The specific research objectives are to

- examine existing policies relating to female inmates in selected prisons in Cameroon
- analyse the effectiveness of the policies in addressing the problems and needs/priorities of selected female inmates in Cameroon
- describe the narratives of specific female inmates and the impact of imprisonment on women's lives in Cameroonian prisons
- examine the relationship between prison conditions as seen by prison staff and the narratives of female inmates in selected prisons in Cameroon.

## **1.5 RATIONALE FOR THE STUDY**

This study firstly intends to explore the extent to which the government/department of prison administration in Cameroon has given credence to written laws/policies (both international and national) on prison conditions in the lives of female inmates. The research is important and timely because the Cameroonian government is becoming increasingly conscious of prison conditions and the human rights of prisoners. This has been demonstrated by the numerous seminars which have been held in the past eight years in order to train and equip penitentiary staff. For example, "Seminaire National des Responsables des Etablissements Penitentiaires", 2003 and "Programme d'Amelioration des Conditions de Detention et Respect des Droits de l'homme – Phase 11" 2008. Moreover, there is increased policy focus on what works in terms of rehabilitation and resettlement.

Secondly, the gender-specific needs of female offenders are largely neglected by researchers and policy makers in general (Carlen 1994:131; Vetten 2008) and this study aims to make a contribution in this regard. There is only a handful of studies available in the literature that specifically address the special needs of female offenders and how female offenders differ from their male counterparts in prisons (Feder & Henning 2005). This lack of research is compounded by the small number of female offenders in prison, the lack of any threat associated with female criminality and the failure of female offenders to call attention to their plight through prison riots and protest (Simon, 1975; Haffejee, Vetten & Greyling 2005). Consequently, correctional providers lack adequate knowledge about many facets of female offending and this explains why, despite the many differences that exist between male and



female offenders, programmes and services designed for males are extended to female offenders with little alteration (Suter, Byrne, Howells & Day 2002).

Thirdly, there is little published work on prison conditions in Cameroon. Publications during the past three decades (most of them recent) include studies on prison conditions (Mbu 1986), pulmonary tuberculosis in the central prison of Douala, Cameroon (Noeske, Kuaban, Amougou, Piubello & Pouillot 2006), health conditions in the New Bell prison (Atabong 2008), penitentiary administration in Cameroon from colonial times to present day (Besong 2008), constraints and difficulties in feeding detainees at the central prisons (Kekay 2008), the dynamics of prison administration and prison reform in Cameroon (Linonge 2010) and being a mother and in prison (Wogaing & Abissi 2011). This study will build on and extend these works.

This study provides a significant contribution to existing research and establishes both a working document on certain prisons in Cameroon and a critique of prevailing conditions, while examining the narratives of selected women from their perspective on their lived experiences in prison.

Thus, this study aims to contribute to existing studies of prison conditions in general and the narratives of imprisoned women in particular. This should be of value to those concerned with the policy detail that is encapsulated in a sophisticated, critical, sociological/feminist/legal theoretical and methodological framework.

The sociological relevance of this study is reflected by the examination of the female inmates' experiences, feelings, fears, failures and hopes regarding incarceration and the conditions that they endure. The focus of this study is aimed at bringing the female inmates' voices to the fore and to allow their narratives to communicate their own experiences, traumas, struggles and triumphs. They were given a chance to evaluate the conditions in which they live by speaking for themselves. In other words, the women told their own stories and evaluated the effectiveness of the criminal justice system, since female inmates may serve as a source of untapped insights on how to better prison conditions. This argument is supported by Talvi (2007: viii), who contends that there are no individuals more insightful and informed about the realities of female incarceration than the female prisoners themselves.

The project aims to contribute to the existing sociological literature and enable criminal justice experts in Cameroon to ensure good governance and an enabling environment. This is both extremely important as well as expedient because what happens in the prisons in any country reflects on the country's penal system, legislation, policies, history, developmental maturity, culture and ideologies (Sarkin 2008). How and whom the state chooses to confine reflects that state's attitudes and policies towards rights in general, and the rights of the vulnerable group in particular. In this context, female inmates whose rights are likely to be abused are most in need of protection. Therefore, understanding the lives and choices of women who find themselves in the criminal justice system also requires a broader understanding of the contexts within which their criminality is lodged (Chesney-Lind & Pasko 2004).

It is not possible to overemphasise the urgency of this study as globalisation and crime have become increasingly borderless and there is a need for international and comparative prison research. Prison systems operate in a global context as criminals operate across national and international borders.

## **1.6 THEORETICAL OVERVIEW**

This study is informed by two major theories, namely, Foucault's analytical framework from his seminal work *Discipline and Punish* (1977) and a feminist analytical framework which fills the gap in Foucault's thesis that is largely devoid of gender analysis. These two theories are particularly relevant in the context of this study because no one theoretical perspective can lay sole claim to the empirical referents of crime (McLaughlin, Muncie & Hughes 2003: xii).

Foucault's analogy is particularly relevant for this study as "writing about punishment and classification without Foucault is like talking about the unconscious without Freud" (Cohen 1985:10). Furthermore, Foucault's work constitutes a central reference in the sociology of punishment and sets a new agenda for contemporary research in this field. *Discipline and Punish* deals specifically with the abolition of torture and the emergence of the modern penitentiary which has shifted the focus of punishment from the prisoner's body to his/her mind.

Feminist criminology, on the other hand, bases its argument on gender and power. The central tenet in feminist criminology is that female crime has been ignored by mainstream criminology. According to these feminists, although women are responsible for a small proportion of crime only, they should be able to explain crime from their own perspective (Walsh 2011:11). The primary aim of feminist criminologists is to place women on the criminological agenda and to interpret female crime from a feminist perspective (see chapter 2 for a detailed discussion).

## **1.7 ETHICAL ISSUES AND METHODOLOGY**

The section below deals with ethical issues and methodology.

### **1.7.1 ETHICAL ISSUES**

The issue of informed consent is located within the principle of respect for autonomy. This principle requires that participation in research is voluntary and that the informants are made aware not only of the potential benefits of the research for the population but also of the personal and individual risks they may be taking (Holloway 2010:59). The research participants in this study were selected purposefully and with their voluntary and informed consent (see appendices C and D). They were also assured of both confidentiality and anonymity. The ethical clearance to conduct this study was granted by UNISA.

### **1.7.2 METHODOLOGY**

This research study is qualitative and employed primary narrative interviews of 38 research participants, comprising 18 female inmates, 18 prison staff members and two NGO representatives as the unit of analysis. Personal observation and a review of policy documents also formed part of the data collection process. A qualitative interview was deemed fundamental to the purposes of this study because it explores the ways in which social actors interpret the world, and their place within the world. In other words, it deals specifically with the narrative dimensions of people's accounts and the ways in which people make and use stories in order to interpret the world (Lawler 2002). As a method, the narrative in this study provided a means of exploring the construction of identity within the context of the life stories of the female inmates (Lieblich, Tuval-Masiach & Zilber 1998). The interviews were tape

recorded; transcribed and analysed manually using the three steps involved in coding qualitative data (Neuman 2006). A more detailed description of the methodology used is presented in chapter 4.

## **1.8 OPERATIONAL DEFINITIONS OF THE MAJOR CONCEPTS**

### **1.8.1 PRISON**

There are several definitions of the term *prison*. A prison may be defined as a penitentiary establishment, or buildings or a set of buildings in which people who are believed to have done wrong to society, gone against the laws of the land or are suspected of having committed offences are kept under custody against their will (Atabong 2007:46). The prison system falls within the broader definition of the criminal justice system, given that a meaningful categorisation of criminal justice theories must cut across the components of the criminal justice system: police, courts and corrections (Bernard & Engel 2002). Prison, therefore, refers to a collective term which integrates the police, the court and the correctional services as inseparable state components in the administration of justice (Morodi 2001). On the other hand, criminal justice is made up of three elements, namely, the police who arrest, the courts which prosecute offenders, and the prisons which execute the sentences of the courts. According to Hill (1996:1–2), a prison should, in theory, act as a correctional institution in which the convicts acquire relevant skills for their reintegration into society. The World Report (1998:244) summarises the mission of the prison as follows: “to keep prisoners, to keep them in, keep them safe, keep them in line, keep them healthy, and keep them busy, and do it with fairness, without undue suffering, and as efficiently as possible”, thus implying that the loss of liberty is sufficient punishment and no further punishment should be meted out to the inmate while in prison.

The operational definition of the term *prison* refers to an institution or building in which people, including female inmates, are kept as a punishment for a crime they have committed or while awaiting trial. The criminals are forced (not of their own free will) to live in this institution or building as punishment. It is, therefore, a closed environment in which they are locked up and, thus, they are not free to go out and fend for themselves. Accordingly, the state is bound to cater for their livelihood. This study deviates from the perception that the

term *prisoner* refers to the male gender only. The term *prisoner* is a general concept which is applicable to both genders convicted or awaiting trial. Throughout history prison, as an institution, has accommodated females who have committed all forms of crimes, ranging from petty theft to more serious crimes such as murder.

### **1.8.2 FEMALE INMATE**

The operational definition of the term *female inmates* refers to women who break the law, including awaiting trial prisoners. The notion of “inmate” in criminal law generally refers to a person whose conduct has contravened the provision of the penal code, without discrimination as to social category or sex. It also refers to a person kept or incarcerated for a crime committed, who is awaiting trial or who has been tried in a court of law and found guilty and sentenced to either a particular period or for life. *Inmate* is a neutral term and refers to both genders (Sykes 1982:818). According to Snider (2008:198), a female inmate, as defined by feminist criminology is the “woman in trouble”, the needy but not the punishable offender. To Snider (2008:198), women’s abusive experiences structure their lives and their offending, while the female inmate is portrayed as doubly disadvantaged, incarcerated because she has transgressed both domesticity and law (Snider 2008:198). In addition, she is portrayed as having “outwitted” gender norms, family norms and work norms. Moreover, she is seen as a failure as a wife/partner, mother, daughter and worker.

### **1.8.3 NARRATIVES**

In the context of this study the operational definition of *narratives* refers to female inmates telling their stories from their perspective. To a sociologist a narrative is a sequence of events organised into a whole so that the significance of each event may be understood through its relation to that whole. Thus, a narrative conveys the meaning of events. In the human sciences narratives are discourses with a clear sequential order that connect events in a meaningful way for a definite audience and offer insights into both the world and people’s experiences of the world (Hinchman & Hinchman in Elliott 2005:3). See chapter four for a detailed discussion.

## **1.9 OUTLINE OF THE CHAPTERS**

Chapter two focuses on the theoretical and conceptual underpinnings which are used to explain prison conditions and the narratives of the female inmates. Earlier explanations of crime are discussed in order to lend credence to the feminist critique. The feminist theoretical framework which is used to analyse the data enhances Foucault's analytical framework in terms of understanding the development of punishment, the use of power and how punishment in prison is directed in a specific way at the female body.

Chapter three focuses on relevant literature on prison conditions and the experiences of female inmates. The chapter begins with a brief historical overview of prisons in Cameroon and looks briefly at European and African religious influences on imprisonment and how these influences apply in the prisons in Cameroon today.

Chapter four presents the research design and methodology used to collect the data that was required to answer the research questions. The chapter discusses and explains the qualitative and narrative interviewing used to gather and analyse the data. The limitations of the study are also discussed.

Chapter five is the first empirical chapter of the study and focuses on the living conditions of female inmates in prisons. This chapter examines the fact that overcrowding and limited space gives birth to no categorisation of the female inmates, inadequate staffing, poor sanitary conditions, poor nutrition, inadequate lighting and ventilation, lack of clothing and bedding, limited time for contact with the outside world, discrimination in the allocation of recreational facilities for the female inmates and the near absence of work, rehabilitation, educational and training facilities. All of these contribute to the degrading treatment meted out to inmates, as well as the miserable conditions which Cameroonian inmates endure on a daily basis and which are described from the perspectives of the female inmates.

Chapter six is the second empirical chapter and examines the different phases of torture, including general instances of torture, vicarious punishment, and specific instances of torture happening in Cameroon prisons, and also how torture further makes life difficult for the prisoners, yet it is being endorsed by prison staff. An additional element would be the fact

that torture is so engrained in the prisons that female inmates are assigned to torture other inmates openly and sometimes in the cell in the absence of the prison staff and this is considered 'normal'.

Chapter seven is the third empirical chapter and demonstrates the link between sexual relationships, intimacy and care instigated by the privilege that allows women to cook their own food, a practice that is facilitated by the money provided by male inmates in the prisons. Other subsections in this chapter include discussions on power relationships, sexuality and sexual satisfaction; the right to parenthood, as well as sexual offences in prison and homosexuality in Cameroon prisons.

Chapter eight is the fourth empirical chapter and examines pregnancy, childbearing and breastfeeding. The chapter also focuses on the children of imprisoned mothers who are left out of prison.

Chapter nine is the fifth empirical chapter and focuses on the funding the government allocates for the management of prisons. This funding is often insufficient to meet the demands of the growing prison population. The chapter also highlights the fact that bureaucracy and the corruption of prison staff further limit the budget and aggravate the already deplorable prison conditions, thus forcing the prisoners to look for help through other means, sometimes by stealing from the prison itself or from other prisoners, if they choose not to turn to entrepreneurship. The chapter also explains the key role of NGOs, religious organisations and faith-based organisations (FBOs) in assisting in providing for the needs of female prisoners.

Chapter ten presents a summary of the main research findings and highlights the implications of these findings. It also includes a discussion on prison conditions, policy recommendations and new criminological imaginings and directions by looking at the contribution that imprisonment can make to the lives of female inmates.

## **CHAPTER TWO**

### **THEORETICAL FRAMEWORK AND CONCEPTUAL CONSTRUCTIONS UNDERLYING THE STUDY**

#### **2.1 INTRODUCTION**

This chapter presents the theoretical and conceptual framework used in the study to explain prison conditions and the narratives of the female inmates. In order to situate the feminist theoretical framework properly, earlier explanations of female crime will be discussed. The outcome will be an appraisal of how feasible this approach will be in the context of Cameroon and it will also assist in formulating a model that will be both adaptable and able to shed light on the conditions of female inmates in Cameroon. Apart from using a feminist theoretical framework in order to analyse the data, I will also engage the Foucauldian analytical framework for the purpose of understanding the development of punishment, the use of power, and how punishment in prison is directed in a specific way at the female body. Thus, the feminist theoretical framework will constitute an enriching preamble to elucidating Foucault's analysis of prison systems as contained in his seminal work *Discipline and Punish*, and in which the former aspects are outlined.

#### **2.2 THEORETICAL FRAMEWORK FOR THE ANALYSIS OF PRISON CONDITIONS**

This section attempts to illustrate the main arguments of Foucault's seminal work *Discipline and Punish* and how these arguments relate to prison conditions in Cameroon. It emphasises the themes of 'power' and 'rationality' and helps to enhance our understanding of modern punishment. However, Foucault's work, like that of Durkheim and the Marxists, provides a partial and limited basis only on which to study punishment or any other social institution. In addition, Foucault's work cannot stand on its own as an explanatory framework for the analysis of punishment and penal change and, in particular, prison conditions from the perspective of women, where a more pluralistic approach is necessary.



## 2.3 WOMEN IN PRISON: DISCIPLINE AND PUNISH

In order to analyse prison conditions from the perspective of female inmates, a discussion of the background of prisons and a theoretical understanding of their original purpose are crucial. Fundamental issues about imprisonment and its use are relevant if the details are to be placed within a wider context. Power relations are central to Foucault's research which was published in *Discipline and Punish: The Birth of the Prison* (1977) and which is considered as a landmark in the study of the history of crime and punishment. Also referred to as "the most influential late twentieth-century text on the question of punishment" (Bosworth 1999:14) the work was perceived to have transformed the understanding of penality (Howe 1994:14). Foucault's text is referred to as one of the three most cited histories of punishment (Howe 1994:75), together with Michael Ignatieff's *A Just Measure of Pain* (1978) and David Rothman's *Discovery of the Asylum* (1971). These three works greatly revised the history of the penitentiary (Ignatieff 1978:153). In *A Just Measure of Pain* Ignatieff (1978) describes the moment in eighteenth century England when the modern penitentiary and its ambiguous legacy were born. In depicting the way in which the whip, the brand and the gallows, all forms of punishments once intended to cow the unruly poor into passivity, came to be replaced by the "moral management" of the prison and the notion that the criminal poor should be involved in their own rehabilitation. Ignatieff (1978) documents the rise of a new conception of class relations and, with it, a new philosophy of punishment directed not at the body but at the mind.

David Rothman's *Discovery of the Asylum* is another important study in which he argues that, by the 1880s, the notion that individuals could be rehabilitated through the process of institutionalisation had been abandoned in favour of a "custodial model". Rothman's focus, therefore, was on revisionism rather than on debates on punishment (Rothman 1971, see also Bosworth 1999:19).

However, the theoretical orientation of this study is Foucault's *Discipline and Punish* as an analytical tool in addressing the narratives of female inmates. It has been suggested that "writing about punishment and classification without Foucault is like talking about the unconscious without Freud" (Cohen 1985:10; Garland 1990; Wahidin 2004). According to Garland (1990:131), Foucault's work constitutes a central reference point in the sociology of

punishment and sets a new agenda for contemporary research in this field. Foucault's focus on the abolition of torture and the emergence of the modern penitentiary has shifted the focus of punishment from the prisoner's body to his/her "soul", while Foucault also writes about the power of "normalisation" in Western society.

### **2.3.1 PUNISHMENT AND THE TECHNOLOGIES OF POWER**

Despite the fact that some of the groundwork for Foucault's main arguments had already been developed in other classical works there is, however, a singularity about Foucault's analysis of punishment which distinguishes it from the Marxist and Durkheim traditions and establishes it as an important perspective in the field. Unlike Weber and Durkheim, who highlight the social context or moral foundations of penalty, Foucault's work emphasises the internal workings of the apparatus itself, focusing on the actual technologies of penal power and their mode of operation. His studies analyse the principles of surveillance and discipline which are inscribed in modern penal institutions, the grammar of modern penological discourse and the "penological rationalities" which operate in the penal system. His analysis not only focuses on the particularities of penal institutions and the relevant discourses, but it also shows the detailed linkages and homologies which connect penal power with other areas of governance and discipline, just as his analysis of "penological science" serves to reveal the regulatory and individualising role of the human sciences more generally (Garland 1990).

My aim in using Foucault's analytical framework is to show how Foucault's arguments and analyses may be used in thinking about modern penalty and how modern penalty shapes prison conditions. This section of the work will present a constructive critique of Foucault's work, identifying the strengths and contributions of this approach and how its "power perspective" may be allied with other interpretations to form a more multidimensional framework of interpretation. It is in this vein that the prescribed contours of Foucault's account and its lines of divergence from other traditions need to be carefully specified in order to capture the subtleties of his approach. The centrality of this work to sociology is extremely relevant to the aim of this chapter.

Foucault's *Discipline and Punish* is considered a central reference point in penal systems for the following six reasons. Firstly, unlike the moral or emotional components evident in

Durkheim's account, it emphasises the instrumental and utilitarian nature of modern punishment. Secondly, Foucault's analysis is different from and sometimes extends Marxism rather than contesting it. Thirdly, his analysis focuses on the power relations which are inherent in the penal process, together with the techniques and knowledge they encompass. In this regard Foucault views penal relations as power relations. He provides an explanation of how penal institutions are structured, how they exercise control, and how they are informed by particular forms of knowledge and technique. Fourthly, Foucault equates punishment to power and the government. He does this by examining the fabric of penality (Garland 1990:132-133). Fifthly, Foucault's major contribution to penality is his phenomenology of penal control and is evident in the following:

The king's head hasn't been cut off, yet already people are trying to replace it by discipline... comprising the functions of surveillance, normalisation and control and, a little later, those of punishment, correction, education and so on... in the camp of the left one often hears people saying that power is that which abstracts, which negates the body, represses, suppresses and so forth ... it becomes a matter of obtaining productive service from individuals in their concrete lives. And in consequence a real and effective "incorporation" of power was necessary, in the sense that power had to be able to gain access to the bodies of individuals, to their acts, attitudes and modes of everyday behaviour ...And I believe that the political significance of the problem of sex is located at the point of intersection of the discipline of the body and the control of the population (Foucault 1977:206-208).

This genealogy of modern punishment differs in important respects from other accounts of penal history and implies a model of historical explanation which has been taken up by subsequent writers.

Finally, Foucault is best understood as a critical theorist whose philosophical and historical work questions the forms of power and rationality which structured much of the modern world. In short:

Foucault's work is reminiscent of Max Weber on rationalisation or Sigmund Freud on civilisation, each showing the price that has to be paid for ways of life that are cherished in the modern world – with the important difference that Foucault's tone is

that of a subversive who questions the established values as well as their costs (Garland 1990:134).

Foucault's analysis of penal history brings into focus the way in which violent, repressive forms of governance, such as corporal and capital punishment, gave way at a particular time to the milder regulative techniques represented by the prison. This focus is then widened to produce a general picture of the gentler forms of control, inspection, discipline and 'normalisation' which have to take the place of repressive violence in the modern strategies of law and government. According to Foucault, the prison is conceived as epitomising these wider social forms, not because it is a 'typical' institution, but rather because it is the place where modern techniques of control are revealed in their full, unbridled operation.

### **2.3.2 THE BIRTH OF THE PRISON: A HISTORICAL PROBLEM**

*Discipline and Punish* begins with a description of two different types of punishment. The first is the execution of a regicide, conducted in a public square in Paris during 1757 before a crowd of spectators and where the body of the condemned was destroyed. In this case punishment was ceremonial and directed at the criminal's body. This type of punishment was described as a ritual in which the audience played an important role. The second was an institutional timetable, used in a Paris reformatory approximately 80 years later, and which set out a minutely detailed regime to regulate the daily lives of the inmates. As such the punishment takes place in silence and in private, and proceeds without any overt violence (Garland 1990:135).

The historical aspect of Foucault's account is encompassed in the disappearance of punishment as a public spectacle of violence and directed against the body, and the emergence of the prison as a modern form of punishment with a structuralist concern on analysing the techniques and forms of power, and identifying the wider framework of social relations in which these techniques and forms of power operate. This change took place throughout Europe and the United States of America between 1750 and 1820 with imprisonment shifting to affect the 'soul' of the offender rather than his body (Garland 1990:135; Foucault 1977:16).

According to Garland (1990), Foucault's description of the change in penal technology from the scaffold to the penitentiary was symbolic of a change in the criminal justice system as the prison introduced a new concern— knowing the criminal, understanding the sources of his/her criminality and intervening to correct them wherever possible. In terms of this modern system the focus of judgement shifts from the offence itself to questions about the individual's character, family background, history and environment. Ultimately this involved the introduction of experts, psychiatrists, criminologists and social workers into the judicial process with the aim of gathering knowledge about the individual, identifying his or her abnormalities and bringing about a reformation. This is particularly evident in the use of the term *corrections* in North America where the focus is more on producing 'normal', conforming individuals than on dispensing punishments. According to Foucault, the eighteenth century saw various calls for the reform of punishment which were, however, not motivated by a concern for the welfare of the prisoners but rather by a concern to ensure that power operated more efficiently.

According to the rules of punishment which Foucault sets out, punishment is to be understood as 'a political tactic', situated within the general field of power relations (Garland 1990:137). Discipline, on the other hand, is a series of techniques by means of which the body's operation may be controlled. This, in turn, works by coercing and arranging the individual's movements and experiences of space and time and is achieved by devices such as timetables, military drills and the process of exercise. To Foucault, disciplinary power encompasses the following three elements, namely, hierarchical observation, normalisation and examination. He developed this notion based on Bentham's panopticon (or the inspection house), a building that shows how individuals may be supervised and controlled efficiently (Foucault 1977:201). The panopticon is an ideal structure in which a guard is positioned in a tall control tower for the purposes of surveillance of the prison. The narrow viewpoints in the tower made it impossible for the prisoners to see the guard and to know, at any given moment, whether or not they were actually being watched. Thus, the panopticon brings both those who exercise it, and those who are subjected to it into a complicit relationship (Matthews 2009:31).

### **2.3.3 THE FUNDAMENTAL CONCEPTS: POWER, KNOWLEDGE AND THE BODY**

Punishment is founded upon three interrelated concepts which Foucault uses to analyse the fundamentals of any structure of domination, namely, power, knowledge and the body. To begin with, the strategies of power have their actual operative impact at the point at which they come in contact with the bodies of their subjects— there is a “microphysics of power” where power has both its bodily materiality and effects.

... in thinking of the mechanisms of power, I am thinking rather of its capillary forms of existence, the point where power reaches into the very grain of individuals, their discourses, learning processes, and everyday lives (Foucault 1980:39).

The discovery of this ‘microphysics’ and the claim that it reveals the essence of power more clearly than does conventional political analysis amount to one of Foucault’s most important and original contributions (Foucault 1977:39).

According to Foucault, power is not to be thought of as the property of particular classes of individuals who “have” it, or as an instrument which they are able somehow to “use” at will. Power refers to the various forms of domination and subordination while the asymmetrical balance of forces which operate whenever and wherever social relations display no simple pattern. For Foucault, social life is to be thought of as taking place, not within a single, overarching society, but across a multiplicity of fields of forces which are sometimes connected and sometimes not. His focus is always on the way in which these power relations are organised, the forms they take and the techniques upon which they depend, rather than on the groups and individuals who either dominate or are dominated as a consequence. His concern is thus with power and its materialised forms. These include structures, relationships, institutions, strategies and techniques rather than the concrete politics and the actual people they involve. In terms of this conception power is a pervasive aspect of social life and is not limited to the sphere of either formal politics or open conflict. Power is also to be thought of as productive in effect rather than repressive in so far as power shapes the actions of individuals and harnesses their bodily powers to its ends. In this sense power operates

‘through’ individuals rather than ‘against’ them and helps constitute the individual who is at the same time its vehicle (Foucault 1980:39).

The relationship between forms of power and the bodies involves a second element, namely, “knowledge”. Foucault uses knowledge both to describe the “know-how” on which techniques and strategies depend and to point to the cognitive aspects which are inherent in all policies or programmes of action. Any exercise of power relies to some extent on knowledge of the ‘target’ or field of operation which is being addressed. The successful control of an object, whether it is an object in nature or a human object, requires a degree of understanding of its forces, its reactions, its strengths and its weaknesses and its potential for change. Consequently, the more the object is known, the more controllable it becomes. Thus, for Foucault the relationship between knowledge and power is an intimate and internal relationship in which each implies and increases the other, and his use of the term *power-knowledge* is a kind of conceptual shorthand which is used to emphasise these interconnections (Foucault 1977:26; Garland 1990:152).

Finally, the body is the third element linking power and knowledge. According to Foucault (1977:25), in societies the system of punishment must be situated in a certain political economy of the body. Even if such societies do not make use of violent or bloody punishment and even when they use ‘lenient’ methods involving confinement or correction, it is always the body that is an issue— the body and its forces, their utility and their docility and their distribution and their submission. To Foucault (1977:26), “discipline produces subjected and practised bodies, docile bodies, through a combination of routine, punishment and knowledge”. It is undoubtedly legitimate to write a history of punishment against a background of moral ideas or legal structures. However, Foucault poses the question as to whether it is possible to write such a history against a background of a history of bodies.

The body is also directly involved in a political field and power relations have an immediate hold upon the body—they invest it, mark it, train it and torture it and they force it to carry out tasks, to perform ceremonies and to emit signs. This political investment in the body is bound up, in accordance with complex reciprocal relations, with its economic use and it is largely as a force of production that the body is invested with the relations of power and domination. On the other hand, the body’s function as labour power is possible only if it is enmeshed in a

system of subjection. Thus, the body becomes a useful force only if it is both a productive body and a subjected body (Foucault 1977:26).

Taking these concepts as the framework of study, the history of punishment is thus conceived of as a set of developing relationships between power, knowledge and the body. Although Foucault never discusses the status of this analytical framework, it is embedded in the fact that power-knowledge-body relations constitute the irreducible basis of society and the historical process, with bodies that are caught up in power-knowledge relations forming a type of physical substratum which serves as a foundation for social relations and institutions (Foucault 1977:26, Garland 1990:139).

Punishment ceased to be centred on torture as a technique of pain but, instead, it assumed, as its principal object, the loss of wealth or rights. However, in common with forced labour or even imprisonment, the mere loss of liberty has never functioned without a certain additional element of punishment that often concerns the body itself. As Foucault discovered in his study, punishments such as the rationing of food, sexual deprivation, corporal punishment and solitary confinement are the unintentional, but inevitable, consequences of imprisonment and may still be evident in the various prisons in Cameroon today and elsewhere. These practices of imprisonment have always involved a certain degree of physical pain. It was often assumed that imprisonment was not sufficient punishment for prisoners who were less hungry, less cold and less deprived in general than many poor people and, thus, the conclusion was that a condemned man should suffer physically more than other men. It is therefore difficult to dissociate punishment from additional physical pain (Foucault 1977:16). Foucault concludes by saying that there remains a trace of “torture” in the modern mechanisms of criminal justice— a trace that has not been entirely overcome but which is enveloped, increasingly by the non-corporal nature of the penal system. Thus, the expiation that once rained down upon the body must be replaced by a punishment that acts in depth on the heart, the thoughts, the will and the inclinations. “Punishment if I may so put it, should strike the soul rather than the body” (Foucault 1977:16).

#### **2.3.4 THE SCAFFOLD**

According to Foucault, “Knowledge was an absolute privilege of the prosecution”. Firstly, knowledge informed part of the process of judicial investigation and was used to illicit the



confession of the accused and thus to give the mark of truth and 'self-evidence' to the findings of the prosecution. The use of judicial torture to elicit evidence from the accused was carefully regulated and allowed only where sufficient written evidence already existed to imply a prima facie degree of guilt. To Foucault, although torture is a brutal phenomenon, it is deeply rooted in contemporary legal systems and it cannot be understood apart from this discourse. Torture is highly regulated and it may even be conceived of as a kind of perverse game in which the prisoner negotiates with his questioner. Foucault argues that torture has a clearly defined structure and logic of its own, even though he does not defend it nor does he approve of it. Rather, he explains it in terms of his idea of legal and penal discourse. The process of punishment begins with the secret investigation, which may be hidden even from the accused and then progresses to the public ritual of the execution. Both acts, however, are embedded in what Foucault calls the classical system of law, and cannot be understood apart from it (Foucault 1977).

According to Foucault, the generalised use of the prison had the following characteristics, namely, secrecy, isolation and monotony. The prison seizes the body of the inmate, exercises it and organises both its time and its movement in order to transform the soul, "the seat of the habits". The prison takes hold of the individual and manipulates and moulds him or her in a behaviouristic mode, rather than just attempting to influence his or her moral thinking from the outside (Foucault 1977:26).

### **2.3.5 DISCIPLINARY ORIGINS OF THE PRISON**

This section provides a conceptual definition of prisons before delving into the disciplinary origins of the prison as understood by Foucault.

According to Sykes (1958), the prison is a microcosm of the wider society, except that the "threat of force lies close, beneath the surface", and also the control lies in the hands of the "ruling few". In his classic book *Asylums*, Erving Goffman (1961) described prisons as total institutions, meaning "a place of residence and work where a large number of like-situated individuals, cut off from the wider society for an appreciable period of time, together lead an enclosed, formally administered round of life". Goffman's definition, like that of Sykes, implies that the prison represents a miniature, self-contained society. According to Matthews (2009:56), there is yet another strand of sociological theorising which began in the 1970s and

which views the prison as a particular type of state-regulated bureaucratic institution. The investigation into the bureaucratic nature of the modern prison has led, in turn, to a more detailed consideration of the nature of the power relations operating both inside and outside the prison. Matthews (2009:56), citing Sykes, pointed out that “[t]he prison is not an autonomous system of power, rather it is an instrument of the state, shaped by its social environment, and we must keep this simple truth in mind if we are to understand the prison”. However, Sykes failed to develop this insight fully, although he was aware that most prisons, together with the school, the asylum and the hospital, represented a new type of state institution which had its origins in the nineteenth century. However, in the Cameroonian context, the birth of the prison is inseparable from the histories of slavery, colonialism and neo-colonialism. Coyle (2005), on his part, describes a prison as a place of routine, where the same things happen day after day without a change. The prison, as an institution, follows a strict timetable— staff members come on duty at the same time each day, cells are unlocked and locked at regular intervals, meals are served at the same time and all other activities follow a set pattern. In short, the monotony of daily living becomes the major features of life in prison. However, Coyle’s description of a prison is a reflection of the modern-day prison and is in contrast to the time when prisoners were expected to pay for their food in prison and, sometimes, even after acquittal the prisoner was taken back into prison as a form of security until he had paid his bill. The lifestyle of prisoners changed after reformers such as John Howard agitated that the state should pay salaries to the prison staff to avoid the extortion of prisoners (Kaguongo 2003:9).

Nevertheless, prisons have been conceptualised historically as places in which criminals could be securely confined and this ‘containment’ function has continued to predominate in spite of the gradual emergence of other aims of imprisonment, such as deterrence or rehabilitation. Containment not only means that prisoners must be kept out of circulation, but also that their deviations, even within prison, must not be on such a scale so as to disturb the peace of mind of the man in the street (Kaguongo 2003:8).

However, the existence of prisons and imprisonment is almost universal and it raises issues that are far beyond the few buildings and the small minority of the population that the prisons house (Morgan 2002:113). Control is one of the critical issues that are related to prison and imprisonment. Jacobs (in Timm 2007:31) refers to imprisonment as society’s most important

instrument of coercive control. Not only does imprisonment as an institution represent coercive control but it also reflects society's attempt to control the 'dangerous' classes.

*Discipline and Punish* revolves around the reason why prison succeeded in displacing the demands of the reformers and the logic of penal theory. Where did the prison come from and how did it come to be so quickly and universally accepted? On this note, there has been a shift of focus from penal ideas and legal theory to the evolution of what Foucault calls the disciplinary techniques.

Foucault's theory is evident in the differential attitude of prison staff towards female offenders. Prisons are usually measured by the government, by the public and by many criminologists in terms of their practical achievements. Thus, the treatment of prisoners depends on wider societal concerns with issues such as rehabilitation, labour and security (Bosworth 1999:11). From the point of view of Foucault this approach allows for an examination of the relationship between power and knowledge with the dynamics of being the object and subject of knowledge/power relationships being central to understanding the subject (Rouse in Wahidin 2004:46). However, it would seem that the necessity to conform with the notion of being 'disciplined' with regards to gender roles is more pressing for women than for men, and a failure to do so appears to have more disastrous consequences for women than for men (Dobash, Dobash & Gutteridge 1986). The underlying question would be whether or not the panoptical power projected in Foucault's work has specific implications for female prison inmates. The essential characteristics of panoptic power are that it is unverifiable and continuous, and it brings both those who exercise it and those who are subjected to it into a relation in which the parties are complicit, although not necessarily actively engaged (Matthews 2009:31). This argument is significant because the panoptical institution for women, in particular, implicitly provides a perfect patriarchal society which trains women to be subjected to the constant surveillance of the invisible patriarchal 'eye' in society at large. This is reflected in the following comment of Garland:

The principles of surveillance, observation, inspection and of disciplinary training, examination and normalisation – together with the physical, architectural, and organisational forms in which they are embodied – are presented to us so clearly and in such detail that we can begin to understand the material practices upon which modern penal institutions depend (Garland 1990:152).

Thus, Foucault examines how under this new regime, the body of the condemned becomes the condemned body; a movement denoted by the transition from corporal to carceral punishments, techniques of discipline, normalisation and individualisation and creating “a whole domain of knowledge and types of power” (Foucault 1977:16).

The control exercised by prison staff makes it difficult for inmates to exercise their rights, except in cases in which there is agency and resistance. It is important to note that Foucault is concerned with the method of surveillance of individuals and that he conceives power as a technique that achieves its strategic effect through its disciplinary character. In Foucault’s view identities are shaped and moulded through the exercise of disciplinary power. Foucault argues that people need not be formed through socialisation processes to stop them from pursuing their first preferences and it is sufficient to shape their beliefs or expectations in such a manner that they consciously abstain from pursuing such a preference as a result of the anticipated consequences (Nordlund in Yap 2002:25).

Foucault’s work embraces the complex relationship between the nature of structuralism and agency through his understanding of power. His notion of power is central to understanding how and why “power is everywhere, not because it embraces everything, but because it comes from everywhere” (Foucault 1990:93). *Discipline and Punish* provides a classic demonstration of how to investigate the circumstances in which social values exist and are transformed. However, Garland (1990:134) argues that it is a mistake to suppose that value and ethics are somehow reduced to the will to power and it is untenable to suppose that ‘power’ may be so completely separated from ‘value’. In practice, powers and values coexist in an integral relationship similar to the relationship which links power and knowledge. Garland suggests an alternative interpretation of the development of modern forms of punishment which is built upon his rejection of Foucault’s articulation of power and subjectivity. He examines the foundational work of Emile Durkheim (1964), and outlines and critiques the major theoretical schools of the sociology of punishment, including works by Foucault (1977) and Pieter Spierenburg (1984). In this work, Garland (1990:3) is, presumably, concerned with showing that:

Juridical punishment is not the transparent and rather self-evident institution of crime control that is commonly taken to be ... Punishment today is a deeply problematic and barely understood aspect of social life, the rationale for which is by no means clear.

However, Garland uses the work of Norbert Elias (1978) to examine the relationship between punishment, “culture” and “sensibilities” in order to “focus on the ways in which particular values and commitments enter into the penal process and become embodied there, and, more broadly, how cultural mentalities and sensibilities influence penal institutions” (Garland 1990:193). Significantly, he challenges the reification of notions of punishment and imprisonment by arguing that punishment “is not reducible to a single meaning or a single purpose ...” (Garland 1990:17). Both Garland and Foucault allege that the logic, or legitimacy, of imprisonment is reinforced by historically determined values.

In Garland’s analysis, it is not possible to understand power unless it is contextualised. Garland is critical of Foucault’s tendency to depict a seamless web of control, suggesting a more nuanced appreciation of forms of agency and resistance. The rhetorical question to ask at this point would be “What values does this power serve?” Accordingly, Garland (1990:173) argues that:

By studying closely the nature of resistance, Foucault would have done something to balance his account of power, but, as these remarks suggest, he might also have been led to revise this account in some important respects. In particular he might have been led to describe the operation of power upon individuals as being less of an “automatic” process and more of a matter of micro-political conflict in which the individual subject may draw upon alternative sources of power and subjectivity to resist that imposed by the institution.

In other words, power is not absolute and it cannot exist other than as a function of multiple points of resistance. Garland further criticises Foucault for neglecting the power of the inmates. Garland implies that Foucault’s work refuses to make discerning judgements about the different purposes for which power may be used and, thus, suggests that one is no better than the other. According to Garland, Foucault writes as if he were totally “against” power. His critique is not of one form of power in favour of another but it is rather an attack on power itself. Foucault’s work never declares the position from which it mounts its critique,

since to do so would be to accept the necessity of power and to choose between its forms. *Discipline and Punish* is written as if its author were ‘outside’ of power and therefore outside of society as well.

However, like Foucault, Garland does not discuss in any detail the resistance or subjectivity of individual prisoners. This is unlike Bosworth (1999), who emphasises the power of the inmates’ resistance and identities. In short, he too ignores the role of the inmates in the creation of the meaning of punishment. However, despite the fact that Garland is critical of Foucault’s reductionist portrayal of control, he also depicts a realm devoid of subjects. The elements of race, class and gender are glaringly absent from both texts with the result that both Foucault and Garland detach their critiques of punishment from a critique of society (Bosworth 1999:18).

## **2.4 FEMINIST THEORETICAL FRAMEWORK**

Social theories have a central role to play in making sense of social reality. There is a well-established tendency to react against ‘theory’ which is seen as ‘abstract’ and, therefore, ‘unreal’ or distorted. Yet knowledge has to be fitted into a framework of some kind in order to be usable; it cannot, indeed, be collected in the first place without assumptions being made about its use or the need to solve certain problems. Social theories are important and worth attention because they offer coherent explanations of social happenings (Heidensohn 1995:110).

Feminists locate individual experience in society and history, embedded within a set of social relations which produce both the possibilities and limitations of that experience (Acker, Barry & Esseveld in Bosworth 1999:1).

Crime and deviance possess special characteristics which attract social theorists. In this section I will be looking at the attempts which have been made to explain female criminality. As a subject, female crime has not been well covered in criminological literature, despite the fact that it has certain distinctive and, apparently, challenging features. In fact, this neglect has generated its own commentary— see for example Heidensohn (1968) and Smart (1995).

In order to do justice to the feminist analytical framework, an overview of the classical studies of female criminality, which is fundamental to the development of the feminist criminological critique, is given below. According to these classical works female criminality was based on biological determinism. However, any adequate explanation of female crime based on biological terms has to explain why female, but not male, biology determines deviant behaviour. Heidensohn (1995) regards such explanations as over-deterministic, maintaining that if most women experienced the physiological changes discussed, a much higher crime rate should be predicted for women than for men.

All these classical feminist theorists provide a partial answer to the questions about gender differences in criminality. To certain theorists not only are women biologically distinct and uniquely behaviourally determined, but their deviance is peculiarly sexual. Thus, they are perceived as engaging in prostitution as an equivalent to the 'normal crime' amongst men (Lombroso & Ferrero 1895) or as the key symptom of the 'unadjusted' girl (Thomas, 1923). To Lombroso and Ferrero these women were more immoral and menacing than male criminals (Flowers 1987:92). Apparently non-sexual actions such as assault or theft may be redefined as evidence either of sexual repression (Pollak 1950:142) or of the hysterical abnormality of the "born female criminal" (Lombroso & Ferrero 1895:248).

#### **2.4.1 EARLIER EXPLANATIONS OF FEMALE CRIMINALITY AND IMPRISONMENT**

The pioneering work of Lombroso and Ferrero, William Isaac Thomas and Otto Pollak represents the fundamental attempts to explain female criminality. Their work has been termed classical studies, not only because of the stage of development within criminology, but also because they may be regarded as 'pioneer' studies in the area of women and crime. Unlike other pioneer studies which have become redundant, these writers' accounts of female criminality continue to exert an influence on contemporary understandings of female crime (Smart 1976:27). Despite the fact that their accounts of female criminality vary widely, what unites them is based on a particular misconception of the innate character of the nature of women which is founded upon a biological determinist position.

### 2.4.1.1 LOMBROSO AND FERRERO

Cesare Lombroso and William Ferrero pioneered the discourse on female criminality in their book *The Female Offender* in 1895. Lombroso is regarded as the founding father of the biological-positivist school in criminology. Pre-Lombrosian theories based their theoretical framework on the concepts of atavism and social Darwinism. The term *atavism* refers to the belief that all anti-social or criminal elements in society are, in fact, biological throwbacks to an earlier evolutionary stage in human development. Social Darwinism, on the other hand, refers to the belief that individuals or groups are capable of developing the necessary physical or psychological characteristics to enable them to function more efficiently in their pre-determined roles (Smart 1976:31). However, the focus on Darwin's theory of determinism meant that theories of crime focused on the criminal rather than on the crime. Crump (in Timm 2007:15) posited that, according to these theories, women turned to crime as a result of social conditions such as occupation, marriage, opportunity and "sexual conditions", all of which are based on the inherent need on the part of women to secure the attention of a specific male counterpart.

In *The Female Offender*, Lombroso and Ferrero also based their theory of female crime on the criminal rather than on the crime. Lombroso and Ferrero (1895) studied pictures of female offenders in order to find consistent signs of "degeneration" (in their view women lacking maternal affection) or atavism. Although they found some signs of "degeneration", the female offenders in their study did not fit adequately into the theory of atavism. However, rather than rejecting the theory of atavism they used the concept of biological determinism to explain why 'true' criminals are so rarely found among women. Lombroso and Ferrero claimed that conservatism on the part of women has meant that they are more likely to be law-abiding than men. To Lombroso and Ferrero, conservatism was not culturally induced but rather it had organic origins. The compilers of public statutes also noted this conservative tendency in women in all the dimensions of social order. The primary cause of conservatism was believed to be based on the immobility of the ovule as compared to the zoosperm (Smart 1976:32). They perceived women to be less inclined to crime than men and, thus, both the true criminal and the occasional criminal were considered rare amongst women. However, Lombroso and Ferrero maintained that the born female criminal makes up for what she lacks in relative numbers by the excessive vileness and cruelty of her crimes (Smart 1976:32). The



born female criminal possessed all the criminal qualities of the male and also all the supposedly worst characteristics of women (cunning, spite and deceitfulness). Thus, these women were genetically more male than female and “as a double exception, the criminal woman is consequently a monster” (Lombroso & Ferrero 1895:152).

Lombroso and Ferrero further argued that there are local patterns of female crime arising from customs and the prevailing conditions in various countries, although these are avenues of criminality for the occasional, rather than the born female criminal. However, this theory of female crime has been criticised for its adherence to a stereotypical definition of women. Nevertheless, Lombroso and Ferrero’s work created an ideological framework in which contemporary studies have developed (Smart 1976:36). Furthermore, although Lombroso and Ferrero’s theory seems to be inadequate, it did contribute to the foundation of feminist criminology. Moreover, a possible reason why Lombroso and Ferrero did not allow for the female criminal voice to be heard was that theorists of their age were in search of a universal explanation for the causes of crime that would include both sexes and not just women offenders (Walklate in Timm 2007:15).

#### **2.4.1.2 WILLIAM ISAAC THOMAS**

In his book, *Sex and Society* (1907) William Isaac Thomas emphasised the variations of social behaviour between men and women which, according to him, are a result of the “katabolic” male (hyperactive nature) and the “anabolic” female (inactive nature of females) (Mandaraka-Sheppard 1986:7). Thomas’s assertion was greatly influenced by the Lombrosian biological/physiological approach. However, in his later work, *The Unadjusted Girl* (1923), Thomas introduced a liberal tradition into criminology by using a psychological approach to explain female offending. Although he clung to the manipulative female myth to explain the motivations of delinquent girls, whom he viewed as manipulating men by using sex “as a condition of the realisation of other wishes”, he did not describe female offending as a biological abnormality but believed that female offending was a socially induced pathology. According to the liberal approach, individual offenders should be treated as under socialised individuals who have not fully adapted to the social values of the society that represents their interests. Thus, female offenders should be described as being ‘sick’ rather

than either as inherently evil or as opposed to the dominant values of society (Smart 1976:37).

Thomas also stressed the wish satisfaction theory. According to this theory, every human being has a basic desire for new experiences, security, response and recognition. Thus, Thomas views these desires as factors that are likely to influence offending (Pollock 1978:44–45).

Thomas also used environmental factors to explain female criminality. This is particularly important in the context of this study because of the influence the environment may have on the population of female inmates. That is the reason why a significant part of his work was based on criticism of the community because he felt that the community was inadequate as a socialising agent. He advocated that the community should provide legitimate means for the attainment of needs so that both criminals and potential criminals would be able to fit into the roles that society has ascribed to them (Flowers 1987:94-95). Thomas's liberal approach was aimed at the individualisation of "social problems" and the method of individual treatment. This approach was regarded as attractive and, as such, it drew the attention of social reformers and served as a justification for the rehabilitation methods that were used in prisons (Smart 1976:37). The need for the treatment of the individual offender was the driving force behind this approach and it played a key role in the rehabilitation of female offenders in particular (Smart 1976:45).

However, despite Thomas advocating the treatment of the individual offender, there were a few shortcomings in his explanation of female crime. Smart (1976:43) argues that, in spite of Thomas's liberal approach to female crime, his approach was extremely paternalistic. It overlooked the limited life chances of working-class women and it generalised women as virginal figures by attributing the value system of women to the perceptions of society. Thus, those women who were not able to live up to these perceptions of society were described as amoral and deviant.

### 2.4.1.3 OTTO POLLAK

In his classic work, *The Criminality of Women* (1950), Otto Pollak developed his theory of female criminality and revealed the developing influence of sociology, psychology and psychoanalysis on criminology. His study on female criminality was founded on the following three premises. Firstly, the law treats women more leniently than men; secondly, men commit certain crimes at the instigation of women (which he attributed to man's protective attitude toward women) and, thirdly, typical female offences (domestic theft, shoplifting and disturbance of the peace) often go undetected and are underreported. Pollak's theory of 'hidden' or 'masked' female crime is relevant to this third premise. According to this theory of 'hidden' or 'masked' female crime, women were the instigators rather than the perpetrators of the crime (Klein in Timm 2007:17).

Kanopka (1966), in her study on youthful offenders, also used the notion that women are the instigators of male crime and emphasised the influence of delinquent girls on male gangs. This assumption is in line with the adage that women are the 'root of all evil' and it helped to account for the fact that female crime rates were considerably lower than those of men (Timm 2007:17). Pollak also assumed that the role played by women in society provided them with opportunities to commit crimes without attracting much suspicion. In other words, the role of the woman as a housewife, domestic worker and nurse enabled women to commit crimes that were undetectable as a result of the fact that the passive, maternal and care-giving woman is not easily associated with crime.

Despite the fact that Pollak published his work more than fifty years after Lombroso and Ferrero's study, his work is still categorised with their works and also the work of Thomas, because it reflects a comparable approach to the study of female deviance. However, unlike Lombroso and Ferrero, who relied solely on biological explanation, Pollak, like Thomas, recognised that social factors were relevant to his theories. However, Pollak's study belongs with the classical studies of women and crime primarily because it shares the specific world view and basic methodological assumptions of these studies although it fails to develop an understanding of female criminality much beyond those early works. Moreover, Pollak's belief that female criminality was more 'masked' than male criminality was out of place. In addition, the availability of conflicting evidence in respect of the widespread occurrence of

wife-battering, which is a reflection of the 'masked' nature of assaults by men, suggests that hidden male criminality may assume similar forms to those of female criminality and may even occur in a similar context to that of hidden female criminality (Smart 1976:49).

On the other hand, although it cannot be said that Pollak helped our understanding of female crime, his work has nevertheless been influential, mainly because he lacked competitors as the topic did not interest his contemporaries (Heidensohn 1995:121). This is based on the fact that Pollak states that "in our male-dominated culture, women have always been considered as strange, secretive, and sometimes as dangerous" (Pollak 1950:149). Unfortunately, according to Smart (1976:53), Pollak did little to dispel these myths but, rather, he incorporated them into his analysis and thereby gave folklore a pseudo-scientific status.

#### **2.4.1.4 SIGMUND FREUD**

The development of psychological theory in relation to crime originated with the notion of uncovering the hidden, unconscious forces in a person's psyche. According to psychoanalytic theory all relevant personality formation is concluded during early childhood. A three-part psychological structure forms as the child develops, namely, the primitive instincts (id), the sense of self (ego), and the conscience (superego). According to Freud (in Williams 2012:507), when the drives to satisfy sexual desires are repressed or the level of control over them is abnormally low, various behavioural disorders develop such as social aggression or passiveness. Sigmund Freud (1856, 1939), the founder of psychoanalytic theory, focused his theory of female criminality on the sexual neurosis (Williams 2012:507). Sigmund Freud, in common with his contemporaries, regarded women as being somewhat biologically deficient. He argued that women were inclined towards amorality because of their anatomical deficiency which was, in turn, based on the oedipal conflict. He maintained that all females experience some degree of jealousy of the male but that 'normal' women manage to accept and internalise the societal definitions of femininity which are centred on a single-minded interest in motherhood (Klein in Williams 2012:507). According to Freud, women's deviant behaviour derives from a masculinity complex known as 'penis envy' (Flowers 1987:93). The lack of a penis results in the female feeling inferior to the less demanding destiny of being wife and mother rather than breadwinner. According to Freud, when a woman is still a child and recognises that she has inferior sexual organs, she internalises this realisation and

considers it to be a punishment. This is, in fact, the reason why she grows up to be envious, vengeful, exhibitionist and narcissistic. She compensates for this by dressing well and looking physically beautiful to win the love and approval of men. Freud argues that the differences between men and women mean that a woman's sexual role is receptive and passive, thus leading to passivity in other areas of her life. For Freud women generally do not develop a strong conscience although men develop a strong conscience as a result of controlling their oedipal complex. In view of the fact that it is not possible to castrate girls and women, they do not possess the fear necessary to overcome the Electra complex (their desire for their father and their hatred for their mother). This would normally lead to a higher crime rate for women but, as a result of passivity and women's extremely strong desire for love and affection, particularly from their fathers or from other men, they are controlled (Williams 2012:507).

In Freud's world, deviant women are those who attempt to become more like men, those who complete or try to achieve within the masculine spheres of activity, or those who refuse to accept their 'natural' passivity. These women are driven by the desire to claim a penis and this leads to aggressive competition. This desire is, of course, hopeless, and these women will end up becoming 'neurotic'. This category of women need help to enable them to adjust to their intended sex role. In this situation only the birth of a baby would be seen as therapeutic as the baby is a substitute for a penis (Freud in Williams 2012:507). Freud's theory uses psychology to explain female criminality. However, the concept of a well-adjusted woman is based very much on traditional notions of sexuality and society. The application of this theory to crime has been criticised in a number of ways as reflecting masculine bias. The theory was based specifically on psychological variables with pseudo biological claims while disregarding other factors such as the political, social, and the economic factors that women faced (Flowers 1987:94). In addition, a psychoanalytic explanation of a person's behaviour is highly subjective (Williams 2012:518).

Lombroso and Ferrero, Thomas, Pollak and Freud all describe female crime by sexualising the behaviour of female criminals. Their theories differ in certain respects although there are some similarities in the themes. However, what is important is that they expressed popular views about female crime and this gave them mainly spurious scientific support (Heidensohn 1995:113). For example, Thomas (in Smart 1976:44) differentiates between men and women in terms of morality, noting that the moral code "is pre-eminently an adult and male system,

and men are intelligent enough to realise that neither women nor children have passed through this school". Freud's (in Williams 2012:507) remarks on women and crime provide a further illustration of this line of reasoning. Freud, like Thomas, views women as having an inferior sense of justice and he attributes this to women's preoccupation with penis envy. It is, therefore, evident that the main preoccupation of these writers is with social harmony (adjustment of women to society) and the welfare of the existing social structure rather than with the women involved or with the position of women in general. Their writings do not reflect either a 'feminist' or a 'radical' perspective (Klein 2012:10). What stands out from the psychological theory within the context of this study is that sociology does not reject psychological theory. Cohen (1985) argues that sociological explanations of criminality are not in conflict with psychological explanations in that they do not provide rival answers to the same question but, rather, they answer different questions about the same sort of behaviour. Psychologists take a more individualistic, specific view of human behaviour and the personal internal factors that contribute to criminality; while sociologists take a more general view, taking into account the external environment in which the individual lives.

#### **2.4.2 FEMINIST CRIMINOLOGY**

A few feminists only challenged the androcentrism found in the work of Garland and Foucault although the 'spill over' of the classical theorists into criminology influenced feminist critique. In England, for example, there were only two writers, namely Zedner (1991) and Dobash et al. (1986), who wrote about the history of women's imprisonment and challenged Foucault and Garland by introducing women as agents into the history of imprisonment (Bosworth 1999:19). In this section I map out the various developments which are described as 'feminist criminology' and consider their importance as regards the understanding of female crime. Feminist criminology began as a critique of mainstream male criminology and, thus, a proper understanding of feminist criminology will necessitate looking at the directions which this feminist criminology analytical framework is taking and ascertaining the extent to which it may be used to analyse the empirical data about prison conditions from the perspective of the female inmates in selected prisons in Cameroon.

Feminist criminology has been in existence for more than three decades and is a product of the second wave of the feminist movement (Chesney-Lind 2006:6). The first wave of feminism emerged towards the end of the nineteenth and the beginning of the twentieth

century. This first wave was championed by the liberal, Marxist and socialist feminists who were focused on opening up opportunities for women, including the right to vote and to participate in politics. The first wave of feminism began at the Seneca Falls Convention in 1848 when 300 women and men rallied to the cause of equality for women.

The second wave of feminism dealt with dominant issues such as sexuality and reproductive rights. These feminists were confronted with practical problems such as pregnancy, childcare, housework and sexual harassment, none of which could be solved by the application of neutral norms to both men and women since these norms were based on male experiences. This second wave of feminism, which was championed by radical and relational feminists, focused on the ways in which women were different from men and the consequences of these differences (Rampton 2008; Van Marle & Bonthuys 2007:17). This phase succeeded in ensuring the passing of the Equal Rights Amendment to the constitution, thus guaranteeing social equality irrespective of sex. The second wave of the feminist movement falls within the ambit of the scholarly analysis of the women's movement from the late 1960s through to the late 1980s. This wave is divided into two initiatives with their origins in the grievances and pre-existing organisations of two groups of women, namely, the older, professional women, who had formed bureaucratic organisations with a liberal ideology and had adopted legal reform strategies, and the younger women from the civil rights and New Left Movements and who had formed small, collective organisations with radical ideologies and who employed the 'personal as political' strategies which were embedded in consciousness-raising groups (Taylor, Whittier & Pelak 2001). The third wave of feminism (that became prominent in the 1990s) was driven by critical race, postcolonial and postmodernist feminists who wanted to move beyond the differences between men and women in order to address other differences, such as race, class, sexual orientation, religion and culture, between the women themselves (Van Marle & Bonthuys 2007:17).

This general picture of feminism is relevant to the criminological literature on women since, during the general second phase of feminism, a first phase of feminist criminology appeared. This will be explained in the following paragraphs.

There are two outstanding features of the conventional criminologists that the feminists criticised and which brought about a need for a feminist criminology. These include the following:

- Women are largely invisible and are, at best, merely marginal in criminological literature.
- When women are studied it is in a peculiarly limited and distorting fashion (Heidensohn 1995:146).

It is on the basis of the two points above that Millman (1982:279) pointed out that women had either been overlooked in the literature or else regarded as deviant in sex-stereotyped ways only. She reiterated that not only had women been largely ignored in the sociological literature but that, when men write about male deviance, they glamorise it and identify with it and, especially, when writing about deviant subcultures, they give accounts of these subcultures only or from the perspective of men. However, Smart (1976:176) observed that women had not been entirely ignored in the study of crime and deviance although the quality of the work which addressed the question of female criminality left much to be desired. The consequence of the absence of women from criminological literature would lead to injustices in their treatment as offenders.

Smart (1976) provided a groundbreaking work critiquing mainstream criminology and its approach to women and crime and it has been quoted by many as a turning point in the field of criminology (Leonard 1982; Daly & Chesney-Lind 1988; Daly & Maher 1998:21; Heidensohn 1995:150; Gelsthorpe 2002). In her book, *Women and Crime*, Smart (1976) posed an extremely critical question: Where are the women? This critical question addresses two important factors, namely, the neglect and stereotypical portrayal of women in mainstream criminology. One of the key factors mentioned by Smart was the fact that female offenders did not constitute a high percentage of the prison population and, for this reason female crime was not regarded as a social problem. This was also the main reason for the neglect of women and crime in mainstream, criminological theoretical frameworks. The second factor that Smart addressed was the stereotypical portrayal of women advanced by mainstream criminology. Smart also stressed the fact that myths regarding the theological beliefs in the fundamental evil and weaknesses of women as well as the paternalistic beliefs in women's frailty and gentleness prevail in mainstream criminology. These were the main factors that stood out in the analysis of mainstream criminology and its explanation of crime. According to Daly and Maher (1998:2), feminist criminology may be divided into two phases an early phase and a second, recent phase.



The first phase of feminist criminology originated during the 1960s. This phase set out to critically address the theoretical framework of mainstream criminology. The crucial question posed was what were the experiences of women? Thus, in its contribution to feminist criminology, this phase firstly critiqued theories for failing to consider gender differences or for characterising women in a sexist manner. Secondly, it set out to conduct empirical studies to explore women's experiences as law breakers, victims and workers of the criminal justice system.

The second phase of feminist criminology originated during the 1980s. This phase challenged the efforts that had been made during the first phase of feminist criminology. The critique of this second phase was based on two main sources, namely, women marginalised by certain feminist theory (for example, women of colour and lesbians) and post-modern or poststructuralist texts and theories. The major academic activities of this phase were centred around the problematisation of the term women to denote a unified category as well as acknowledging that women's experiences are constructed by legal and criminological discourses; revisiting the relationship between sex and gender, and reflecting on the strengths and limitations inherent in constructing feminist 'truths' and knowledge. To an extent this phase overlaps with the third wave of feminism which originated in 1992 and which demands the incorporation of the voices of young women, non-heterosexual women and women of colour (Daly & Maher 1998:2).

Heidensohn (1968) is one of the early writers about female crime and who posed certain critical questions during the initial period of feminist criminology. Heidensohn 'problematised' the notion that very little attention was being paid to female crime or deviance during that time and called for an objective and scientific approach to treating female crime as an issue in its own right. However, Daly and Chesney-Lind (1988) argued that the claims by Heidensohn and other scholars with regards to female crime gave rise to two extremely important dimensions that raised questions about the criminological enterprise. The first dimension referred to the 'generalisability' problem which poses the question as to whether it is possible to extend the theories generated to describe male deviance to describe female deviance. The second dimension referred to the 'gender ratio problem' which posed the question as to the reason why females commit less crime than males (Daly & Chesney-Lind 1988:508). Both questions have been answered by traditional and self-identified

feminist criminologists with both assuming that crime is a fact rather than a social construction (Snider 2008:195). These two questions played a central role during the first phase of feminist criminology.

#### **2.4.2.1 THE FIRST PHASE OF FEMINIST CRIMINOLOGY**

The first phase of feminist criminology set out to address the theoretical framework of mainstream criminology critically. During this phase feminist theorists such as Smart (1976), Heidensohn (1995) and Morris (1987) challenged the assumptions being made about female offenders in male-centred, criminological theories. These scholars exposed the repeated omission and, indeed, the misrepresentation of women in criminological theory and research (Belknap 2001:2). The 1970s brought to the fore two scholars, Freda Adler and Rita Simon, who propounded the emancipation/liberation theory. According to these theorists, the emancipation of women increased their labour, educational and occupational opportunities, leading, in turn, to the crime statistics of females becoming equal to that of their male counterparts.

Freda Adler (1975) was one of the first criminologists who pointed out that, if the social status of women became equivalent to that of men, the crime patterns of females would resemble those of their male counterparts. Simon, on the other hand, pointed out that the women's liberation movement had an impact, not only on female crime, but on changing the treatment of women in the criminal justice system (Leonard 1982). However, feminist criminologists argued that the criminality of women should not be located in biological characteristics beyond their control, but in considerations which are as rational as those that motivate criminal actions by men. Thus, what is important is the fact that social constructions, rather than biology, explained the gender differences in crime (Daly & Chesney-Lind 1988). Nevertheless, the literature which addresses the two positions mentioned above derives from the quantitative component of feminist criminology. However, feminist criminologists are more likely than their male counterparts to add qualitative components (interviews or case histories) in order to comprehend women's crime on its own terms, thus emphasising women's interpretations of their own criminality (Daly & Chesney-Lind 1988:122). Both questions also take male crime rates, conditions and male-based theories as the norm against which women must be compared.

A 'new female criminal' evolved in accordance with these theories. Nonetheless, the claims made by these theorists were heavily criticised by Steffenmeier, Schwartz, Zhong and Ackerman (2005), who argued that the changes in the direction of higher rates of crime for women had commenced in the early 1960s, before the women's movement would have begun to have an impact on law breaking. According to Steffenmeier et al (2005), the new female criminal is a social invention rather than an empirical reality as women are still, typically, non-violent. Flowers (1987), on the other hand, saw the new female criminal as a myth, mainly because the crime patterns referred to by Adler and Simon did not, in fact, occur in practice. This viewpoint was, however, contrasted by Chesney-Lind and Pasko (2004:110) who saw the new female criminal as seeking equality in the underworld, just as her conventional counterparts were pursuing their rights in more acceptable arenas.

The need for empirical research centred on the fact that women's voices were not being heard nor were they being taken into consideration by mainstream criminology. This ushered in the concept of standpoint feminism which captured the reality and subjective experiences of women as law breakers, victims and workers as regards the criminal justice system. According to Harding (in Gelsthorpe 2002), standpoint feminism refers to understanding the world from the perspective of the socially subjugated and seeing things through the eyes of women. An empirical inquiry was, therefore, necessary as very little was known about girls and women's experiences in any facet of the criminal justice system, whether as offenders, victims or workers (Daly & Chesney-Lind 1988).

Feminist criminology also emphasised the use of appropriate methodological tools with which to explore the reality of female offenders. This was particularly important because feminist beliefs about reality were centred on the notion that reality comprises various structural constraints which subordinate and oppress women (Gelsthorpe 2002:122). As such, if one were to explore these realities, it was essential that women speak for themselves.

The first phase feminist criminology between 1975 and 1985 emphasised the woman both as an offender and as a victim. During this period significant attention was paid to the female victims and survivors of men's sexual and physical violence (Daly & Chesney-Lind 1988). Although the nature of female criminals was explored, scholars focused on analysing women's victimisation rather than women's offending. Their main concern was the issue of

men's oppression of women and understanding the expression of female sexuality through the lens of patriarchal social relationships (Walklate 2004).

Daly and Chesney-Lind (1988), for their part, pointed out several reasons why feminist approaches were more likely to analyse women's victimisation than women's offending. Firstly, men's violence against women was linked to patriarchal power and, secondly, men's violence against women was a fairly new, untheorised terrain in criminology at that time. This period was also considered to be the period during which the most important contributions were made by modern feminist criminology. The importance of these contributions surfaced on both academic and policy levels. Refuges for victims were set up, rape crisis centres were founded and help for the victims of sexual abuse was instituted (Heidensohn 2002). These developments led to experts, prison reformers, psychiatrists and social workers perceiving the female offender through this lens (Snider 2008). Nevertheless, Patricia Pearson (in Zimudzi 2004) refuted this position, claiming that not all violent crimes perpetrated by women should be viewed as a response to their victimisation by men. She argued that feminist criminologists were challenging androcentric criminology and rehabilitating violent female criminals incorrectly. In addition, feminist criminologists were explaining women's violence by portraying them as the innocent victims of male actions (Zimudzi 2004:501). Like Pearson, Lloyd (1995) had earlier argued that, by overemphasising women as victims, there is always the risk of depriving women of their moral agency because being a victim is embedded in passivity and blamelessness.

The first phase of feminist criminology also examined the treatment of women in the criminal justice system from the perspective of the chivalry hypothesis. According to Flowers (1987), the chivalry notion holds that female offenders benefit from lenient treatment throughout the criminal justice system. Central to this argument is the perception that women are less threatening and there are fewer requests for official intervention in respect of female deviant behaviour for male deviant behaviour. Reckless and Kay (in Moulds 1978:417) suggest the following:

Perhaps the most important factor in determining reported and acted upon violational behaviour of women is the chivalry factor. Victims or observers of female violators are unwilling to take action against the offender, because she is a woman. Police are

much less willing to make on-the-spot arrests of or to 'book' and hold women for court action than men. Courts are also easy on women, because they are women.

Thomas (in Anderson 1976:1) maintains that:

man is merciless to woman from the standpoint of personal behaviour, yet he exempts her from anything in the way of contractual morality, or views her defections in this regard with allowance and even with amusement.

It is against this backdrop that Pollak (1950) argues that men have deceived themselves about women and treated them as docile and in need of protection. These men fear that women who are forced into an unequal place in society will one day rebel. To Pollak this self-deception makes it hard to believe that women may be guilty of criminal behaviour and so they are not reported, charged or convicted for the many offences in which they engage.

This bias was based on judicial paternalism even though feminist theorists distinguish between chivalry and paternalism. They argue that paternalism may result in less severe sanctions on females, just as it may impose harsher penalties on them in order to serve the greater purpose of ensuring that women remain in their submissive roles (Chesney-Lind 1988). However, 'lenience' as a knowledge category had disappeared in the United States and in other Anglo-American countries by 1990 (Snider 2008). The result, in policy terms, has been ever higher rates of incarceration for women and girls "equality with a vengeance" (Smart 1976:42). Higher rates of incarceration for women and girls projected prisons as a site of perpetual surveillance by subjecting women if they were older to indefinite punishment.

#### **2.4.2.2 THE SECOND PHASE OF FEMINIST CRIMINOLOGY**

This second phase of feminist criminology started in the 1980s. This phase deviated from documenting women's lives, law breaking and victimisation in two important ways. Firstly, there was the emphasis placed on the diversity of women's experiences as law breakers, victims and justice system workers while the second aspect is an attempt to analyse the way in which women are socially constructed in discursive analysis (Daly & Maher 1998:4).

Daly and Maher (1998:4) posit two contradictory developments within this second phase of criminology. The first is based on the fact that feminist scholarship remained interested in the experiences of the 'real women' of feminist social science, while the second was more concerned with 'the woman' who featured in legal and criminological discourses.

According to Daly and Maher (1998:4), 'real women' refers to studies that explore women as agents in constructing their life-worlds, law breaking and victimisation. The term may also be seen as the characterisation of women as the subjects of their own lives. However, not only does it characterise woman as the subjects of their own lives, it also attempts to eradicate the notion that female criminal behaviour is determined by the female physiology or by the female criminal's instincts. Thus, the female criminal is portrayed as a rational being who is capable of making her own choices.

Carlen (1985), in her book *Criminal Women*, argued that, as a result of earlier theories, criminal women have always been presented as 'other' than real criminals and as 'other' than real prisoners. However, to use feminist criminology without stating some of the major criticisms would be to miss the mark. Carlen (1985) critically evaluated the theoretical stance of feminist criminology by making the following two claims:

Firstly, feminist criminology has not been very successful because many of the feminist writers find it difficult to break away from the notion that crime is essentially a 'masculine activity'. Secondly, the search for either a global theory (male and female) or a special theory of female crime is both theoretically and politically unsound.

Carlen (1985) problematised and deconstructed the preoccupation of feminist criminology with establishing either a global theory or a special theory of female crime. Her argument is based on the fact that there is no one theory of women's crime nor a 'typical criminal woman'. Using a 'typical criminal woman' approach to understanding women and crime is not very useful as there is no essential female criminal with essential characteristics (Carlen 1985). Therefore, feminist criminology has not offered any comprehensive theory with which to replace those theories it has criticised (Pollock 2002: 52).

According to Howe (1994: 123), the male domination of prison studies has, in part, resulted from problems in feminist criminology because:

Feminist research initiatives have remained ... disparate empirical studies which are still, today, missing the benefit of a sustained critical dialogue, let alone an active theoretical engagement with issues raised by critical but non-feminist analysts.

Howe concludes her comprehensive review of literature by advocating a “postmodern feminist penalty” (Howe 1994:165-217), arguing that “feminist studies of the disciplined female body”, conducted outside of criminology “have an as yet untapped potential to transform our understanding of punishment in the western world” (Howe 1994:206). Of central importance to Howe’s conceptualisation of a “feminist penalty” is a consideration of the myriad of ways in which women are always already subjected to the mechanisms of discipline. By drawing on contemporary feminist theory, she is able to construct an image of the “punishment continuum” which is in contrast to the “crime punishment equation” (Howe 1994:163). Howe’s argument is based on the fact that women’s experiences of institutionalised punishment are influenced by the manner in which women are always under some form of discipline in the ‘free society’. Meanwhile the crime punishment equation, on the other hand, simply means ‘crime equals punishment’ and this is linked to what Durkheim terms our social or “collective conscience” and which renders crime intensively offensive to society. Therefore, punishment may be seen as society’s social resolution to crime.

From the above it may be seen that there is a disagreement over what exactly feminist criminology comprises. This brings us to the question: ‘Is there a feminist criminology?’ For the purpose of this study, a concise definition or conceptual understanding of feminist criminology is a necessary prerequisite to unpacking the narratives of the female inmates in selected prisons in Cameroon. What therefore is feminist criminology? Feminist criminology emphasises the context of women’s lives and examines this context with an awareness of patriarchy and its impact on the oppression of women in prison. Just as the lives of women in prison are gendered, so is the study of these worlds (Owen 2003: 236). Like feminist ethnography feminist criminology strives to document the lives and activities of women, understand this experience from their point of view, and conceptualise women’s behaviour as an expression of social contexts. By investigating the marginalised and stigmatised context of female criminal behaviour, a feminist analysis of women’s prisons describes the lived experience of women, the consequences of this experience on their sense of self, their relationships with other actors, and the meanings they attach to this behaviour (Owen

2003:236). According to Owen feminist criminology calls for using research both as advocacy and as an instrument of social change in the context of applying research data in order to improve lives. Feminist criminology also means that research is gender sensitive in all dimensions.

A blend of Foucault's analytical framework and the feminist analytical framework will be used in this study, as not one of the two is able, on its own, to provide the necessary insight into the issues related to prison conditions and the narratives of female inmates. These frameworks will guide me towards constructing a suitable theoretical framework. The rationale for this approach will be the fact that feminist responses to *Discipline and Punish* have focused mainly on its concept of 'discipline', extending Foucault's analysis of disciplinary practices to the formation of feminine 'docile bodies' in all areas of everyday life (Foucault 1977:25). According to Howe, this feminist emphasis on Foucault's disciplinary thesis rather than on his notions about penal practices has left "something of a lacuna in feminist analysis of penalty per se" (Howe 1994:110). An exploration of the possibilities of a feminist-Foucauldian analysis may provide interesting new angles in the feminist study of penalty.

It is essential that the feminist standpoint be taken into consideration. This approach will, thus, be central in this study, given that discussions at major international conferences have reflected this concern. Some speakers from countries of the 'global South' have challenged the theoretical approaches of North America and Europe and have highlighted their own, very different agendas (e.g. sexual slavery and exploitation) (Bertrand et al. in Heidensohn 1995:217). This is one of the factors which Parpart (1996:51) emphasised as a limitation for the women in terms of the development (WID) approach which ignored the impact of global inequities on women in the third world and also the important role of race and class in women's lives. Consequently, it is not possible to uncritically transplant theoretical models developed in the North to Africa and its very different set of conditions (Vetten 2008:134), particularly in view of the fact that, even in the North, there are still variations regarding the experiences of women in the same context. Potter (2006:112) points out that:

On the one hand, all African-American women face similar challenges that result from living in a society that historically and routinely derogates women of African descent. Despite the fact that U.S Black women face common challenges, this neither means



that individual African-American women have all had the same experiences nor that we agree on the significance of our varying experiences. Thus ... despite the common challenges confronting U.S Black women as a group, diverse responses to these core themes characterise U.S Black women's group knowledge or standpoint.

It is against this backdrop that Potter (2006) comes to a consensus with Britton's (2000) argument that traditional feminist criminology still has much to accomplish in theorising from the basis of intersecting identities as opposed to placing the emphasis on a solitary component, for example, considering gender and not race at the forefront of and central to an analysis. Furthermore, Potter (2006) argues that, although gender is crucial to the understanding of women's involvement in crime either as victims or as offenders, other inequities must also be considered.

Research and theorising must continue to reject the essentialism inherent in treating women as a unitary category. It is well known that race, class and sexual inequality are interwoven into women's experiences as victims, offenders and workers and it is on this platform that the challenge for feminist criminologists in the years to come lies in formulating theory and carrying out empirical studies that prioritise all of these dimensions, rather than relegating one or more of them to the background under the banner of methodological convenience (Britton in Burgess-Proctor 2006:3).

According to Burgess-Proctor (2006), the future of feminist criminologists will be guaranteed only by their willingness to embrace a theoretical framework that recognises multiple, intersecting inequalities in order to advance an understanding of gender, crime, and justice. On this note, feminist criminologists will achieve a universal relevance that is free from the shortcomings inherent in past ways of thinking.

According to McFarlane (2006), multiple realities need multiple theories across the North-South boundary. Thus, in essence the world should be viewed from the standpoint of women in order to understand their lives because a focus on the commonalities between women at the expense of their differences is to do a disservice to certain women and not others (Spelman in Naffine 1995: xxi-xxii). It is in this vein that the analysis of the experiences of women in prisons in Cameroon will be adapted and expanded within the broader context of feminist criminology. It is also significant that multiple identities was not a relevant

component in this study in which all female inmates constituted a homogenous category. Given that they were all black African (the majority Cameroonian and two Nigerian female inmates) women.

The United Nations Defence Research Institute<sup>1</sup> (in Mushanga 2004) throws light on the criminological trend in Africa when it notes that:

There is little comprehensive, systematically collected knowledge and information on the history, main trends and state of the art of criminological theory and research in the developing countries and on the relationships between such theory and research, on the one hand, and criminal justice policy and practice in developing world, on the other. That, as in many other fields, information flow in the criminological-theory-research field is presently limited to flows within the developed world to developing countries. It is well recognised that there should be a more complete global flow of information and knowledge especially in terms of a reciprocal flow from developing to developed countries and a 'South-South' flow within the developing world (Mushanga 2004:1).

Translating feminist criminological theories into the context of Cameroon will not be an easy task. This is evident from the fact that collecting criminological information from any African country is a formidable task that must not be underrated, particularly in view of the fact that the problem is compounded by a lack of accurate, reliable and comparable crime statistics. This is a universal characteristic of all the countries in Africa south of the Sahara (Mushanga 2004:79). The dearth of criminal statistics is exacerbated by developmental factors that have been the hallmark of Africa's lagging behind the western world, including the inadequate training of law enforcement officials whose duty it is to collect, compile, tabulate and publish criminal statistics. However, despite the paucity of literature from the African context, apart from newspaper reports of crimes in general, the next chapter of the study will review literature on prison conditions, both globally and, specifically, in Africa as well as on women and prisons and international developments and policy issues surrounding their imprisonment.

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<sup>1</sup> Now called United Nations Social Defence Research Institute.

## 2.5 CONCLUSION

*Discipline and Punish* is an extremely highly rated work on imprisonment, although it has been extensively critiqued by feminist theorists for failing to recognise the significance of gender in the play of power. This chapter discussed how Foucault elaborates on the way in which power produces subjectivity by focusing on ways in which power invests the body. However, his discourse on “docile bodies and body of the condemned” is problematic and he is projected as being gender neutral, thus implying that he paid no attention to either feminism or gender issues. Neglecting to examine the gendered character of several disciplinary techniques and treating the ‘body’ as if it were one, thus the bodily experiences of men and women do not differ, are questionable, especially in view of Foucault’s three theoretical constructs – power, knowledge and the body. It is against this backdrop that I decided that Foucault’s analytical framework was appropriate to this study as regards the investigation into discipline and punishment in the prison setting although I considered that aspects of women’s embodiment, agency and power from the perspective of women could be addressed by the feminist criminological framework – standpoint feminism only. I deemed it essential that the voice of women, African women and, specifically, certain selected Cameroonian female inmates be heard. Feminist criminology enhances Foucault’s analogy by shifting from perceiving the criminal woman stereotypically through the lens of chivalry to seeing them as agents in themselves.

However, a merger of Foucault and feminist traditions resonate to present a holistic experience of female inmates given that Cameroon is a developing economy which benefited recently from the Heavily Indebted Poor Country Initiative. Therefore very little is apportioned to prisons with its own dynamics. As such, even when female inmates are given a voice; they are void of the means to exercise power because even the male inmates rarely exercise absolute power except in the area of financial provision which is also relative.

The next chapter will contain a review of relevant literature on prison conditions from the perspective of female inmates.

## **CHAPTER THREE**

### **LITERATURE REVIEW**

#### **3.1 INTRODUCTION**

There is insufficient scholarly writing about prison conditions in African contexts. Most scholarly works on this subject emanate from western scholars, who have written about the origin of imprisonment, examining the factors behind the establishment of prisons in both western and African countries. Nevertheless, the kind of life to which inmates are exposed has preoccupied the press and human rights activists in various countries in Africa since the beginning of the twentieth century.

This chapter contains a review of literature dealing with imprisonment in general, but with a specific focus on Africa. The history of imprisonment, both in western and in developing countries, will be traced in order to understand the factors behind the establishment of prisons and, thus, to place the discussion of the present study in its proper context. The literature review will focus specifically on prison conditions, especially the conditions of female inmates, in both western and African countries. The chapter also highlights various international and Cameroonian policies on imprisonment, with a special focus on those policies that deal with female imprisonment, both in Cameroon and from the international forum.

The chapter is deals with three main themes, namely: 1) Early religious influences (in selected African and Western countries) and imprisonment: 2) Background to imprisonment in Africa and; 3) An overview of prison conditions, highlighting female imprisonment.

#### **3.2 EARLY RELIGIOUS INFLUENCES AND IMPRISONMENT**

The fact that the establishment of prison ‘services’ in both western and African countries was motivated by the need to instil repentance in culprits is beyond dispute. Indeed, as Wogaing and Abissi (2011:6) observed in relation to contemporary Cameroon, prison authorities often allow pastors into prisons to preach to the inmates in order to facilitate the holistic

transformation of the culprits. This section examines the literature that links the early establishment of prisons to religion in order to establish a point of departure for the discussion on imprisonment in the Cameroonian context. The focus on this type of literature enables the researcher to demonstrate how religion became an integral aspect of imprisonment and to examine why the religious factor became an important tool in presenting prisons as places in which it was possible to be transformed into a better being as opposed to using prisons as centres of torture.

Among the significant issues which have preoccupied scholars in their discussions on imprisonment is the relationship between religious reforms and the treatment of female inmates. These scholars have mentioned John Howard (1727-1790) as a member of the group of reformers who was motivated by evangelical asceticism. He abhorred the appalling prison conditions in British and other European prisons (Dobash et al 1986:36). In 1817 Elizabeth Fry, a middle class, English Quaker, helped to organise the Association for the Improvement of Female Prisoners. This group was made up of the wives of Quaker businessmen and they worked to bring about prison discipline, the separation of the sexes during incarceration, the classification of prisoners, female supervision for female inmates, adequate religious and secular instruction and the useful employment of female prisoners (Pitman in Dobash et al 1986:36). Elizabeth Fry (1780-1845) played a key role in changing the lives of female prisoners in Britain. Fry, like her predecessors, made religion a central tenet in the treatment of female prisoners (Carlen & Worrall 2006).

According to Dobash et al (1986:41), Fry was amongst the first to focus on female prisoners and she based her idea of reform on personal and paternalistic means of correction with religion as the main instrument. She did this by aiming to reform those women who did not adhere to the cultural specifications of the 'ideal woman'. Indeed, Carlen and Worrall (2006) point out that women's prisons in the mid-nineteenth century became benign institutions which were organised in such a way so as to 'train' the 'unfortunate women' who did not conform to the socio-cultural prescriptions of the societies from whence they sprung. Embedded in this strategy was the assumption that women are different from men and, therefore, they require special treatment which is appropriate to their sex (Zedner 1991:120). The underlying principle of Fry's reformation involved training female inmates to become moral beings who would fit into the moral order that society has prescribed for women. Despite the underlying paternalist and religious approach to treating female prisoners, this

approach did have a positive outcome as female prisoners were treated much better than had been previously.

These ideas resonate with the discussions presented in this study, especially as regards the attempt to answer the question as to the way in which both the religious organisations and the government of Cameroon have worked to address the rehabilitation of female inmates in the country.

### **3.2.1 RELIGIOUS INFLUENCES ON IMPRISONMENT IN SELECTED AFRICAN COUNTRIES**

Scholarly work on prisons in Africa is inadequate despite newspaper articles and policy documents that have been written on issues of imprisonment. The ratifications by African governments of the international conventions on imprisonment are especially relevant.

The fact that prisons did not exist in Africa before the coming of the Europeans in the early 1800s is a common theme in scholarly works (see Agozino, 2005). Scholars have discussed the way in which traditional African societies used to dispense justice before the coming of the colonial powers to Africa and the reasons why prison ‘services’ were initiated on the African continent. Using the example of Nigeria, Agozino (2005:188) observes that nothing like a prison existed in Nigeria before 1800. The establishment of prisons in Nigeria is attributed to European trading companies for the purpose of detaining those Africans who resisted European authority or for holding those Africans who had been captured by Europeans during the epoch of the slave trade. Thus, prisons emerged in Nigeria, not as an agency of the criminal justice system, but to further European interests.

In sub-Saharan Africa in general, before the advent of colonisation, prisons, as seen in contemporary times, were non-existent. Conflicts were resolved in various ways and disputes were settled amicably by the elders. Fines, corporal punishments and, sometimes, the banishment of people from the land were meted out as punishment in cases of serious crimes. The most remarkable and controversial aspect of this system of justice was the extensive use of trial by ordeal, including drinking poisonous concoctions, putting the hand in boiling palm oil or water, or holding a red-hot iron bar. In such cases, if the accused came to no harm, then he or she was considered innocent (see, for example, Atabong 2011; Fombad 2007; Bernault

2003). According to Atabong (2011), ancestral spirits were often invoked and reconciliation and cleansing rites were usually performed for the purposes of redemption. The method described above relates to the system that may be witnessed in the north of Cameroon where the government has permitted traditional chiefs to detain persons outside of the government penitentiary, in a system known as ‘private prisons’ and which is infamous for the serious maltreatment of inmates (Totoum 2008).

As noted earlier, the most significant reason behind imprisonment in many parts of the world is the need to transform those individuals who have been involved in the crime (Du Preez 2008; Atabong 2007). Moreover, effective rehabilitation is possible only if the spiritual being of the prisoner is transformed. This explains why religion has become pre-eminent in most African prisons as it is believed to transform the spiritual being. This also demonstrates why there are similarities between religious development in Africa and in western countries. It was through colonialism, of which remnants may be observed even in the twenty-first century, that the English prison system largely shaped the Cameroonian prison system, especially in that part of the country which was occupied by the English.

The view of religion as a contributing factor to the rehabilitation of the incarcerated is evident in some of the objectives of the UN Standard Minimum Rule for the Treatment of Prisoners (1955), as adopted by most constitutions in Africa. In Kiri-kiri female prison in Nigeria, for example, preaching the word of God was a daily affair while, at Oko prison Nigeria, Ozo-Ezon (2004) reports that women spend a considerable amount of time with preachers. Prison authorities encourage this practice because it is believed that hearing the word of God will soften the hearts of the prisoners, causing them to repent and change their ways. This is a motivation that traces its roots from the eighteenth century during which period religious reform played a central role in the treatment of female prisoners. John Howard (1727-1790), motivated by evangelical asceticism, has been credited with being part of this group of reformers.

There is freedom of religion in Cameroon and the religious authorities are allowed in prison for the purposes of evangelism while the presence of the International Catholic Commission for Prison Pastoral Care (ICCPCC) in Cameroonian prisons confirms the use of religion in ensuring the total rehabilitation of the incarcerated (see, for example, Atabong 2011).

Most of the reformation in female prisons is carried out by the religious authorities in Cameroon today, just as it was stipulated by the early reformers in western countries. Evangelists are among the daily visitors to various prisons in Cameroon with both Christians and Muslims coming to preach the word of God in prison. As this study will show, several female inmates have found themselves 'affiliated' to the several religious groups that come to preach in the various prisons in Cameroon. In this respect the views of Ozo-Ezon (2004) and Atabong (2011) provide significant insights into the analysis and interpretation of the study's data.

### **3.2.2 RELIGIOUS INFLUENCES ON IMPRISONMENT IN SELECTED WESTERN COUNTRIES**

As in Africa, religion played a crucial role in changing the conditions of imprisonment in several countries in the western world. This section deals with the literature that discusses how religion was at the centre of influencing imprisonment in the western world, reviewing the context that necessitated the participation of different religious sects in rehabilitating prison inmates.

The fact that earlier reformers made religion central in the treatment of female prisoners is a view held by various scholars in criminology, sociology and religious studies. As mentioned above the influence of John Howard (1727-1790) and Elizabeth Fry on the British prison system was significant. Prisons continued to expand in Britain in the early eighteenth century and, by 1733, Britain had assigned chaplains to all the prisons in the country.

According to Savelsberg (2006), in Germany religion affected punishment both directly and indirectly and shaped the institutions in which punitive decisions were made. Savelsberg (2006) maintains that the Lutheran doctrine influenced German criminal law as religious principles became secularised and also through the philosophy affected the formation of crucial nineteenth and twentieth century criminal codes. Religion promoted notions of rehabilitation while forgiveness, hope and learning came from the world of the inner life and religion entered into the outer world of the law.

The origin of prisons in America is attributed to the Quakers, a protestant religious sect which was appalled by the cruelty of torture, execution and the fact that death meant the end of the



criminal's life (Murton in Kaguongo 2003:9). This religious sect was preoccupied with the redemption of the souls of the criminals and this explains the advent of the penitentiary which was a place of separation in which criminals could reflect on their evil deeds and repent (Murton in Kaguongo 2003:9).

It is interesting to note that, before the advent of religious influences, execution was the favoured means of punishing those who had broke society's rules (see Foucault 1977). Thus, the role of prison chaplains (reverends, priest) in the late fifteenth century was to assist those condemned to death to repent from their sins. During medieval times the Roman Catholic Church introduced incarceration as an alternative to death and, based on this development, Protestants in Northern Europe established correctional facilities in the late sixteenth century. In 1703 the Catholics, under Pope Clement XI, built the Michel prison for youthful offenders, separating them from adults and providing work for rehabilitation.

It is evident from the section above that religion was used as an instrument of power and exercised by means of surveillance and control. This aspect of religion reminds one strongly of Foucault's views on discipline and punishment, as explained in chapter 2.

### **3.3 CONDITIONS OF IMPRISONMENT: A GENERAL OVERVIEW**

This section presents an overview of the relevant literature on prison conditions, examining not only international declarations on imprisonment but also scholarly works on the theme in order to create a point of departure for the discussion on the conditions of female imprisonment in Cameroon.

In 1996, the Pan African Seminar on Prison Conditions in Africa, held in Kampala, Uganda highlighted the plight faced by prison administrations in Africa and discussed the urgency of addressing prison conditions on the continent. This radical step taken by the delegates to the international seminar was a turning point in the history of Africa's penitentiaries as, for the first time, individuals from different backgrounds and countries discussed ways in which to address the issue of prison conditions (Government of Kenya & Penal Reform International 2001:27). It is interesting to note that the Kampala Declaration (1996:1) specifically highlighted the importance of the proper treatment of female detainees and the need to recognise their special needs.

The writings on the prison conditions of both male and female inmates in Africa describe the appalling lives of the inmates. As will be seen below, scholars and civil society organisations describe overcrowding and poor nutrition as some of the challenges which prisoners face. These conditions are in contravention of the Kampala Declaration of 1996 and the UN SMRs (1955). Prisons are overcrowded with limited rehabilitation facilities, there is a lack of medical care services which are, in any case, under-resourced and understaffed and the conditions of the prison staff remain poor. This is compounded by the lack of adequate training and specialisation of the prison staff (see Report of the UN 2008:19). In particular, pregnant women do not receive adequate anti- and post-natal care in prison and their dietary requirements are normally not catered for (ibid). Both the Kampala Declaration and the UN SMRs are instruments which have been signed by several countries in an effort to improve and ensure good practice in the treatment of prisoners.

The SMRs remain a key reference point in the design and evaluation of prison conditions globally (Bastick & Brett 2005:4). However, the SMRs do not emphasise the rights and needs of female inmates, leaving them to the mercy of prison administrators to ensure that they have equal access to all the services and rights enjoyed by male prisoners. In addition, Principle 5(2) of the Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment clearly states that measures which are to address the particular needs of women prisoners are not, in themselves, discriminatory (UN 2008:26). The above-mentioned instruments imply that it is essential that the special needs of female prisoners be taken into account in their application - this will be demonstrated later in this thesis. The study discusses the nature of life as experienced by female inmates in Cameroonian prisons in order to ascertain whether or not the Cameroonian authorities have worked to implement the provisions of the Kampala Declaration and/or those provisions embedded in the UN Standard Minimum Rules for the Treatment of Prisoners.

### **3.3.1 OVERCROWDING**

In the main, the prisons in African countries share similar problems of overcrowding to those experienced in other developing countries. When it comes to high levels of overcrowding on a country-by-country basis, the developing countries are at the top of the list with Cameroon (296.3%) ranked the highest (Sarkin 2008:14). However, the overcrowding in women's

prisons is not as severe as it is in men's prisons, thus making the conditions of women's imprisonment to appear paradoxically better than those of men. However, such an assumption overlooks the distinctive aspects of women's incarceration, which include the marginal number of women in prison, women's gender roles, and their reproductive functions (Vetten 2008).

It is important to note that overcrowding results in adverse conditions, including insufficient and inadequate bedding, thus forcing women to sleep on the floor, as is the case in the Central African Republic (ACHPR 2000), Egypt (HRAAP 2004), Namibia (Odendaal 2004) and Uganda (ACHPR 2001). In the Kaduna prison in Nigeria, for example, Ozo-Okon (2004) reported that 18 women were sharing two cells and a bathroom with no running water. According to Agozino (2005), Kirikiri women's prison in Nigeria had an overcrowding rate of 130.47%, while the Thohoyandou women's prison in South Africa reported a 242% occupation in 2005 and the Durban women's prison a 159% residential rate in the same year (Inspecting Judge of Prison 2006:16; see also Sarkin 2008).

In most prisons, the capacity is extremely limited and has not been expanded over time (Sarkin 2008). After visiting Leeuwkop Maximum Prison and Modder B Prison in South Africa, Dissel wrote the following: "my overriding impression of these prisons is that they are large warehouses where people are stored until their sentences have expired" (1996: 7). In addition, many of the facilities are rudimentary in nature, and there are shortages of food, bedding, medical supplies and treatment, and recreational facilities (Dissel 2001; Odendaal 2004; AI 2009). In addition, the Department of Correctional Services in South Africa, as in many African countries, is crippled by a lack of funds and severe staff shortages. There is understaffing and the ratio of prisoner per warder is higher than that which exists in the developed world. For example, South Africa has one warder to every 5.5 prisoners with Namibia having one warder to every 3.9 prisoners (Dissel 1996) (see also Odendaal 2004). Nevertheless, the conditions in South African prisons have improved over the last decade in many respects. Disciplinary measures have become more humane, contact with families and communities have improved and a concerted effort is being made to introduce training, education and work opportunities into some of the prisons (Dissel 1996, Sarkin 2008). This is confirmed by the findings of Hesselink and Dastile (2010) where all the respondents attested to the availability of medical services and a correctional clinic with qualified medical staff to attend to the needs of female inmates and those of their babies.

The situation of Kenya and Uganda is no better and the prisons have been described as ‘death chambers’ with the prisoners sleeping on dirty floors. The communal cells are often poorly ventilated and badly lit, and lack adequate washing facilities. Overflowing buckets in one corner of the cell usually serve as the only toilets. Acute water shortages in some prisons have exacerbated the unsanitary conditions. The poor conditions in these prisons often lead to severe health risks and a number of deaths from malnutrition, dehydration, dysentery and pneumonia. In 2002, the Uganda Human Rights Commission reported that two prisoners had died in the Mbarara local prison as a result of a lock-up for two days without food and water as punishment of their inability to work (Mbarara Prisoners 2000 & Human Rights Watch [sa]).

Nevertheless, overcrowding is not unique to Africa with Venezuelan prisons being reported to have one guard for every 150 prisoners (World Report 1998). Dankwa (2008) concludes that overcrowding results in the living conditions of prisoners not being consistent with the SMRs and proper prisoner conditions in South Africa remain a challenge to the Department of Correctional Services (DCS). A comparative study of 24 prisons for women in Canada, Denmark, England, Finland, Germany, Scotland and the United States, between 1991 and 1996, revealed that conditions had not improved, despite promises of reforms. In fact, the prison conditions of women in most countries in the developed world have not improved and, in some cases, have even deteriorated. This is compounded by the fact that some feminist-inspired reforms in the developed world are playing a role in this decline. Prison laws are sexist, male and gendered and, where prisoner law suits are allowed, there is little chance that female inmates will either participate in or benefit from them (Bertrand in Snider 2008:199) - a situation which is relevant to this study.

This study will demonstrate that, although several NGOs, such as Action by Christians for the Abolition of Torture (ACAT), have worked to improve prison conditions in Cameroon, there are reports that the conditions of imprisonment are, in fact, deteriorating. According to L’Effort Camerounais (in AI 2013:8):

Prisons in Cameroon are very bad and are of sub-human standards with poor lighting and ventilation. Prisoners do not have enough food. Accommodation is very poor and

some prisoners have to sleep in the open ... Because of that, a lot still needs to be done to improve on detention conditions in Cameroon.

This type of observation is extremely relevant to the analysis of the data in this study. Based on the narratives of female inmates, the researcher found it pertinent to examine whether some of the narratives, as presented by her informants, correlated with some of written documentation as presented above. Indeed, as the researcher demonstrates in this study, women constitute a vulnerable category in prisons as their specific needs are different from those of men, as a result of their gender.

Although the situations of women prisoners vary in different countries, I specify the following vulnerabilities as the challenges women face in accessing justice on an equal basis with men; the disproportionate victimisation, arising sexual or physical abuse prior to imprisonment; a high level of mental health care needs (often as a result of domestic violence and sexual abuse), a high level of drug and alcohol dependency, the stress (and stigmatisation) caused to women by imprisonment, sexual abuse and violence against women in prison, the high likelihood of their having caring responsibilities for their children, families and others, gender-specific health care needs and post-release stigmatisation, victimisation, and abandonment by their families (UN 2008:7).

According to the Special Rapporteur delegated to Cameroon by the ACHPR (ACHPR 2002), men, women and minors are to be kept separately in prisons in line with international policy but, as a result of overcrowding, this is extremely difficult to implement. Contrary to section 27 of the Cameroon Penal Code, mothers are often incarcerated with their children and/or babies. Incarcerated mothers and their children eat the same food and this also applies to pregnant and nursing mothers. It is worth noting that the particular dietary requirements of pregnant and nursing mothers are not taken into account by the prison authorities, while the food provided may be insufficient to meet the nutritional requirements of pregnant women. It would appear that women with babies and children in prison endure a double punishment, looking out for themselves and fending for their children. It is, thus, evident that prison conditions are poorly adapted to accommodate the special needs of pregnant women and mothers, in particular. Although equality is an element of justice, it does sometimes result in injustice. For example, the equal treatment of a pregnant female offender and a male offender will result in injustice. Chesney-Lind (2006:18) refers to the injustice that stems from such

equality as “vengeful equity”. The dark side of this parity model is punitive and it impacts adversely on the physical and mental health of women. Based on the equality theory, Zimudzi (2004) argues that there is no proven correlation between increased female criminality and changes in the role and status of women.

The Cameroon government’s major problem is the overcrowding associated with the inadequate infrastructure and extremely old buildings, which were erected during the colonial era and which have not been renovated. The Cameroon government is dependent on both the European Union and on other international organisations and NGOs to ameliorate the prison conditions in the country. Even in instances in which Cameroon receives aid, it is extremely difficult to see the practical effect of this aid on the prison structures and conditions because of other factors such as the bureaucracy and corruption in the various spheres – police, prison and the judiciary (ACHPR 2002:10). However, it is now incumbent on public bodies in the United Kingdom to promote equality between women and men under the Equality Act 2006. This new legislation is important as it promises an end to institutional sexism. The consequences for the criminal justice agencies are clear as they must endeavour to ensure that there is equality in outcomes as regards the treatment of men and women. This does not, however, mean that men and women should be treated in exactly the same way but, rather, it means that they should be treated appropriately, according to need. Therefore, it is important to know what the needs of women offenders are, and what services are available that might meet these needs (Gelsthorpe, Sharpe & Roberts 2007).

### **3.3.2 PRISON ADMINISTRATION**

Besides overcrowding, some scholars have indicated inadequate financial facilitation as one of the challenges which inmates face while incarcerated (see for example Reinman and Box as cited in Agozino 2005; Totoum 2008:16; Wogaing & Abissi 2011). Inadequate financial facilitation impedes the inmate’s transportation to the courts of law, especially in situations in which prison authorities fail to provide transport to court for inmates. As such, Reinman and Box argue that the poor end up in prison not because they are more criminal than the wealthy but because they lack the resources required to free themselves even when they are falsely accused. Meanwhile, the rich routinely get away with all sorts of crime including murder (see also Nina Ascoly, 1997).

In the same vein, Odendaal (2004) pointed out that, in Namibian prisons, the days of awaiting trial prisoners are characterised by monotonous routine and idleness. This group of prisoners are not allowed to work and, contrary to the African Charter for Prisoners' Rights, they are not permitted officially to make use of social workers and their services. However, compared to what happens in other African countries such as Cameroon, awaiting trial prisoners are better off than sentenced prisoners in Namibia as they have not yet been convicted of any offence and they are permitted a greater number of visits than sentenced prisoners while they may also receive food from outside and wear their own clothes (Odendaal 2004).

Discourse in both academic circles and on a policy level argues that the key to a well-managed prison is the nature of the relationship between the staff and the prisoners. It is essential that the prison staff be carefully selected, properly trained, supervised and supported (Coyle 2002). The SMRs state that the prison personnel shall, at all times, so conduct themselves and perform their duties so as to influence the prisoners positively by their example and command their respect. However, in Cameroon, the prison authorities have lost the respect of the inmates, especially the female inmates because foodstuff and other gifts offered to the inmates by NGOs, FBOs and well wishers are often stolen by the prison officials. As a result, the inmates prefer that, whenever foodstuff is provided to them, the best way for them to access it is for these humanitarian organisations to share it amongst them or to have it cooked on a special day (Bongben 2008).

Indeed, the poor management of prisons and the abrogation of the rights of female inmates are closely linked to inadequate staffing, disgruntlement on the part of the prison staff, inadequate training and poor financial management. The inevitable question, therefore, arises as to the ideal ratio of female prison staff to female prisoners if the needs of the female inmates are to be addressed. This ideal ration would also facilitate good practice in the event of a lack of medical personnel assigned to prison which leads to inadequate prenatal and postnatal facilities in prison. This state of affairs is in breach of specific international standards for women which relate to separation in places of detention and special facilities for the care of pregnant women, those recovering from childbirth and those who are convalescing (Tougouri 1997:55).

It is indisputable that corruption is responsible for the appalling conditions of prisons in several countries. Using the case of South Africa, Mahgoub El-Tigani Mahmoud (2006)

reveals that resources intended for prisoners are often misappropriated by warders. The issue of corruption emerged strongly in the interviews with prison officials and inmates and are confirmed by the UNECA (2005) rating of Cameroon as the most corrupt country in the region while Cameroon is branded as 'Non Free' with corruption as a significant obstacle to economic growth (Time 2009). It is, thus, clear that even the most well-meaning prison administrations are hampered by significant deficits between the needs of the prisoners and the actual funds received from the government.

Although the female inmates detest their cells being searched, it must be noted that prison staff frequently visit their cells in search of contraband, such as newspapers, magazines, radios and money. There were also bodily searches for hidden materials or money. Female inmates considered body searches as humiliating but, during such searches, the prison staff will confiscate anything they consider as contraband. It emerged clearly from some of the narratives the extent to which female inmates detest the issue of bodily searches (Ozo-Eson 2004:74). The notion of denying female prisoners the right to carry money in prison, even when the prison authorities are aware that there are no prison vehicles with which to transport prisoners to court, leaves much to be desired. According to Dodge and Pogrebin (2001), women tend to value privacy more than men and they experience greater difficulty in adjusting to community living and the degrading nature of body searches.

### **3.4 SPECIFIC NEEDS OF FEMALE INMATES**

This section reviews the literature on female inmates, illuminating the specific needs of female inmates so as to correlate the conditions women in Cameroonian prisons face.

Scholars have noted that most female inmates are incarcerated away from their home areas - a situation that arises as a result of the limited number of women prisons in those countries. However, in accordance with international standards, a prisoner has the right to be incarcerated in the institution nearest to her home, although this is often not the case in several African countries. In Cameroon, most women are incarcerated far away from their homes, a situation that has forced the authorities to imprison both men and women in the same facilities (Mactata 2008; see also Sloth-Nielsen 2005; Rathbone 2006; Du Preez 2006; Hesselink & Dastile 2010). If the only prison for women in the country is, in fact, mixed, it is likely that the government will not adopt an approach based on the specific needs of women.



It is important to note that many female prisoners come from impoverished backgrounds and, therefore, the cost involved in travelling long distances may limit their relatives from visiting them.

### **3.4.1 FOOD**

The issue of nutrition (food) has preoccupied scholars who examine the needs of female inmates in the various prisons in Africa. According to Ozo-Eson (2004), included in the issues such as a lack of portable drinking water and medical facilities, 59.3% of the female inmates in her study on certain prisons in Nigeria cited inadequate nutrition as the major challenge they face. The inmates unanimously considered the food unfit for human consumption as it was a nauseating mixture of a little paste-garri (eba) and some bitter liquid, so called 'soup', which looked like dirty water from the drainage. The inmates also indicated that the food was nutritionally unbalanced, insufficient in quantity and prepared under very unhygienic conditions. In addition, the food was prepared without salt and, sometimes, without pepper and not well cooked (Ozo-Eson 2004:72-73). However, this situation is not unique to Africa as Mahmoud (2006) pointed out, that in Belgian prisons; the Prison Watch had noted that the food appeared unfit for human consumption.

On the other hand, the Department of Correctional Services (DCS) in South Africa reported that, in cooperation with the health authorities, it provided food as prescribed by the World Health Organisation and the American Nutritional Council. One would, therefore, expect that the prisoners in South Africa were receiving better food than their counterparts in the other African countries. However, food varies from region to region and it is reported in South Africa that, while meals are probably nutritionally balanced, they are tasteless and prepared and served under unhygienic conditions, although clean drinking water is available in all prisons in South Africa (LHR 2006). In the United States inmates who are in segregation in the women's prison in Los Angeles may receive in addition punishment in the form of a special diet, consisting of fully nutritional but utterly tasteless balls of a specifically prepared blend of nutritive substances (Mahmoud 2006). However, while this tasteless food was given as a punishment to women in Los Angeles, in England and Wales it was the normal fare as women complained about the preparation of the food, which they experienced as tasteless, poorly cooked and rich in carbohydrate with a limited choice between rice and potatoes (Plugge, Douglas & Fitzpatrick 2006).

Female offenders with children, lactating mothers and pregnant women with special dietary needs were catered for through the provision of special diets as prescribed by a medical doctor in South Africa. However, according to Mahmoud (2006), in one prison investigated, the inmates were accorded special treatment from the seventh month of pregnancy but not before that. Similarly, in Egypt, pregnant women are treated with care after the first six months of pregnancy, regarding food, work, and sleeping hours, and until the baby has been delivered. The mother and her child must be given special medical care, food, clothing and respite (Salim 2006) while special diets, high in protein and kilojoules, were provided for the infants. Also, arrangements were made to ensure that the infants received their food after hours in addition to the other meals they received during the day (Mahmoud 2006).

In the Gambia, three meals are served a day in prisons. However, the food in most prisons is reported to be cold, tasteless, and with no tea, fruit or hot water. What is unique in Gambian prisons is the fact that, except for awaiting trial prisoners, inmates are not allowed to purchase or receive from private sources either food, clothing, bedding, or other necessities (sections 37-38 of the Gambian Act). An inmate who refuses to eat the food prescribed by the prisons' diet scale would be considered to have committed a prison offence (section 62 of the Act) (Mahmoud & Mboge 2006).

### **3.4.2 HEALTH**

Health is another issue which is considered as a special need for female inmates. The conception of female prisoners as intellectually deficient and emotionally disturbed gained impetus in the 1960s. This perception is based on the therapeutic model. Dobash et al (1986) argued that the therapeutic model represented a shift in the perception of the female offender from being 'bad' to being 'mad'. Central to this model was the notion that the majority of female prisoners were in need of some kind of medical, psychiatric, or remedial treatment (Dobash et al 1986). Against this backdrop the Holloway prison in London (the largest prison in London) was reconstructed in the 1960s and redesigned to operate on medically oriented, therapeutic lines (Morgan 2002).

The medical facilities in almost all African prisons are limited. While female inmates need better healthcare than the male inmates, the prison authorities do not have the resources

required to provide this. There were nurses but no drugs in the prison health centre in Nigeria (Ozo-Eson 2004). One female offender in Nigeria stated that “the prisons officials always remind us that even hospitals outside do not have drugs, let alone the prison medical centre” (Ozo-Eson 2004:73). Accordingly, those female inmates who are unable to buy medicine often die. Nevertheless, the death rate in female prisons is lower than that of the male prisons (Ozo-Eson 2004:73).

In South Africa, as in other parts of Africa, there is insufficient prison personnel qualified to provide mental health services. In its 2004/2005 annual report, South Africa’s Department of Correctional Services indicated that it employed 25 psychologists, a number further supplemented by psychology students. These psychologists and interns were to provide psychological services to the 135 120 men and women incarcerated in all the prisons in the country. Unfortunately, no such services were available to awaiting trial detainees (Haffeejee et al 2005:4). Odendaal (2004:69) reports a similar scenario for medical provision in Namibian prisons.

In Benin, it appeared that an NGO was taking care of the medical needs of women and children (ACHPR 2000), while in Egypt women were expected to buy their own medication (HRAAP 2004). In Egypt one female inmate reported that “in the summer we get skin diseases and the only medicine they give us is aspirin and salicylic. There are no other medicines here” (Taylor 2004:49). As a result of these, the inmates rely on their visitors to bring them the medicines that they need, otherwise they obtain medicines through other prisoners. In short, poor and sick inmates render services to a well to do fellow inmate in exchange for medication from outside. In a similar situation in Argentina, a prisoner reported that “I asked to go to the medicine centre because I had a terrible temperature and they gave me an aspirin and told me to take a cold shower. So, I did, and, well, I was like that for four months. I had tuberculosis” (Taylor 2004:49).

The issue of hygiene and sanitation is related to that of medication. In Kiri-Kiri prison female offenders complained of having to use their hands and buckets to remove excreta from a full and overflowing suck-away and being exposed to stinking excreta in the yard. Moreover, as Ozo-Eson (2004) notes, in Kaduna prison in Nigeria, the female wing reeks of human excrement.

In addition, female inmates in Cameroon, Uganda, Zimbabwe and Nigeria were not provided with either bathing soap or sponges. Even when soap was provided, it was once in a while in small quantities. The prisoners bought these items with their own money, in order to avoid developing rashes. The same applied to items such as sanitary towels and soap for washing clothes. Those who are not able to afford such things, especially sanitary towels, resort to unsafe alternatives such as using discarded cloth or cutting off bedding foam, which is washed and re-used (Linonge 2001; Neudek 2002; Samakaya-Makarati 2003; Ozo-Eson 2004).

In Zimbabwe, instead of sanitary towels, women used alternatives such as newspapers, tissues and pieces of blanket or prison uniform (Samakaya-Makarati 2003). The difficulties associated with menstruation were also compounded in Zimbabwe (Samakaya-Makarati 2003) and Uganda (Tibatemwa-Ekirikubinza 1999), where women did not have panties to wear during their periods. In a study conducted by Quaker United Nations, a prisoner indicated that “they were given undergarments once a year”. This situation was aggravated when some guards in South Africa demanded to see the soiled sanitary towels before issuing anymore (Schreiner in Vetten 2008). Such attitudes violate the privacy of individual prisoners and degrade them. However, women prisoners are treated better than their male counterparts in South Africa, considering that their sanitation and personal hygienic conditions are adequate. Toiletries, including bar soap and a tube of toothpaste, are provided to inmates on a monthly basis while long term prisoners are provided with twenty packs of sanitary towels once a month. On the other hand, prisoners with short-term sentences and those awaiting trial are supplied with sanitary towels every day of menstruation (LHR 2006).

In Columbia, the Human Rights Watch (Taylor 2004) reported that all prisoners were given soap, but not shampoo. The complaint is that, while soap alone may be sufficient for men who have shorter hair, it is too dry for women and inappropriate for washing women’s hair. This is a reflection of the reality that women have specific requirements different from those of men - while soap may be sufficient for men, shampoo would be appreciated by women who usually have long hair.

In England and Wales, between 2000 and 2006, women complained that the prison environment was dirty with the unhygienic sharing of facilities. For example, women reported that five women in a dormitory may have to share one, in-cell sink used for their

personal washing as well as washing their eating utensils. They also complained that the facilities available to them were often stinking and dirty “The bath wing is disgusting...we clean the bathrooms every day and then, the next day, when we get there, after just an hour, it’s horrible; water all over, the mop is stinking, [used] sanitary towels, tampons, oh it’s horrible” (Plugge et al 2006:53).

It is interesting to note that context is important in what may be termed in hygienic. For example, in the Cameroon prisons there are no in-cell sinks which, in turn, implies that the situation in England and Wales is better than that in Cameroon, even though the women in England and Wales still complain.

### **3.4.3 PREGNANCY, MOTHERS AND CHILDREN IN PRISON**

Pregnancies raise numerous issues for correctional policy, including special diets, abortion rights, access to delivery rooms and medical personnel, and the length of time that new-borns may remain with incarcerated mothers. Citing the case of Mozambique, Modie-Moroka and Sousou (2001) note that the requirements for a healthy pregnancy, such as adequate nutrition, exercise, fresh air and sanitary conditions, were not being met and there were accounts of women giving birth in cells (ACHPR 2001b). Samakaya-Makarati (2003) reported a similar situation in Zimbabwe. However, further interrogation of relevant literature shows parallel situations in Uganda and South African as that cited in the ACHPR report for Uganda. In the case of Uganda, some babies were given the same food as their mothers. In South Africa, pregnant women, who were not experiencing any complications arising from their condition, were accommodated at night, from six months of pregnancy onward, in the hospital section of the prison as a precautionary measure. However, if complications arose before the sixth month of pregnancy, the same rule was applied and, where no hospital facilities were available, the pregnant woman was transferred to a nearby prison with a hospital section.

It should be noted that besides the problems arising from the physical aspects of incarceration, the pregnant female inmates also endure psychological stress about whether or not to have an abortion, who should care for the child after its birth and separation from the child (World Report 1998). In addition, inmates may have to cope with boyfriends or partners who may abandon them while they are serving their sentences. For example, Acoca (1997:50) narrated

the experience of Maria, “once she entered prison, her boyfriend (the father of her second child) severed all contact with her and has made no inquiries regarding their baby”.

It is worth noting that there are some children who end up living in prison without having committed a crime, although CPR denies this. These are the children who are living with their convicted or detained parents in prison, particularly their mothers (LICARDHO - Cambodian League for the Promotion and Defence of Human Rights 2002).

Nevertheless, many prison systems are allowing nursing infants to stay with their mothers, creating in-prison nursery schools, developing special living quarters for pregnant women and new mothers, instituting counselling programmes, and improving the standards of medical care. However, such facilities are still a luxury in the Cameroonian context and in certain other African countries. Children are imprisoned with their mothers in Benin (ACHPR 2000), Ethiopia (ACHPR 2004), South Africa (Inspecting Judge of Prison 2006:16; Hesselink & Dastile 2010), Zimbabwe (Samakaya-Makarati 2003), Mozambique (ACHPR 2001), The Gambia (ACHPR 1999), Sudan and Uganda (Tibatemwa-Ekirikubinza 1999).

In South Africa children may remain with their mothers until the age of five (Inspecting Judge of Prison 2006). According to Mutingh and SAPA (in Hesselink & Dastile 2010:66), the DCS amended its Correctional Services Act on 1 October 2008 to act in the best interest of the child. According to the Act, a child will be allowed to be incarcerated with a female offender only until the child is two years of age. However, in Cameroon, the CPR does not include any provision permitting children to live in prison, although there are occasionally children living in prison with their mothers. Nevertheless, the number of children living with their mothers in prison is not high although it may happen that women are imprisoned with their children while women sometimes give birth while in prison. For example, in Djibouti in 2005, children under the age of five were sometimes allowed to remain with their mothers in prison (USDS 2006). In Burundi, also in 2005, the Ministry of Justice reported that of the 7 969 persons being held throughout the country, 39 were children who were with their convicted mothers (USDS in Sloth-Nielsen 2008:128). In Ethiopia, in 2004, there were children as old as eight years in women’s prisons not attending school (ACHPR 2004), and this was also the case in Sudan. However, mother and child programmes are often criticised for domesticating women, projecting a “pro-natalist and eugenic ideology” (Snider 2008:199).

Concern regarding women prisoners was brought to the fore by child rights activists and was provoked by the fact that many women prisoners are also mothers. According to these child rights advocates, children, especially those of single parents, undergo untold suffering as they accompany their mothers through the harsh criminal justice system, from the police cells to prison, and this in turn exposes them to many forms of abuse, stress and diseases (Mucai-Kattambo, Kabereri-Maccaria & Kameri-Mbote 1995).

Article 30 of the African Charter on the Rights and Welfare of the Child introduced a special provision that aims to protect the infants and young children of imprisoned mothers and also the unborn children of expectant, imprisoned mothers. This has been described as a unique feature of the African Charter (Chirwa 2002; Gose 2002) and which has no counterpart in the International Convention on the Rights of the Child. It has been ascribed to the fact that the mother is considered the primary caretaker in most parts of Africa (Gose 2002).

This charter suggests that imprisoning a mother should be a last resort although it would appear that this provision is inapplicable in some countries. However, suggestions as regards addressing the plight of female offenders lean heavily towards the use of non-custodial sentences in order to cater for the welfare of the children as well as society. Most activists and governments have suggested extramural penal employment, conditional discharge, probation and the rehabilitation of offenders within the community (Mucai-Kattambo et al 1995; Bastick 2005; Corston Report 2007). However, even the Kampala Declaration and the SMR pay insufficient attention to the needs of the children, both inside and outside of prison. Vetten (2008:144) argues that, in many instances, the mother's punishment is being extended to her children. This, according to her, is in clear violation of Article 2 of the UN convention of the rights of the child, which states that:

State parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians and family members.

An interview conducted in Nigeria with a female prison inmate, sentenced with her one-year-old baby, highlights the need ratified conventions to be applied to vulnerable groups in order to meet their needs. The female inmate stated the following:

I felt very bad and the suffering is much, I have four [other] children. When they come to see me, the prison officers refused them to come in and see me. Her father [the father of the baby imprisoned with her] abandoned the whole family before I was accused and arrested. So presently my other four children are living under the care and supervision of our neighbours ...My small baby is suffering because I do not have means for getting her food; she normally takes custard and milk. The government should please provide baby food for this poor girl who has not committed any crime (Sloth-Nielsen 2008:129).

According to Sloth-Nielsen (2008), other female inmates interviewed in the same study alluded to poor health conditions in the detention of small children, leading to ailments such as colds, coughs, constipation, rashes and difficulties in breathing. They called for food, drugs, warm clothing and toys to be made available. However, this situation is not unique to prisons in Nigeria as Konda (2011) reported that a female inmate in the Buea central prison in Cameroon also reported the poor state of her six months old son's health as a result of a lack of adequate nutrition. In this case the researcher was motivated, on her next visit, to supply some containers of milk and toys for the baby. Also, in Sudan, it would seem that children beyond breastfeeding age did not have ready access to food in prisons. Thus, one may reasonably say that the inadequate care provided to infants is in violation of Article 6 of the Convention, which enjoins state parties to "ensure, to the maximum extent possible, the survival and development of the child".

Interestingly, the draft Zambian Constitution of 2005 contained a provision in the children's rights clause for the right of the child "not to be incarcerated on account of the mother's incarceration". On the other hand, Section 20 of the Correctional Services Act (No.111 of 1998) of South Africa provides that infants and young children may remain with their imprisoned mothers until five years of age, and that they preferably be accommodated in mother and baby units within the prisons, where the surroundings and facilities are conducive to their physical, social and mental development. This Act also spells out that the Department of Correctional Services is responsible for the food, clothing, healthcare and facilities for the sound development of the child for the period that the child remains in prison (Sloth-Nielsen 2008:129).



On the other hand, mothers with children at home may not wish their children to visit them. They may not want their children to see them in the prison conditions, particularly when the visit comes to an end and they have to be separated again. A female prisoner remarked that “young children cannot understand why they cannot stay with their mother. Visits are like giving a toddler a lollipop and then snatching it away” (Taylor 2004:36). For some women family visits leave them with very mixed feelings, and they are often left feeling ‘torn apart’ and not knowing whether the best thing to do would be to sever contact or to persevere and cope with the upset. On other occasions it may be the children themselves who do not wish the visits to take place. They may be ashamed or angry with the mother for her actions, and for her apparent abandonment of them (Taylor 2004:36). Nevertheless, women inmates throughout the world testify that there is nothing as painful as leaving their children at home. The testimony of a middle-aged Indian woman in the Westville female prison in South Africa confirmed this when she said “the 15 years of abuse by my husband was nothing compared to 20 years of having to live without my children” (Young-Jahangeer 2004:147). It is, thus, evident that nothing is as painful as a mother being separated from her children for a long time.

#### **3.4.4 SEXUAL RELATIONS: PRISON STAFF VS FEMALE INMATES AND FEMALE INMATES VS FEMALE INMATES**

Human Rights Watch (1996) reported that male officers in prisons in California, Georgia, Illinois, Michigan and New York rape, sexually assault and abuse female inmates. The situation is the same in prisons in Namibia where the guards abuse the female inmates. Several cases of police officers raping females in custody have also been reported (Odendaal 2004). Guards use their authority either to provide or deny goods and privileges to female prisoners in order to compel them to have sex or, in other cases, to reward them for having done so. This is the reason why the superintendent of the Bedford Hills Correctional Facility believes that “incarcerated women cannot meaningfully consent to sexual relations with staff”. According to her, “where you have power over a person, it cannot be consensual ... you cannot be in the position of an inmate and make that kind of decision ...eventually it makes other people unsafe” (Taylor 2004:75-76). The problem is the offender may be heavily dependent on the member of staff. The feelings may be genuine but there is greater risk for exploitation, particularly in view of the fact that female offenders may offer themselves sexually in order to secure favourable treatment in Cameroonian prisons (Linonge 2001).

It is further reported that, in Cameroon, prisoners bribe prison wardens and detention centre guards for special favours, temporary freedom, access to better conditions, and permission to stay in an office instead of a cell. In addition, prison guards require awaiting trial detainees, sometimes under threat of abuse, to pay 'cell fees' to them as a bribe in order to prevent further abuse (USDS 2009:4-5). However, it is not uncommon for female offenders to offer themselves sexually so as to be released from their cells. Moepye (2001:49) recounts how two female offenders offered themselves sexually to a policeman at Hazyview in South Africa because he had promised to set them free in exchange for sex. Taylor (2004:75) further confirmed that "many female prisoners are drawn into trading sex for favourable treatment in order to get on the officers' good side and to make their time easier". Taylor describes this by saying "give them two pieces of cigarette, and they will do anything" (Taylor 2004:75).

According to Maguire, Morgan and Reiner (1994), very little work has been done to establish whether female officers treat female offenders in different ways. Some studies reveal that women are more punitive towards their own sex. Moepye (2001:49) indicated that some female offenders had stated they were betrayed and abused by female warders. Two female prisoners serving sentences for theft and fraud alleged that a female prison warder was making passes at their boyfriends. When the men did not respond to her approaches, she started ill treating the women, at times withholding their food until it become rotten. The women were also given additional work and threatened with charges of insubordination. A similar situation happened in Uganda where the mood of the female prison staff members changed when female offenders received expensive or quality items from relatives and friends, items which the female warders could not afford (Neudek 2003).

Kilroy (2006) argued that mandatory strip searches, physical abuse by prison staff, sexual abuse and torture for being at risk of self-harm are among the human rights infringements that women prisoners face on a daily basis in countries such as Australia, the United Kingdom and the United States of America.

Gangs are often found in South African women prisons, and their primary purpose is not to intimidate other inmates, but to facilitate love affairs. Lesbian relationships are common among the female prisoners, despite contrary advice from the prison authorities. However, there are no known incidents of rape or sexual molestation (LHR 2006). In the American

prisons, the only way in which women prisoners are better off than male prisoners is the fact that incarcerated women appear to be far less likely to be raped by fellow prisoners (Belknap in Snider 2008:198). As in all types of penal institutions, same-sex relationships are found but, unlike in male prisons, such relationships among women appeared to be voluntary rather than being coerced (World Report 1998). Robert Leger found that female inmates with same sex relationships were usually serving long sentences, had been arrested young, were more likely to have been previously confined, and had served more time than had the heterosexual women with whom they were imprisoned (Moyer 2001).

Haffejee et al (2005:45; 2006) found in three Gauteng women's prisons that 11% of women had indicated they had a consensual sexual relationship in prison while 5% said they were being coerced into a sexual relationship. In Cameroon guards and NGOs reported that inmates were raping each other in New Bell Prison Douala (USDS 2009:31). They also postulated that these studies were preoccupied with the dynamics of homosexual relationships and were not very informative about the nature of women's imprisonment. However, despite the fact that these studies may not reveal much about the nature of women's imprisonment, they were amongst the first to provide a description of the culture in women's prisons. This study looks only at sexual relationships in the context of prison management and not prison culture per se.

### **3.5 RESISTANCE IN WOMEN'S PRISONS**

Carlen and Worall (2006) identified three main processes with regard to the resistance of female prisoners to their conditions of incarceration. These three debates include the following: 1) adaption - an aspect similar to the prisonisation and which deals with the formation of a prison subculture in terms of which prisoners manage to adjust the prison rules to serve their own ends; 2) institutionalisation, where prisoners become rule-governed in at least some aspects of their behaviour and 3) resistance, which involves a situation where prisoners directly evade or disobey rules or engage in psychological strategies for the maintenance of identity and self-esteem.

According to Young-Jahangeer (2004), women inmates in the Westville female prison are more "resistant, volatile and less predictable" than men. Her working in the Westville female prison in Namibia as a drama facilitator helped her to discover that resistance characterised many of the women who "defy description". However, this resistance was typically

characterised by inaction and passivity rather than volatility. Some women agreed to participate in her project, while others refused and looked for ways to end the project by sabotaging it for those who did wish to participate. Despite her observation that women inmates eventually changed, they were affected by the oppressive structure and functioning of the prison combined with external stress such as their concern for their children on the outside. These feelings of powerlessness and lack of autonomy impacted on the female inmates in unpredictable ways and they responded to the conditions through the limited choices available to them, such as absenteeism. While the notion of volatility is in question, it would appear that the context of an overcrowded prison, where power is so overtly exercised, results in similar possibilities of “resistance, disobedience and oppositional groupings”, irrespective of the wider geographic space.

According to Worrall (in Bosworth 1999:151):

While much of the women’s resistance is individualistic, inconsistent, and, in some senses, self-destructive, it has the important effect of undermining the authority of official discourses and keeping open the possibility of the creation of new knowledge about them - both as women and as [prisoners]. This was related to the unlawful possession of drugs rather than serious drug offences such as the sale of drugs.

There are two aspects surrounding the usage of drugs, that is, the users and the non-users. The non-users of drugs are principally women who sell drugs for economic reasons while those who use drugs do so to support their drug habits. Gelsthorpe and Loucks (2008) pointed out that men often resort to burglary to feed a drug habit. It was not usual for women to sell drugs but, if they did, the magistrates believed that men were their suppliers. A study conducted on burglary revealed that women were more likely than men to be addicted to drugs when involved in crimes and the money was used to support drug usage (Moe 2006).

According to Wogaing and Abissi (2011), all categories of women prisoners, including the good, the bad and the very strong, may be drug addicts. According to them, there are many women who have been detained for the consumption of and trafficking in cocaine and Indian hem in the New Bell prison, Douala and who serve as a threat to the other prisoners. One of the prison staff interviewed by Wogaing and Abissi indicated that the women who consume

and traffic in drugs create the biggest problems in prison as they follow their own rules. What is still to be established is whether it is the policy on drugs in Cameroon that is responsible for the increase in the female prison population and whether the increase reported in New Bell prison, Douala applies to all the 73 prisons in the country.

ICCPCC (2011:12) reports a case of a female prisoner in Kenya who had had to push drugs in order for her family to survive. "I had to push drugs as they helped me to solve my problems and care for my children ...but it was short lived as I was soon arrested and sent to jail." However, South African women are imprisoned for aggressive crimes such as murder and attempted murder and are the least likely to be imprisoned for drug related crimes (Timm 2007).

### **3.6 LACK OF EDUCATION, HEALTH AND OTHER SOCIAL SUPPORT STRUCTURES**

This section examines both feminisation of poverty and sentencing patterns.

#### **3.6.1 FEMINISATION OF POVERTY**

According to Gelsthorpe and Morris (2008), by the late 1990s, nine out of ten single parent families were headed by a woman and many women had to rely on low pay in part-time jobs. Likewise, in Cameroon, a 1996 household survey found that females constitute 52% of the three million people who are not able to afford, even the food components of the consumption basket - a situation of extreme poverty (Abwa & Forchingong 2004:4). Morash (2006), on the other hand, found that the feminisation of poverty refers to the women's worsening economic situation as reflected by increased divorce rates, the increase in female headed households, the failure of fathers to support their children and the segregation of women into low paying, traditional female occupations. As a result many women become involved in consumer-based crimes such as shoplifting and fraud. Involvement in crimes such as shoplifting, theft or fraud provide some form of income and financial support for those women who are not able to provide for the basic needs of their families. Timm (2007) found that 64% of the women convicted for theft in South Africa had experienced economic

hardship. According to Gelsthorpe and Morris (2008), there are two reasons why some women commit crimes; Firstly, as a result of the broad features of the structural positions and lifestyles of women in society with many women being vulnerable to financial difficulties and to the stresses and strains that accompany child care responsibilities, domestic violence, and high levels of childhood victimisation. Secondly, there are links between some of these broad social and structural problems and the more immediate 'criminogenic factors'. Gelsthorpe and Morris (2008), citing Mair and May, also confirmed the perception of female offenders as having distinctive needs which relate to their general poverty and deprivation.

### **3.6.2 SENTENCING PATTERNS**

'Gender neutral' zero tolerance policies have contributed significantly to the rise of women's imprisonment especially when it comes to sentencing. Since the early 1990s the numbers of women in prison have grown in various jurisdictions across North America, Europe and Australia, mainly as a result of the increased severity in sentencing (Hannah-Moffat 2002; Almeda 2005; Player 2005).

Over the past few years the severity of sentencing patterns has increased as a crime control measure. Ivone and Da Cunha (2005) describe law enforcement as becoming increasingly proactive instead of reactive and with the potential for bias. The debate about women and drug offences may be used as an example to explain this phenomenon. Those women who are victims of the war on drugs are usually from the poor and marginalised communities of a country. Thus, the women who often fall prey are often from the poor, racialised minorities who do not have any other means of economic survival other than to engage in the illegal drug economy. According to Ivone and Da Cunha (2005), racialised minorities have become the collective targets of increased surveillance and increased police attention with a much higher probability of arrest. For this reason crime control measures have become the measure of control of the poor and marginalised. Similar trends are evident in other countries, including the United Kingdom (Gelsthorpe & Morris 2002).

Related to this is the significant increase in the female prison population because of shorter sentences. Hudson (2002) points out that female offenders often engage in the property offending which is the crime pattern typical of the impoverished, addicted, deprived and depressed identikit of female offenders. Thus, the new sentencing framework renders the

female offender more vulnerable to imprisonment than ever before. Women who commit crime out of need are imprisoned more readily than those who commit crime out of greed (Hudson 2002). However, both men and women have been affected by these sentencing reforms.

### **3.7 CONCLUSION**

This chapter dealt with early religious influences, both in Africa and the Western world and provided a general overview of the conditions of imprisonment and specific needs of female inmates. The chapter also discussed the issues of food, health, pregnancy, mothers and children in prison; sexual relations between prison staff and female inmates and female inmates and female inmates; resistance in women's prisons; lack of education, health and other social support structures and sentencing patterns. As will be demonstrated in the chapters on the data analysis the literature review sheds light on what goes on in Cameroonian prisons.

The next chapter discusses the methodology used in this study.

## **CHAPTER FOUR**

### **METHODOLOGY**

#### **4.1 INTRODUCTION**

This chapter discusses the sources of data, methods and procedures used in the study. The chapter focuses specifically on research design, sampling techniques, authenticity and trustworthiness, ethical considerations, data analysis and data interpretation.

#### **4.2 THE RESEARCH DESIGN**

This study is based on a qualitative research approach which was deemed appropriate for obtaining authentic narratives from the research participants (Greeff 2003). It was particularly necessary to elicit the discourses implicit in the female inmates' narratives so as to ascertain the impact of imprisonment on women's lives. A qualitative research study encompasses a variety of designs and methods which, nevertheless, have common characteristics, including a holistic approach, a focus on human experience, sustained contact with people in their natural setting, a high level of researcher involvement and the production of descriptive and/or narrative data (Rolfe 2006:306-307). Qualitative research focuses on what people say and do in specific places and institutions, including their interactions with others over time. In other words, qualitative research deals with the way in which social phenomena occur or develop within a social and temporal context. The rich descriptions and narratives of specific cases constitute the bridge that connects qualitative sociological studies (Goodwin & Horowitz 2002:35-36). In contrast to quantitative research, qualitative studies benefit from their ability to provide reliable data based on the in-depth probing and prompting of informants.

For the purposes of this study such a qualitative approach was critical as it elicits the subjective experiences of women and has the potential of harnessing and extending the power of ordinary voices and expression to help understand the social world in which these women live (Terre Blanche, Durrheim & Painter 2006:274). However, qualitative research has been criticised for being both labour-intensive and time consuming (Pope, Ziebland & Mays 2000:116), and for failing to examine a sufficient number of cases to enable the building of



solid generalisations this data may not be replicable (Goodwin & Horowitz 2002:36). It is indeed not an easy task to analyse qualitative data but, if done properly, the process is systematic and rigorous as good qualitative analysis is able to document its claim to reflect some of the truth of a phenomenon (Pope et al 2000:116). However, no single, qualitative data analysis approach is widely accepted (Neuman 2006:404).

Based on the above mentioned, a qualitative analysis formed the basis of this study which used Foucauldian and feminist theory as an interpretive framework. The literature suggested that there is a difference in terms of the execution of the rights of inmates despite the fact that prisons were under different prison regimes before the advent of the reunification which ushered in a unique system of penitentiary administration<sup>2</sup>. In view of the fact that this research is based on the premise that policy may not necessarily translate into practice, I reviewed and studied relevant literature to gain knowledge, deeper insight and understanding in respect of the critical determinants from which to learn and point out gaps in the Cameroonian approaches, models, policies and strategies which address women's prison experiences and the way in which these experiences shape their responses to prison life.

This study will either support or destabilise the existing narratives of female inmates within a Cameroonian context using primarily interviews and documents. A fundamental reason for carrying out qualitative interviews is that qualitative interviews explore the ways in which social actors interpret the world, and their place within that world. For example, they deal with the narrative dimensions of people's accounts in qualitative research and the ways in which people make and use stories to interpret the world (Lawler 2002). As a method narrative provided a means of exploring the construction of identity within the context of the life story of the female inmates (Lieblich et al 1998). It is important to note that narrative is closely related to the life history research but that the narrative is a useful way of conceptualising the accounts which people produce in qualitative interviews generally (Bates 2004:16, Lawler 2002:250). A life history may be distinguished from a narrative by the fact that a life history portrays an individual's entire life, while a narrative comprises an individual's personal experience as found in either a single or multiple episodes, private situations, or communal folklore (Denzin in Creswell 2007; Bates 2004). Cortazzi (in Creswell 2007) argues that the chronology of narrative research which emphasises sequence

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<sup>2</sup> The decree No. 73/774 of 11 December 1973 replaced the two existing systems.

sets the narrative apart from other types of research. Dan McAdams (2001:100) argues that “identity is a life story” and involves many “evolving narratives of the self”. These narratives are organised around plots and themes which, in turn, function to tell a story about the self. This, therefore, means that, when narrating a story, social actors organise events into the episodes which make up the plot.

According to Lawler (2002), what we make of experience depends on what we know about the ways in which those experiences relate to the wider social circumstances of our lives. Ricoeur (in Lawler 2002:250) opines that we “read time backwards”, “reading the end into the beginning and the beginning into the end”. The purpose of the life story is to provide an “integrative narrative of self that provides modern life with some modicum of psychosocial unity and purpose” (McAdams 2001:100). However, there are challenges involved in conducting narrative research and these are embedded in the fact that the researcher needs to collect extensive information about the participant, and have a clear understanding of the context of the individual’s life. Therefore, a sense of focus is needed to be able to identify, in the source material gathered, the particular stories that capture the individual’s experiences (Creswell 2007; Bruner 1991).

Given that my main interest is to explore the problems and needs of the female inmates and the impact of imprisonment on women’s lives, as constructed by the female inmates in their life stories, I paid attention to both the form and content of their narratives (Africa 2010). This is in line with Elliott (2005), who posits that it is unlikely that any researcher in the social sciences would examine the form of a narrative without also paying attention to its content. Narrative form refers to the way in which a story is structured such that it conveys a particular story about the self while narrative content refers to the actual substance of the stories which pertain to the “facts” of the individual’s life as it is constructed (Lieblich et al 1998). Form and content are interconnected in such a way that the content which an individual uses to tell a story shapes it so as to tell a story about the self. While each life story is different, McAdams (2001) argues that it also reflects the position of the individual. Consequently, gender identities and issues such as ethnicity, class, gender and the discourses underpinning them, influence both the form and content of narratives.

It was no easy task to capture data on the narratives of female inmates as there is little writing on the penitentiary in Africa while the Cameroonian mission statement on prisons seem

ambiguous compared to the praiseworthy policy document of Uganda (Coyle 2002:17). According to Coyle (2002), in order to ensure proper implementation it is important that prison administration sets out its statement of purpose clearly. In short, as a feminist researcher, I combined the analysis of the data that was 'found' (written records or text) with the data that was 'produced' (interviews). These are documentary analyses from reports, newspapers, persuasive literature (newsletters, pamphlets, hand-outs, flyers), organisational records (minutes of meetings, constitutions and by-laws, list of funders and donations), seminar/conference papers and dissertations written by penitentiary staff and university students. Examining organisational documents is fundamental to cross-checking with documentary evidence some of the assertions made in interviews. There are often several research questions as well as settings that cannot be investigated adequately without reference to the use of documentary materials, even though it is not possible to treat records, however official, as firm evidence of what they report (Atkinson & Coffey 2004). This, in turn, implies that, for the purpose of this study, I used mixed methods in order to analyse the data. The rationale for using this method emanated from the fact that it may be used in a range of fields, ranging in my context from literature and rhetoric, gender, sociology, criminology to law. A feminist sociologist, in common with other traditional sociologists combining the results from other studies using persons as the units of inquiry; provides important missing links with the social conditions of the time (Reinharz 1992; Neuendorf 2002).

Interviews with people close to or in regular contact with female inmates are also important, and included interviews with prison social workers, NGO representatives and prison staff. The measuring instrument applied for the purposes this study was an unstructured, open-ended interview guide which was used to conduct an in-depth, narrative interviews with penitentiary staff members (see Appendix A) who were purposively selected. The method was deemed appropriate because the opinions about a certain phenomenon from people who were informed about a specific research topic were investigated. In-depth interviews were also conducted with sentenced and awaiting trial female inmates who took part in the study on a voluntary basis (see Appendix B).

#### **4.3 INTERVIEW GUIDE**

A semi-structured interview guide was used to conduct the narrative interviews. The strength of face-to-face interview is rich while such interviews make communication possible. The

interview guide questions were open-ended and required an extended response with prompts and probes from the researcher in order to clarify the answers. It is easier for respondents to disclose things during a face-to-face interview than in an anonymous questionnaire.

The advantage of the semi-structured interview is that an initial topic with a few sets of questions helps to guide the interviewees' responses as to the succeeding sequence of topics (Robson, 1993) and this, in turn, results in the possibility of new and interesting themes emerging during the interviews (Eileen, 1987). Such emergent themes are then extensively explored via prompting and probing. It is important to note that a general phenomenon in respect of interview guides is the lack of consistency in the way in which the research questions are posed. The researcher may change the way in which he/she poses the questions and, therefore, the research participants may not consistently answer the same questions as a result of how they were posed by the interviewer (McNamara in Turner 2010:755). According to McNamara (in Turner 2010:755), the strength of the general interview guide is the ability of the researcher to ensure that the same general areas of information are collected from each interviewee.

#### **4.4 NARRATIVE INTERVIEWING**

According to Creswell (2007), narrative research has many forms and is composed of a variety of analytical practices rooted in different social and humanities disciplines. It is the term assigned to any text or discourse or else which is used in a text within the context of the mode of inquiry in qualitative research (Chase in Creswell 2007). The focus is on the stories told by individuals (Polkinghorne in Creswell 2007) and which maybe both a method and a phenomenon of study. The simplest definition, therefore, of a narrative may be traced back to Aristotle's Poetics which stated that a narrative is a story with a beginning, a middle, and an end (Martin 1986). The term *narrative* is sometimes used loosely by social scientists to refer to any extended prose (Elliott 2005). The word narrative derives from the Indo-European root 'gna' which means both 'to know' and 'to tell' (Hinchman & Hinchman in Elliott 2005). "Narrative might well be considered a solution to a problem of general human concern, namely, the problem of how to translate knowing into telling" (White in Elliott 2005:1). What, therefore, is the concept of narrative in the context of social research or to a sociologist and how has it informed some of the methodological advances in the social sciences? A narrative may be understood to organise a sequence of events into a whole so that the

significance of each event may be understood through its relation to that whole. Thus, a narrative conveys the meaning of events. Hinchman and Hinchman (in Elliott 2005:3) define a narrative as follows:

Narratives (stories) in the human sciences should be defined provisionally as discourses with a clear sequential order that connect events in a meaningful way for a definite audience and, thus, offer insights about the world and/or people's experiences of it.

Hinchman and Hinchman's definition stresses the following three key features of narrative. First, it has a temporal or chronological dimension in that it provides a representation of a series of events or experiences rather than describing a state of affairs. Secondly, it communicates the meaning of events or experiences through the use of evaluative statements and through the temporal configuration of events; and thirdly, there is an important social dimension to narrative. Thus, narratives are usually told in a specific social context for a particular purpose and it is these key features that underpin the importance of narrative in sociology. It is also important to note that criminology, as a major discipline, has begun to use narrative as a methodological tool through examining individual lives holistically in order to understand more about the patterns of reoffending and desistance from crime.

According to Elliott (2005:6), common themes that pay attention to narrative in respondent's accounts include the following:

1. An interest in people's lived experiences (in the context of this study the lived experiences of female inmates) and an appreciation of the temporal nature of those experiences.
2. A desire to empower the research participants and allow them to contribute to determining what the most salient themes in an area of research are.
3. An interest in process and change over time.
4. An interest in self and the representations of the self.
5. An awareness that the researcher is also a narrator.

Lawler (2002), on the other hand, defines narratives as transformation, action and characters which are brought together within an overall plot. This, according to him, is central to people connecting together past and present and self and other while this is done within the context of cultural narratives which delimit what may be said, what stories may be told, what will

count as meaningful, and what would seem to be nonsensical. However, Somers and Gibson (in Lawler 2002:244) characterise narrative as the ‘epistemological other’ of sociology. To them the entire project of sociological theorising and research is premised on a disavowal of narrative. This assertion is based on two reasons which are connected to the ‘self identity project’ of the social sciences. These two reasons include the fact that social scientists tend to limit their definition of narrative to a mere representation and, secondly, issues of ontology and identity have been defined as being outside of the confines of sociological concern.

A conceptual distinction may, however, be made between ‘first-order narratives’ and ‘second-order narratives’. First-order narratives may be defined as the stories that individuals tell about themselves and their own experiences. They occur spontaneously in everyday life and during the course of normal interaction while they may also include the personal testimonies produced in more formal settings. They are constitutive of individual identities. This is why Somers and Gibson in Elliott (2005:13) describe first-order narratives as ‘ontological narratives’. Second-order narratives, on the other hand, refer to the accounts which we may construct as researchers in order to make sense of the social world and of other people’s experiences. These narratives are, therefore, methods of presenting social and historical knowledge and do not necessarily focus on individuals. In the context of this study, the second-order narrative is concerned with individuals as the unit of analysis, namely, a ‘collective story’ as suggested by Richardson (in Elliott 2005:13):

The collective story displays an individual’s story by narrativising the experiences of the social category to which the individual belongs, rather than by telling the particular individual’s story. ... Although the narrative is about a category of people, the individual response to the well-told collective story is “That’s my story. I am not alone”.

Paul Ricoeur, Somers and Gibson (in Lawler 2002:244) suggest that researchers and theorists have also adopted “conceptual narrativity” a position:

That social life is itself storied and that narrative is an ontological condition of social life... that stories guide action, that people construct identities ... by locating themselves or being located within a repertoire of emplotted stories; that experience is constituted through narratives; that people make sense of what has happened and is happening to them by attempting to assemble or ...and that people are guided to act in certain ways, and

not others, on the basis of the projections, expectations and memoirs derived from a multiplicity but ultimately linked repertoire of available social, public and cultural narratives.

The above section illuminated the conceptual definition of narrative interviewing, thus providing the reader with an understanding of what to expect throughout the study.

#### **4.5 SAMPLING STRATEGIES/TECHNIQUES**

For a period of 14 months, I frequently visited six different penal institutions in Cameroon. The time spent in the fieldwork was lengthy but worthwhile because it familiarised me with the environment, listening to women who had committed various crimes, prison staff and NGO representatives. All of this reinforced the notion that listening and hearing is a reflexive, ongoing learning process (Liebling 1992). The process of becoming familiar with the environment at both an abstract and a practical level provided substantial background knowledge which prevented misunderstandings and enabled me to be sensitive to difference prior to, during and after the interviews (Mies 1993).

I selected six specific prisons out of a total of 73 prisons in Cameroon because of my familiarity with some of the staff members of these institutions and because, financially, I was able to manage this number within the time frame of the study. This was particularly important because I come from the part of the country where these six prisons were located and, thus, gaining access to information was easier and ensured the authenticity and trustworthiness of the data. In the event of the offenders not being fluent in English I spoke to the female inmates in Pidgin English, a lingua franca which originated from this part of the country. This explains why my interviews were conducted either in French, English, Pidgin English or a mixture of all three.

The study used non-probability sampling techniques for geographical, historical and cultural reasons. The research participants in this study included prison staff (including prison doctors and social workers) and female inmates from Prison A (PA), Prison B (PB) (South West Region), Prison C (PC) and Prison D (PD) (North West Region), all of which are located in the English-speaking part of Cameroon. Record books of all the prison staff members and

female inmates of these institutions were collected from the superintendents in charge of these prisons. These record books indicated the number of female inmates in prison, when they had been sentenced and when they would be released. This was particularly important because sample size in qualitative research refers to numbers of persons as well as numbers of interviews and observations conducted or numbers of events sampled (Sandelowski 1995). Prison F (PF) and Prison E (PE) are both in the French speaking region of Cameroon. They both formed part of this study although one released prisoner from PF only was interviewed and an NGO representative interviewed who has written reports on prison conditions and works very closely with the inmates from Prison E. These two research participants were included in order to form a picture of what happens in French speaking prisons. However, this does not mean that I did not encounter any French speaking female inmates among those interviewed. The conducting of in-depth interviews with research participants from the prisons selected was necessary since these are the largest prisons in the country and with the highest inmate population.

Female inmates who had been in prison from 2000 to 2012 were considered, thus constituting a total of 18 female inmates. The 'logic and power', however, in the purposeful sampling used in qualitative research lies in the quality of the information obtained per sampling unit as opposed to the number of units per se, leading to the conclusion that "small is beautiful" (Sandelowski 1995:179). However, Sandelowski (1995) argues that inadequate sample sizes may undermine the credibility of research findings. According to Sandelowski, a sample size of 10 may be adequate for homogeneous or critical case sampling but too large for certain kinds of narrative analyses such as the one I am undertaking. However, it is said that we often acquire all the data we need in the very first pieces of data we collect but this becomes evident only when we collect more data. What is pertinent in qualitative research is the fact that events, incidents, and experiences and not people per se are the objects of purposeful sampling (Miles & Huberman in Sandelowski 1995). In addition, people, sites, artefacts, documents and data are sampled for the information they may yield about a particular phenomenon (Sandelowski 1995). Nevertheless, Morse (in Sandelowski 1995) recommends that phenomenologies which are directed toward discerning the essence of experiences include approximately six participants, ethnographies and grounded theory studies and about 30 to 50 interviews and/or observations.



This study used a purposive sampling technique (Neuman 2006) when selecting the staff and female inmates from the sampling frames. A total of 18 prison staff members and two NGO representatives were purposively selected. This selection involved 10 male staff and 8 female staff from the record books of the institutions - selection was based on how knowledgeable the prison staff member was and his/her willingness to participate in the study. It is important to note that as many persons of a particular sex only are included in a study as is deemed necessary to obtain the required information. It is not mandatory to have either equivalent numbers of women and men or numbers of persons of each sex in the proportions in which they appear in a certain population (Sandelowski 1995). In this study the selection of the staff members was based on their willingness to divulge tangible information.

The open-ended narrative interviews with 18 female inmates serving sentences ranging from six months to life imprisonment for crimes ranging from petty theft to murder were conducted in the institutions selected. In some circumstances awaiting trial female inmates were interviewed if they had been in prison for two years and above and if they were incarcerated under the same conditions as the sentenced offenders in Cameroon. I conducted face-to-face interviews for the purposes of this study.

#### **4.6 ISSUES OF AUTHENTICITY AND TRUSTWORTHINESS**

In order to ensure both authenticity and trustworthiness the narratives (in-depth interviews) of 18 female inmates were tape recorded (and/or notes taken) with the consent of the participants (see appendices C and D for copies of the consent letters given to the research participants). This approach was deemed appropriate as it provided a holistic perspective of the female inmates' lives. In-depth interviews were useful for gathering information about the stigmatised, uncomfortable or difficult circumstances prevailing in the subjects' lives. Compared to other structural qualitative methods, in-depth interviews provide the researcher with a more intense opportunity to learn about the subjects' backgrounds, opinions, feelings, thoughts, meanings they ascribe to mundane events and exceptional experiences in their lives (Richie 2001:16). While Elliott (2005) regards in-depth interviews as a means of collecting data about individual lives, experiences and perceptions while also taking the role of the interviewer in producing the data seriously; thus, the voice of the participant is prioritised over that of the researcher (Lietz, Langer & Furman 2006, Bates 2004). Qualitative research 'necessitates researchers' values, prejudices, beliefs and attitudes being stated and

interrogated, and their likely influence on the research being appraised. Trustworthiness is established when findings closely reflect the meanings as described by the participants. It is not something that naturally occurs, but is the result of rigorous scholarship that includes the use of defined procedures (Lietz et al 2006).

The choice of interviewing female inmates only rather than both sexes was deliberate, since there is little criminological literature which gives priority to women's experiences. I was challenged about this decision throughout my research. People questioned me as to whether I would be able to draw any meaningful conclusions about prison conditions on the basis of research conducted with female inmates only while some people doubted if the true story of prison conditions could be unveiled by studying one sex only. The female inmates whom I interviewed always referred me to the male inmates for further questioning as they thought that research on prisons would be incomplete without the male voice. As demonstrated in my analysis, the females' inmates sympathised greatly with the male inmates. The female inmates sometimes told me the pains of imprisonment weighed more heavily on men than on women, given their number. They did not know that my research on female prisoners was built on from my earlier interaction with female inmates as an evangelist interested in women's issues and suffering. I developed semi-structured interview schedules in order to encourage informal discussions. I asked the women whether they thought that I was covering appropriate areas, and I altered my questions accordingly. I was conscious of the existence of a deep power imbalance between us, and I always ascertained whether the women were comfortable with being interviewed. If they were not I either terminated the interview or conducted it in the best way possible to make the women feel comfortable. Sometimes this required me to change the venue or wait until the inmate was ready to continue with the interview.

Narrative interviewing is tiring and exhausting as it requires being a sympathetic listener. It also requires constant, yet brief, affirmation, so that the person speaking feels that he/she has a safe emotional space in which to tell his/her story. Many women cried during the interviews. In the main they were worried about the problems of the outside such as the death of loved ones and/or the sickness of some family members (see Christie & Mercy - chapter 5). Others were traumatised because they were in prison while all the activities in which they had engaged before coming to prison had been suspended. They worried how they could feed their family. Another group of women were traumatised because they were invited to

describe what they were going through and whether they had any suggestions which they thought could change the experience of imprisonment. Some were even emotional because of what normally happened when visitors came to interview them. A few women thought imprisonment was humbling because, sometimes, civil servants and prostitutes were housed together in the same cell (see Dorothy - chapter 5, section 5.7).

Most of the interviews were tape-recorded, although during some interviews I took down notes as we spoke, especially if the inmate preferred this method. I had resorted to doing this because, at the beginning of the interviews, the women had decided whether or not I should record the interview. During some of the interviews we began recording but, if inmate became emotional and cried a lot or if the inmate so requested, I turned off the machine. After each prison visit - a period of approximately two months - I reviewed the theoretical literature. The interviews lasted between 30 minutes and two and half hours. I approached all the women and built a significant rapport with them for sometime before the actual interviews took place. This rapport meant it was easier for inmates to conduct a discussion which flowed during the interviews without doubting who I was like when I just entered the prison. The respondents were able to describe prison conditions from the perspective of the female inmate. The questions asked included their court experiences, the diverse prison conditions and the relationships between inmates and between inmates and the staff. There were also lengthy discussions about the needs and experiences of women in prison.

Throughout my fieldwork I sought to add to the existing literature on prison conditions from the perspective of women by introducing issues of power and agency and by discarding the notion of women as “docile bodies” (Foucault 1977). However, I was conscious of the fact that Foucault also talked of the narratives of the people processing and regulating institutions as increasingly fashioning and highlighting their personal narratives (Foucault 1980). According to Foucault, correctional facilities, among the many other sites for storing experience, provide narrative frameworks for conveying personal experience through time, for what is taken to be relevant in our lives, and why the lives under consideration developed in the way they did. To Foucault, if such organisations are to incite participants to construct their stories, then work needed to be done (Foucault in Gubrium & Holstein 1998).

In cases in which the female inmates were initially sceptical as to the purpose for which I was gathering the information I took down notes. Irrespective of my willingness to check the

information at every stage in order to gather the correct information from the inmates, there were times when I felt the inmates were not telling me the truth. The only way in which I was able to address this situation was to go to the courts and retrieve their judgements to enable me to seek other methods to ensure that these women were telling the truth about their lives and, thus, to verify their accounts with the official accounts. These different interpretations were often illuminating in themselves. However, I did not give up on this method because of the inspiration I received from Heidensohn (1985:23) who wrote:

The search for the authentic voices of women and girls involved in crime is difficult. So often those voices have been... more concerned to demonstrate the lack of criminality than to illuminate their actions, although these attitudes are, of course, enormously revealing about the status of deviant women in our society and societal reactions to them.

All of these methods were taken into consideration to establish if there was any gap between policy and practice and whether what the female inmates had said was consistent with the court records and the responses of the prison staff.

#### **4.7 NEGOTIATING ACCESS**

Before conducting the interviews at the institutions selected I had earlier made preliminary visits to the six main institutions in order to discuss the proposed research, to negotiate future access and to enable the senior prison staff members, who were the gate-keepers, to contribute to the research. The degree of freedom I was allowed within the six institutions varied. Like the prisoners, I was bound by the physical arrangements within the institutions. However, I had more freedom in the institutions in which I had established a good rapport with the prison staff and I was allowed to walk around freely within the prison yard and observe what the prisoners were doing. The male prisoners often wrote down requests on pieces of paper and gave them to me to take action before I left. However, despite the insistence of the male prisoners I refused to make promises considering that they were not part of my research study. In each prison I had to adhere to the time table of locking and unlocking, work, visits, cooking and so on. Whenever I arrived I asked questions about the

activities they would have to perform that morning. I then went ahead to talk to those inmates who were not doing anything and, when they wanted to cook, I gave them a break.

I immersed myself in the field through the different activities of female inmates which I observed. Participant observation is intended to elicit qualitative data which records and reflects the participants' diversity, their experiences and their emotions. In addition, it opens up the meanings that the inmates ascribe to the situation in which they find themselves as opposed to the quantitative expressions of the relations between 'variables' (Denzin & Lincoln 2000).

Thus, my first two weeks in each prison were spent in familiarising myself with both the staff and the inmates. After I had established a rapport the next three weeks was spent in conducting the interviews while the last three weeks was spent in consolidating my initial data by re-interviewing some of the women in areas in which I wanted clarification and in finding out whether they had other things about prison conditions which they wanted me to know. My fieldwork appeared disorganised, undirected and chaotic because I did not follow my questions sequentially. There were times when I began the interviews by using the first question on my schedule and, at other times, I started from the middle or from the end. This procedure was influenced by the fact that some of the questions were sensitive and, when I realised the inmate in question was afraid of the personnel member next to me; I started with the less rigorous questions and waited until the staff member(s) had left before asking the sensitive questions. Despite the fact that I coded the interviews with both the staff and the inmates; it was the women's voices which I used primarily in order to understand the prisons. Denzin and Lincoln (2000:654) refer to the concept of access as identifying the setting and then asking the question: How do we get in? Although the ways of 'getting in' and attempts to 'get in' vary greatly with different settings, they all share the common goal of gaining access to the research participants (Hornby-Smith 1993). My access to the research participant was via verbal authorisation from the delegate of the penitentiary administration of Buea and Bamenda, and from the superintendents in charge of PA, PB, PC and PD. I did not need to negotiate access to PF because the female inmate whom I wanted to interview had already been released and so I conducted an in-depth interview with her out of prison. Gaining access to the research participants involved explaining to them the purpose of the research and how it could benefit them. I established trust by guaranteeing both confidentiality and anonymity and by establishing a good rapport with the informants.

While in the field I chose to maintain a degree of distance between myself and the members of the prison staff, despite the fact that I had built close relationships with them for many years because of my evangelistic ministry in prison. However, I took that decision to ensure that the women would not identify me as a friend of the administration and withdraw the trust I had built up with them. The inmates mentioned a gender bias towards officers indicating a near universal preference for the male officers as compared to the female officers and notions of femininity were present everywhere.

The first prison I visited was Prison A where the staff member in charge of personnel had arranged an introduction for me. He conducted me around the prison to acquaint me with the prison environment so that I would then be able to move around freely and conduct my interviews. I felt at ease because of my previous church involvement with the staff member who showed me around the prison. This had made him more open to me and he introduced me to the officers in the various sections of the prison as well as introducing me to the superintendent in charge of the prison. The superintendent was the most senior officer in the prison and she granted me permission to conduct my interviews. However, once again I found favour because I realised she had attended the same secondary school as me. As a result all other staff members became friendly and allowed me freedom each time I came to the prison to interview the staff members and the inmates. However, the fact that I had enjoyed such successful access to this prison somehow backfired in the end because I did not realise that access is an ongoing process each time you come to a prison. The power may have changed hands and the new staff may either not know you or may try to humiliate you because you have not given them a tip.

As regards the female inmates some of the interviews were successful although, for some, I had to clarify what my identity was as had been stated earlier. One of the inmates feared I was a journalist and said:

*Please, I can't respond to you because, tomorrow, I will watch and see myself over the television. You know my sentence is over, if not of the fact that I don't have money to pay fine; you wouldn't have seen me here. Now, if you advertise me, how will the public look at me (Christie).*

I understood quickly where this inmate was suggesting. She feared stigmatisation from society and so I reassured her of both confidentiality and anonymity. It was then that she took a deep breath and said “*Okay, I will participate in the interview, but know that immediately the yard mistress comes to take me home for my sister’s funeral I will not hesitate to leave*”. I said that was in order.

I also had a ‘cold’ interview where, despite all the attempts by the superintendent in charge and the other inmates to convince one of the female inmates on death row to participate in the interview, she refused to do so. I assured her that the interview was for academic purposes but she looked at me sharply as if wanting to fight me and said:

*Interview the rest, I will not participate. What has the numerous interviews I participated in the past helped me? I have been in prison for 27 years and every now and then people from different background have interviewed me and given me hope, yet it amounted to nothing. Do you think you will make the difference? (Female inmate sentenced to death).*

She was talking while walking away from me. I allowed her to go as it was essential that the female inmates participated in the interviews voluntarily. The next time I met her she was cleaning the poultry yard and I greeted her. However, she did not answer me but just looked at me and sighed. The other inmates consoled me and told me that it was her usual attitude with all visitors. As a researcher, I was aware that this inmate did not trust me and she had no desire to tell me anything important about her experience of imprisonment.

In contrast to the ease of PA my visit to PB was clouded with problems. These difficulties stemmed from the way in which I had gained access to the establishment. I was scheduled to visit PB and, immediately I arrived, I noticed there were warders training early in the morning and then trying to settle disputes later on with regards to the information the inmates could give out which actually destroyed the image of the prison. Some of the prison authorities warned the younger staff of the consequences this could have for their careers. I sat, watched and feared what was going to happen to me as I was coming for research purposes and there was an information leakage being blamed on researchers. One of the staff members walked up to me and asked me to leave and come at another time. However, even when I returned a week later I realised I would not be given space to talk to the inmates

individually without a staff member being present. I was not comfortable with this situation because I was sure the inmates would not express what was on their minds regarding their experiences as prison inmates. A successful interview needed to be conducted outside of the women's cells otherwise the inmates would not be open. The private room given to me in prison B in which to conduct the interviews with the women was to my advantage because all of the women to whom I spoke felt secure in telling me about their problems in great detail.

After the interviews, some of the officers came and spoke to me, warning me not to believe the inmates and stating that they were all liars and thieves. However, after a few weeks of continuous interaction with the inmates, they became interested in what I was doing and indicated that they hoped the research would bring about a change in the prison policy. The women spoke softly and in detail about their prison experiences. Once the women had expressed interest in my research, I started to tape-record the interview in a private room where we would not be disturbed either by the staff or by other women.

The next section examines the process of data analysis.

## **4.8 DATA ANALYSIS AND INTERPRETATION**

This section examines the demographic characteristics of female inmates, the process of negotiating the different selves in prison, data analysis and data interpretation and ethical considerations which include confidentiality, informed consent and voluntary participation. The section also discusses the limitations of the study and reflection.

### **4.8.1 DEMOGRAPHIC CHARACTERISTICS OF FEMALE INMATES**

The following characteristics of female inmates were deemed important, namely, age, marital status, crimes committed, level of education, number of dependents and number of children (see Appendix E).

The ages of the female inmates ranged from 18 to 58, and their sentences from six months to life imprisonment, although some of the women whom I interviewed had been awaiting trial for four years and had then been sentenced to imprisonment in the same prison. I interviewed others as awaiting trial detainees as they had lived in the prison longer than those who had been sentenced to six months imprisonment. It was only fair for me to do this because their



experiences were similar as they had lived in the same cell in all of the six prisons I visited. I did not interview any woman who was repeat offender and all 18 of the women I interviewed were first offenders. Of the 18 women interviewed two only described themselves as aliens from neighbouring Nigeria. A total of 15 had children with most of the children being underage and cared for either by their grandparents, maternal and, in a few cases, paternal grandmothers, husbands, friends and in-laws. None of their children had been given up for adoption or were in foster homes. The women did not believe in these options because they felt their children were better off with their relations whom they knew better, especially their mothers.

Although I did not ask specific questions about sexual relations between male inmates who would come to the female inmates' cells for sex, I was reminded about it and how this phenomenon usually occurs. A particular question which I asked and which was based on the literature on women's experiences of sexual abuse during childhood was affirmed by two women only, while the other women all maintained that had never happened to them. Clearly, the situation indicated in international literature that women's offending is linked to their prior sexual abuse during childhood is completely different in the Cameroonian context.

In view of the fact that it is a traditional discourse in a social science such as sociology, I was tempted to define my work in terms of facts and figures, believing both that this would be the way to justify the study and that it is not possible for qualitative research to be sufficiently rigorous without such facts and figures (Denzin & Lincoln 2000). However, a detailing of the profiles of women does not allow for women's voices and, therefore, would not greatly clarify women's experiences of imprisonment (Shaw 1992:445). In order to contextualise the experiences and the characteristics of the female inmates, there was a need to know more about the individual establishments in which the research was conducted. It was significant that the six institutions studied all incarcerated both male and female inmates and also incarcerated all classes of prisoners in the same cells, regardless of the kind of crimes they had committed. The female inmates were not distinguished according to class as was the practice in the male section where civil servants and top government officials accused of embezzlement lived in separate cells. However, in large prisons such as PE and PF the inmates with money segregated themselves in a particular cell and left the other female inmates to be overcrowded in another cell.

#### **4.8.2 NEGOTIATING THE DIFFERENT SELVES IN PRISON**

According to Bosworth (1999), the relationship between life in prison and life outside prison is constantly played out in research because the researcher becomes emotionally entangled in the stories of the women he/she is researching and, thus, there is a need to acknowledge and include the life history of the author. Kleinman and Copp (in Bosworth 1999:91) state that:

Fieldworkers enter the field as more than researchers. Our identities and life experiences shape the political and ideological stances we take in our research... we must consider who we are and what we believe when we do fieldwork.

Similarly, Wahidin (2004:16), quoting Maher (1997: 213), states that:

Establishing and maintaining a field presence is not about gaining a season's or a lifetime pass to the exotic world of the 'other'. It is about creating and sustaining a world 'between' ourselves and those we study...ideally, the knowledge that emerges from this encounter is dialogic rather than monologic: it is knowledge produced in human interaction.

It is not only the inmates who renegotiate their identities in prison. The prison staff members all spoke of the pressure they felt on their sense of self when working within a prison while, I, also, fluctuated in narrating specific elements of my identity, such as my age, my status as a student, my status as a lecturer, my nationality and being a woman. All of these aspects were part of the identity which accompanied me to prison and they conditioned both my research and my understanding.

On this note I agree with Dammer (in Bosworth 1999) that, even at its best, prison is not a comfortable place in which to live, to work, or to carry out research.

### 4.8.3 DATA ANALYSIS AND INTERPRETATION

The qualitative data for this study was primarily primary data which was obtained from the interviews and from documents. The information and raw data obtained via the tape recorder (in-depth interviews) was transcribed, verbatim. The transcribed information was then coded, analysed and categorised as themes using the three steps involved in coding qualitative data. It is important to note that the coding of data has a different meaning and role in qualitative research as compared to quantitative research. In qualitative research the raw data is organised into the conceptual categories, themes or concepts which are used to organise the data. It is against this background that Neuman (2006) points out that qualitative coding is an integral aspect of data analysis, is guided by the research question and leads to new questions. It also encourages a higher level of thinking and moves the researcher towards theory and generalisations. Anselm Strauss (in Neuman 2006:407) defines three kinds of qualitative data coding and warns that “coding is the most difficult operation for inexperienced researchers to understand and to master ...”. These three levels of coding qualitative data include level 1: initial or open coding; level 2: focused coding (selective coding) or category development and level 3: axial/thematic coding (Neuman 2006 & Hahn 2008).

Firstly, open coding involves the first pass through recently collected data such as the data collected in this study. The themes, labels and categories are then located with researchers generating most of the coding themes while reading the data notes. After the open coding the researcher compiles a list of things which serves three purposes:

- Seeing the emerging themes at a glance.
- Finding themes in future open coding.
- The list is used to build a universe of all themes in the study, which are reorganised, sorted, combined, discarded, or extended in further analysis (Neuman 2006:408).

Secondly, axial coding begins with an organised set of initial codes or preliminary concepts. This second pass focuses on the initial coded themes rather than on the data while the primary task involves reviewing and examining the initial codes. During axial coding the researcher asks about causes and consequences, conditions and interactions, strategies and processes. The researcher looks for categories or concepts that are clustered together and asks questions

such as “Can I divide existing concepts into sub dimensions or subcategories?” “Can I combine several closely related concepts into one more general one?” It is evident therefore, that axial coding stimulates thinking about the linkages between concepts or themes and also raises new questions. It may, in turn, suggest the dropping of some themes or examining others in greater depth (Neuman 2006:409).

Thirdly, selective coding involves scanning both the data and the previous codes. In this case, the researcher looks ‘selectively’ for cases that illustrate the themes and draws comparisons and contrasts after most or all of the data collection has been completed.

However, Hahn (2008) cites a fourth level, if indicated, and which focuses on theoretical concepts. This level emerges from saturated categories and themes. These successive levels of coding provide researchers with documented and well organised answers to the research questions and the research results may be efficiently integrated into the final report. In this study, the themes were contextualised into a feasible model that could be compared with the female inmates’ actual experiences. The notes captured from observation during the interviews and which were diarised were also analysed and interpreted. After analysing the data manually, the information and ideas generated were used to write the thesis.

#### **4.9 ETHICAL CONSIDERATIONS**

My research proposal was submitted to the research committee of the Department of Sociology at Unisa to obtain the approval required to carry out the study (see ethical clearance Appendix G). A letter of approval from the department was also submitted to the Delegates of Penitentiary Administration and the prison superintendents at the prisons where the research was conducted.

The interviews were recorded although, in some cases, I took down notes (depending on the inmates). During my preliminary investigations, when the questions were sensitive, the staff members always refused to answer these questions or they asked me to take notes as they were not very sure where the tapes may end up. They feared that the information may reach their bosses and this, in turn, affected the way in which they responded despite the fact that I had assured them of confidentiality at the beginning of the interviews. However, as I gained

their trust and assured them of confidentiality, the interviews proceeded more smoothly. The first interviews lasted for an hour to two and a half hours. In some cases I conducted follow-up interviews for a second and even a third time to fill in the gaps. The interviews were on a one-to-one basis and involved prompting and probing using the topic guide questions which were open-ended.

As a matter of ethical necessity, each prison staff participant was interviewed, with his/her consent, in his/her office (or in other private office at the prisons where they did not have offices) in order to ensure confidentiality and not to cause any resultant harm or infringe the informant's rights and privacy. Tape-recording was done with the research participants' consent (see Appendices C and D) to ensure truthful accounts of the interviews. The following aspects guided the study.

#### **4.9.1 CONFIDENTIALITY**

The identities and records of the research participants were kept confidential in accordance with research principles and requirements. The concern for individual rights was, at all times, balanced against the benefits to society that may accrue from the research study. Some information was in the private and personal domain and care was taken with dealing with private issues destined for public knowledge. The researcher edited all the transcriptions with raw data to remove any references that may have identified an individual. All the transcriptions and typed interview notes have a password known to the researcher only. The data will be stored in accordance with the regulations of the University of South Africa.

It may be that potential research subjects may perceive that the researcher will not rigorously maintain the issue of confidentiality. However, even if the research subjects do not perceive any danger to themselves arising from the disclosure of the data, it is, nevertheless, the task of a researcher to maintain the principles of confidentiality as far as possible so that the interests of the subjects are protected. I strived to protect the subjects from any undue harm arising as a consequence of their participation in the research by coding the different prisons. I also acknowledged the sensitive nature of dealing with state institutions and female inmates and the issues discussed during the interviews were handled with care in order to accord both the participants and the information rigorous confidentiality.

Following Mary Eaton (in Bosworth 1999:73), I realised that it was essential that I be well versed in counselling skills so that I did not leave any of the female inmates feeling more depressed than when the interviews had begun. It was intriguing answering the personal questions which were directed at me and about my research. After building a rapport with the women I tried to put some of their experiences behind me so that I do not develop the constant headaches from which I had originally suffered when I had first gained access to the prisons.

#### **4.9.2 INFORMED CONSENT**

Informed consent implies a responsibility on the part of the researcher to explain as fully as possible and in terms meaningful to the participants what the research is about, why it is being undertaken, its benefits to the participants, and how it is to be disseminated and used (British Sociological Association 2002; Hornby-Smith, 1993). The research participants are also informed that they have the right to withdraw from the study at any time they wish. This is done to counteract any potential undue influence or coercion (Moustakas 1994; Yow 1994; Kvale 1996).

In the course of the interviews with the female inmates, as recommended by Koch (2006), I sought their oral consent to participate in the study and tape recorded this oral agreement than requesting a written consent (see Appendix C for the wording of the oral agreements). This was in a bid to play down the actual interview situation and ensure that it was more relaxing and informal than may otherwise have been the case. However, I requested the written consent of the prison staff (see Appendix D). I assured all the informants that the recorded details from the interviews would be used solely for the research purpose and that it would be kept confidential. They were also informed that, with the exception of the researcher's supervisor, other people would not have access to the interview data. The major safeguard against the invasion of privacy is the assurance of confidentiality (Denzin & Lincoln 2000). In addition, the protection of the subjects' privacy by changing their names and identifying features is an important issue in the reporting of interviews (Kvale 1996). Accordingly, all the female inmates were given pseudonyms while the names of prison staff and research participants were kept anonymous.

### **4.9.3 VOLUNTARY PARTICIPATION**

Voluntary participation means the research participants are not forced to participate in a study and, therefore, they may, at any time during the research project, withdraw their participation without penalty and ask to see the interview results in order to verify the content (Orb, Eisenhauer & Wynaden 2001:95, Klenke 2008:50; Holloway 2010:59). This issue of voluntary participation should be included in the written consent form. Although Van den Hoonaard (in Holloway 2010:60) maintains that written consent is inappropriate in qualitative research, Green and Thorogood (in Holloway 2010:60) believe that written consent may damage the research relationship. The argument of these sociologists is premised on the fact that, although research participants are usually willing to participate in a research project, they often reconsider their position when asked to sign forms. Furthermore, participants may exercise their rights as autonomous persons by voluntarily accepting or refusing to participate in the study. Voluntary participation also makes room for the research participants to be aware, not only of the potential benefits of the research for the population at large, but also of the personal and individual risks they may be taking (Holloway 2010:59).

### **4.10 LIMITATIONS OF THE STUDY**

The fact that the study involved a sensitive research topic meant that the participants were sceptical about the purpose of the research. Both the prison staff and the female inmates all accused me of being a journalist at some point. The accusation from the prison staff at one particular prison almost escalated into a serious crisis that left me nervous as to whether I would ever gain access to that prison. However, the crisis was resolved through persistence and assurance on my part.

Language was not much of a problem since, as mentioned earlier; the official languages in Cameroon are English and French. All the prison staff and female inmates were able to communicate in either French or English while those who could not speak English and French spoke in the lingua franca, Pidgin English. Language became a problem only during the transcription and reading of the French reports because of the technicalities involved in

some of the words used. However, this problem was addressed by asking a prison wardress versed in the technicalities of those words for help.

Each time I entered the prisons I carried something edible in my bag because the women always told me they were hungry and, sometimes during interviews, they would ask if I could give them money to buy garri and drink before we continued the interview.

The other limitation of the study is that, unlike quantitative research findings, it is not possible to statistically test the findings from a qualitative research nor to apply them to the population under study. This limitation may stem from the following two factors, namely, the sample may not be representative as the samples may not have been selected randomly but rather purposively and the very nature of qualitative research necessitates a small sample size for the purposes of accuracy.

Another limitation of the study may be the accuracy of the answers from the research participants (prison staff and female inmates). There was no way in which to verify whether the prison staff members were being truthful in their responses about prison conditions. However, re-interviewing and checking against the narratives from the prisoners resolved this problem. It was easier to verify the answers from the female inmates from the responses of the prison staff and, sometimes, to look at their prison records. Nevertheless, despite these limitations, the findings of this study do provide insights into the prison conditions in Cameroon through the lens of female inmates.

#### **4.11 REFLECTION**

The seeds of this work were sown a long time ago. The writing of this research project provided me with the opportunity to put some of my questions about the living conditions of female inmates in prison to the test. I regarded examining prison conditions through the lens of female inmates as particularly important because, when I had begun my evangelism in prison in 1999, I had been fascinated by the female inmates who always adopted miserable postures on every occasion of my visits. The posture of the female inmates was in stark contrast to that of the male inmates whose main preoccupation was to plead for assistance from visitors so that they could obtain something to eat. “What was the cause of the female



inmates' misery?" I pondered? Was their misery associated with the fact that they were deprived of their liberty and were suffering hunger and sickness while thinking about their children and husbands back at home or were they tortured physically or psychologically by the prison officials? What was the relationship between the government, prison officials, male and female inmates and female inmates vs. female inmates? After the literature review on the relationship between prison conditions and the rights of female inmates, the subsequent reading of articles and the findings of this study, I came to the conclusion that the miserable postures adopted by the female detainees were similar to those of the female inmates described in the books and articles (Sarkin 2008; Home Office 2006; Carlen & Worrall 2004, Bastick 2005; Zimudzi 2004). What stood out from the articles was the fact that the female detainees had nowhere to turn for help and no means of escape.

Similar to the research encounters described in Bosworth (1999), I also encountered questions of identity politics because I identified myself partially with some of the inmates rather than others on the basis of the relationship arising from empathy. As a result of the interviews I conducted in each prison, I had more contact with some women than others and, thus, I was able to discuss ideas with those individuals whom I knew better than others, before taking the questions to the rest of the research participants. I also built up certain relationships with female inmates which transgressed the boundaries of my research. I became friends with some of them and they sometimes asked me to go to their homes and get something for them before coming to the prison the following day. I found myself becoming intimate with these women because of the way in which prison may turn a responsible woman in society into a nonentity. My relationship with these female inmates did not in any way illuminate the research questions since this became apparent after having done data analysis. However, unlike Mathiesen, who describes a similar situation (Mathiesen in Bosworth 1999:90), the problem was not so much one of being "torn between the loyalty of friendship and the role of the scientist". However, like Mathiesen, I sometimes only listened to research participants when they wanted to befriend me without adding information related to my research questions. This was necessary to keep up good relations and build rapport with research participants. Those female inmates who became my friends made greater demands on my time. They wanted me to chat about life, rather than be interviewed. I am able to say that it was during moments like this that I understood prison life better and could place the responses of the inmates in perspective.

I wondered whether all the information I obtained was really necessary for this study as the stories often made me extremely emotional and stressed and sometimes I cried out with the women. I realised that the stories of these women were following me home and I sometimes suffered from nightmares and was not able to stop thinking about them. However, I tried to draw a distinction between the prison and my home environment and I sang songs praising God in order to help me to deal with the sorrowful prison stories and embrace my home environment feeling refreshed. Like Bosworth (1999), I agree that my reactions towards the prison narratives were clear signs that prisons are places of suffering.

My experiences in the field led me to discover the limitations on the feminist criminological research method on which I had embarked. I found out that feminist research is defined as non-hierarchical, qualitative, unstructured and empathetic. This, in turn, means accepting the essential validity of other people's experiences and not telling other women what to be, how to be and how to behave (Stanley & Wise in Bosworth 1999). However, although these may seem like positive attributes, they do not provide instrumental techniques for resolving the emotional or ethical pressures of fieldwork. In addition, they did not suggest a direction as regards dealing with research situations, such as the prison, where the participants may have a particular investment in certain interpretations of their experiences as a result of their powerlessness and/or other restrictions (Bosworth 1999:75).

#### **4.12 CONCLUSION**

This chapter presented an overview of and also described and explained the key methodological aspects used in the study. The primary purpose of the chapter was to demonstrate the extent to which the requirements of qualitative research design were satisfied and, thus, the chapter provided an indication of the quality of the inquiry and its components such as data management, the research findings, the drawing and verifying of conclusions as well as describing the issues of authenticity and trustworthiness. The researcher's responsibility and role in ensuring both the authenticity and trustworthiness of the study by conducting the study in a careful, professional and ethical manner were adequately highlighted in the chapter.

The next chapter comprises the first empirical chapter dealing with the living conditions of female inmates in Cameroon prisons. This chapter and the other empirical chapters reflect the way in which the methodological components were implemented in the study.

## **CHAPTER FIVE**

### **LIVING CONDITIONS IN CAMEROON PRISONS**

#### **5.1 INTRODUCTION**

Overcrowding, which is influenced by the large number of awaiting trial prisoners is endemic in Cameroon prisons. Many of these prisons were constructed during the colonial era. This chapter examines the fact that overcrowding and limited space give rise to the different types of prisoners not being categorised, inadequate staffing, poor sanitary conditions, poor nutrition, inadequate lighting and ventilation, lack of clothing and bedding, limited contact with the outside world, discrimination in the allocation of recreational facilities for female inmates and the near absence of any work, rehabilitation, educational and training facilities. All of these factors, in turn, contribute to the degrading treatment of inmates as well as the miserable conditions which Cameroonian prison inmates face on a daily basis. This also punctures the notion that deprivation is the sole purpose of imprisonment as well as the UN SMR (1955), the UN Body of Principles for the Protection of All Persons under any Form of Detention or Imprisonment (1988) and the Basic Principles for the Treatment of Prisoner, thus reinforcing the idea that the purpose of imprisonment is the rehabilitation of the prisoner. Appalling prison conditions have a devastating effect on prisoners with some prisoners suffering mental breakdowns, attempting to escape or commit suicide and/or upholding practices such as the ‘new man tax’ (see section 5.8 below) as a rite of passage to imprisonment. While the problems of poor living conditions affect both men and women prisoners, there are many issues which affect women prisoners differently and which this study seeks to address. There is no doubt that, because female inmates comprise a small percentage of the prison population, the conditions and circumstances of the incarceration of men define and shape Cameroonian policy, which is basically gender neutral (or gender blind) with very few aspects referring specifically to women.

#### **5.2 DESCRIPTION OF THE PRISON INFRASTRUCTURE**

This section contains an analysis of the capacity of the prison which refers, in turn, to the inmate population and the ratio of staff to inmates. The section also provides a brief history

of penitentiary systems in Cameroon. The section goes on to describe prison conditions by high profile prisoners and, finally, the section describes the prison structures which are of relevance to this study.

### 5.2.1 CAPACITY, INMATES POPULATION AND RATIO OF STAFF TO INMATES

**Table 1: Distribution of inmates per staff ratio, capacity and prison population**

Prison	Capacity	Population	Staff strength	Ratio
Prison A	250	455	47	1:9.68
Prison B	200	391	39	1:10.02
Prison C	500	411	56	1:7.33
Prison D	100	81	12	1:7.85
Prison E	800	3791	125	1:3.28
Prison F	1000	4424	N/A <sup>3</sup>	N/A

**Source: Author's field notes 2012**

At the time this research study was conducted the capacity of PA was for 250 people. However, PA had a total population of 455 inmates and 47 staff, giving a ratio of 1 staff member for every 9.68 inmates. In PB there were 391 inmates and a total of 39 staff with a ratio of 1:10.02 while in PC there were 411 inmates as opposed to 56 staff, thus with a ratio of 1:7.33. PD had 81 inmates and a total of 12 staff with a ratio of 1:7.85, while PE had 3791 inmates and 125 staff, giving a ratio of 1:3.28. The ratio confirms the understaffing in all six prisons despite the fact that the staff ratio for PF is not indicated. It is also important to note that not all the staff members are guards since some are involved in the administration of the prisons. The actual ratio of staff to inmates may, therefore, be higher. The table also demonstrates overcrowding in all but two of the prisons, namely PC and PD prisons, which were under populated.

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<sup>3</sup> The research participant to be interviewed was released and so it became difficult to access the record books of those staff members who were not part of this study.

## **5.2.2 BRIEF HISTORY OF PENITENTIARY SYSTEMS IN CAMEROON**

Before delving into the history of penitentiary systems in Cameroon, it is important to note that Cameroon is referred to as ‘Africa in Miniature’ as a result of its cultural, ethnic, linguistic and geographical diversity. There are three main religious streams in the country, namely, Christianity which accounts for 35% of the population; Islam followers comprising 20% and other indigenous religions making up the remaining 45% of the population. Cameroon is currently one of the Sub-Saharan countries with the highest literacy rates with 84.4% of men and 73.4% of women being literate, an average of approximately 79%. The country operates under a multiparty system of governance with a functioning unicameral National Assembly of 180 seats with 10 women only (Atanga 2010:1; ACHPR 2002).

Geographically Cameroon is situated in Central Africa and it covers an area of 475,440 square kilometres. The country is bordered by the Atlantic Ocean, Central African Republic, Chad, Congo Brazzaville, Equatorial Guinea, Gabon, and Nigeria. The total population is approximately 18.9 million (AI 2013). The official languages spoken in Cameroon are English and French (ACHPR, 2002). However, Cameroon Pidgin English (CPE) is a lingua franca which is spoken in the formerly British-administered territories and it has been gaining popularity in the urban centres since the mid-1970s. This language (CPE) is used by some Cameroonians as their first language (Atanga 2010:1).

According to Nana (2011), the penitentiary administration in Cameroon dates back to before the country’s independence. Prison systems in Cameroon may be traced as far back as 1884 during the German colonisation up to 1914 when the Germans were defeated by the English and French in the First World War. Cameroon was then divided into two colonies with West Cameroon under British and East Cameroon under French rule. The two colonies ushered in two prison systems with the East Cameroon penitentiary system being governed by a decree of July 8, 1933 and amended in September 15, 1951, while the West Cameroon penitentiary system was governed by the prison regulations of Nigeria (Nana 2011). The two systems were harmonised when the country was united in 1972, leading to the 1973 prison reforms as stipulated in decree no. 73/44 of 11 December, 1973.

The West Cameroon penitentiary system was more organised than the East Cameroon penitentiary system in terms of structures, personnel and the treatment of inmates. This was demonstrated by the fact that the inmates of the Buea central prison in West Cameroon dressed according to the different categories. First offenders had white jumpers and shorts with two blue lines on them while hardened criminals had white jumpers and shorts with two red lines. Those inmates who had been condemned to death wore thick blue jumpers and shorts. The female convicts dressed in the same way as the males but, instead of jumpers and shorts, they wore long gowns. First offenders had blue stripes while hardened convicts had red stripes across the gowns. Although it was not often that a woman was condemned to death if this did happen the woman was dressed in a thick blue gown. The date the inmate had entered the prison and was to be discharged from it was written on the right side of the uniform (Alima 2006).

This system of colour coding disappeared in the early 1980s, probably because of the economic crisis that accompanied the package of structural adjustment policy. Life became more difficult in prisons as a result of the lack of adequate structures to accommodate the growing number of inmates. The congestion that occurred in the old prisons which had to accommodate more than their intended capacity ushered in new problems, including insufficient beds and mattresses, no buckets or soap being provided to the inmates, which contributed to the poor hygienic conditions, and no uniforms being distributed. Under French rule the inmates in East Cameroon had never worn uniforms (Alima 2006).

It is doubtful whether, as suggested in the interviews with prison staff, the reason why the inmates do not wear uniforms today in Cameroon stems from stigmatisation and is not a remnant of the French Cameroon prison system. Originally there were no uniforms under the French Cameroon penitentiary system which was also not organised. The organisation in the West Cameroon system was such that the prisoners were partitioned off and female convicts, prisoners on roll, prisoners awaiting trial, juveniles and sick prisoners were not placed together as was the case in East Cameroon. However, some of the staff members maintained that the inmates did not wear uniforms because they were unavailable, while others had followed the instructions of human rights organisations in abolishing the use of uniforms to prevent stigmatisation. It may be that if the tailoring workshops that had been operational in the then West Cameroon had not closed down after the harmonisation of the two prison

systems, the prisoners would have been wearing uniforms and the problems around clothing would have been eradicated.

The transcripts of the various research participants (prison staff and female inmates) clearly demonstrated that the prisoners no longer wore uniforms and, instead, some wear assorted dresses which they brought with them when they were remanded while others wear the clothes brought to them by their families and friends. However, most of their clothing is donated by NGOs, churches and well wishers, otherwise prisoners would go naked as the government has no budget for clothing. When such dresses are donated, they are first distributed to the underprivileged inmates, those whose families have abandoned them and who do not usually receive visitors, and those who appear to be dirty. Prisoners were formerly provided with uniforms in Cameroon to distinguish them from the outside population. However, according to the research participants, human rights education had taught them that the wearing of uniforms is a form of stigmatisation of prisoners. However, if the Cameroon government is following the instructions from human rights organisations regarding uniforms why does it not follow other key policies relating to the welfare of prisoners? In my opinion the lack of uniforms is simply a budgetary constraint rather than evidence of the government's respect for policy. This is confirmed by the following statement made by a research participant:

*... the correctional policy rightly prescribed uniforms but it is the state who is supposed to supply these uniforms but they are not available for now. It is a long time. Most of the young warders might not have seen prison uniforms or penal uniforms ... with the rising wave of criminality the administration is thinking of how to implement the wearing of uniforms in all the prisons in the Republic of Cameroon (Prison administrator PC).*

The female inmates in the various prisons I visited always appeared both neat and beautifully dressed, unlike their male counterparts who always appeared extremely shabby. The superintendents in the various prisons I visited always encouraged the female prisoners to dress well so as not to appear desperate to the public. However, some of the research participants indicated that “*prison is not a place for dresses. You can't take your expensive clothes and bring to prison. Just get the old ones... You are coming here to dress for who*”. Nevertheless, although some of the inmates did not see the need for beautiful clothing, the



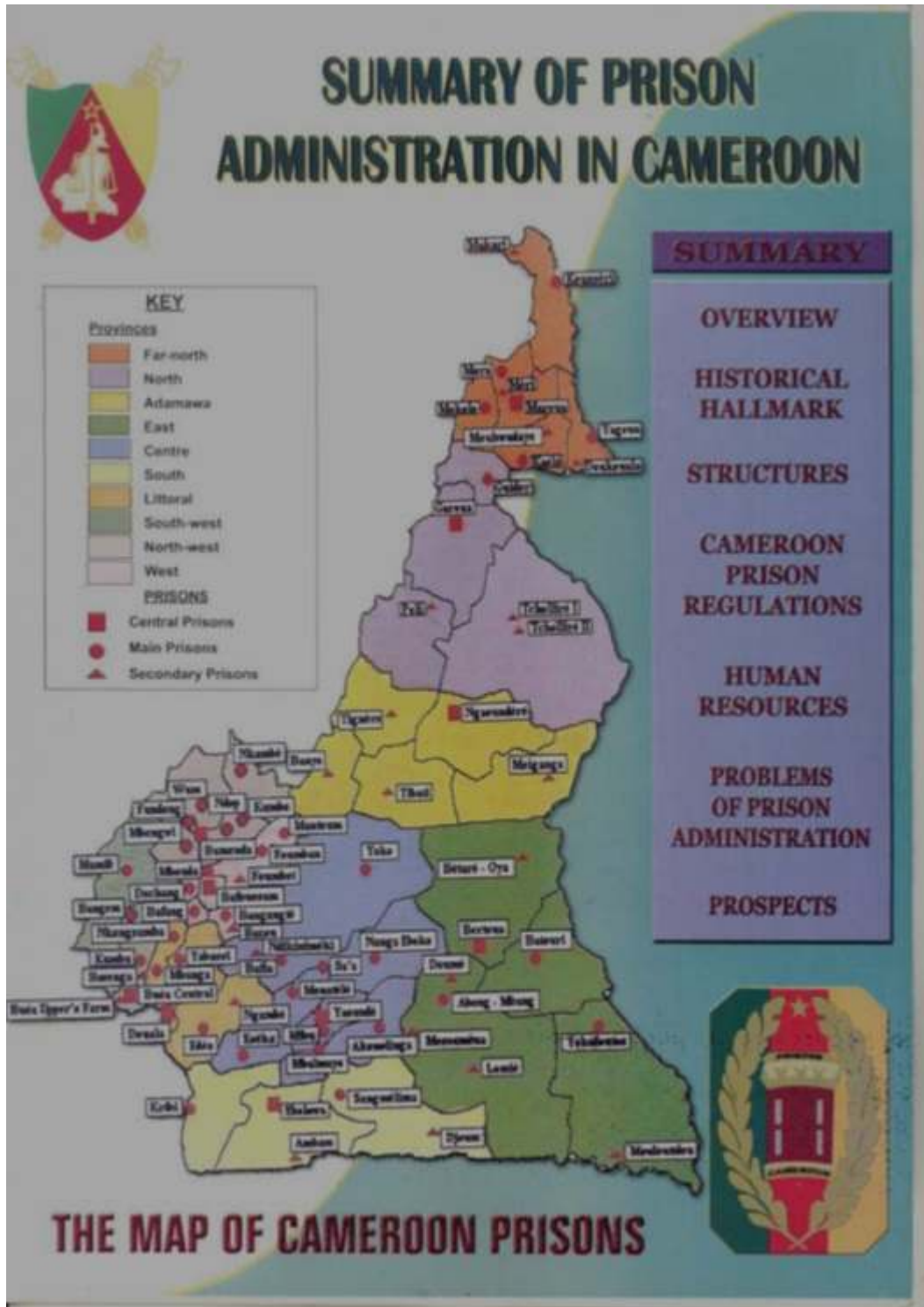
truth remains that the female inmates always appeared neat and it was difficult to really tell that they were going through hard times.

I also observed that most of the young girls sold the clothes brought by organisations because, as they said, "*the dresses were old fashioned designs and they cannot wear them*". They wore modern clothes designed for young girls. However, when they sold the clothes from the organisations to the male inmates, the male inmates pull off the thread; open it out to be like a loin cloth so they could use it as a cover to keep warm during the rainy season. The male inmates sometimes wear some of the blouses inside of their shirts to keep warm.

Twenty years after the unification of the East and West Cameroon prison systems, it would appear that the presidential decree no. 92/052 and 92.054 of 27 March 1992, which was aimed at modifying the penitentiary system, has not been effectively implemented. Decree no. 2010/365 of 29 November 2010 was signed, according special status to the penitentiary administration personnel in Cameroon. According to this decree penitentiary establishments in Cameroon are classified into three main categories, namely, the central, principal and secondary prisons. The central prisons are located in the Cameroon regional headquarters, the principal prisons are linked to the magistrate courts and accommodate all categories of prisoners, including pre-trial prisoners, while the secondary prisons accommodate sentenced prisoners only and are spread across the country. There are a total of 73 operational prisons working in close collaboration with NGOs and churches to accomplish their missions (Nana 2011). However, this figure does not include other detention centres and/or the Delegation for National Security (ACHPR 2002).

In 2005 the penitentiary system experienced a transition from the Ministry of Territorial Administration to the Ministry of Justice and the launching of the New Criminal Procedure Code which became operational in 2007. It was hoped that, under the Ministry of Justice, the warders would be more disciplined, accountable, better taken care of and their status and allowances would improve. The budget of the prisons was increased and the prisoners were entitled to two meals per day, despite the fact that they are still eating one meal as stipulated in the 1992 penitentiary regulation. The plan to increase the prison staff in the following four years was initiated to reduce the pressure on the system. For example, if there are too few warders the prisoners may not be allowed to relax or stroll around outdoors for fear of prison escapes. Secondly, this was also intended to facilitate the escorting of prisoners to court and a

reduction in the prolonged detention of prisoners as the inmates often missed court appointments because of the unavailability of warders to escort them to court.



**Photograph 1 :** Map of Cameroon showing the different prisons

**Source:** Ministry of Territorial Administration and Decentralisation (2003)

### 5.2.3 DESCRIPTION OF PRISON CONDITIONS BY HIGH PROFILE PRISONERS

The narratives of high profile prisoners in Cameroon prison resonate with the female inmates' narratives provided below. Professor Titus Edzoa, for example, a former Minister of Health and former Secretary General at the Presidency of the Republic of Cameroon, was arrested in 1997 and sentenced to 15 years in Kondengui prison for embezzlement. While in prison he wrote a poem in which he describes his prison cell as a “cold concrete coffin” which drastically limited his vital space (English translation). “*La prison, ma prison, ce sont ces murs glacés de cercueil en béton, qui ont réduit à l’extrême mon espace vital...*” (Tande 2012).

Boh and Ofegbe (in Tande 2012) describes Kondengui as a prison where “inmates wake up to line up behind each other and take turns urinating on the little mountain of faeces in one corner of the cell, chipping it off and scattering the pieces onto the floor”. Tande (2012) paints a picture of Kondengui prison as a microcosm of the prison conditions in Cameroon. According to Tande (2012) Kondengui prison is defined as “hell on earth”.

Kondengui prison was constructed for 800 people but sometimes it houses 4500 inmates. Tande describes the responses of the participants in his study thus:

I was sleeping on a little bed of 40cm wide and 180cm long in a room of 4mx4 [sic]. They could say we were in the VIP quarters because we could afford our food and could arrange for our quarter to be cleaned. But, what about the others? If you go to Kondengui you would hear of Kosovo<sup>4</sup> (Tande 2012).

In this prison it is possible to find approximately 1300 people in small quarters. A room that is supposed to take a maximum of 20 people will be packed with 80 inmates, with three people lying on a little bed 40 centimetres wide. The inmates are sometimes designated to rooms merely for the purposes of identification but, in fact, they will spend years on the veranda and outside under the shed because of no space in which to walk. There are three

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<sup>4</sup> According to AI (2013) wing 9 of the Kondengui prison was characterised by particularly harsh conditions, to the extent that the inmates nicknamed it “Kosovo” after the war in the Balkans.

toilets only for 1300 people and these same toilets also serve as bathrooms. The overcrowding is so terrible that it is almost beyond words.

In 2010 Bertrand Teyou was arrested for a book he had written about the Cameroonian first lady, Chantal Biya, and titled *La belle de la république bananière: Chantal Biya, de la rue au palais* (The belle of the banana republic: Chantal Biya, from the streets to the palace) and sentenced to imprisonment in the New Bell prison in Douala. He describes his shared experience with prisoners whom he referred to as “penguins”. To him it appeared as if they were permanently crouching by the walls of the prison yard while they ate from makeshift buckets placed on the floor. They slept on filthy rags and had to cram them into every nook and cranny when it rained.

In September 2008, a Cameroonian protest singer, Lapiro de Mbanga, was sentenced to three years for his “complicity in the looting, destruction of property, arson, obstructing streets, degrading the public or classified property and forming illegal gatherings”. In his prison memoir, Lapiro paints a picture of life in prison. As he said in an interview after his release on April 9, 2011:

I tell people that if I hadn't gone to prison I wouldn't be a whole man. Going to prison gave me a chance to see the misery of my fellow men. Of course, some people go to prison for blameworthy acts, but that doesn't stop them from having rights. And those rights are ignored. You might not believe it, but in a prison like Douala, you don't get enough to eat. You don't have a place to sleep if you don't pay a warden to sleep in a cell. And so you sleep right on the ground, out in the courtyard, under the rain. If you don't have money, you can't get treatment in hospital. So then what happens? You die from lack of care. I went there, I saw it, I brushed death with my finger (Tande 2012).

The experience of Lapiro depicts a general crisis for all inmates. There is, sadly, a paucity of literature from female inmates as there are fewer female inmates and it would appear that they tend not to write their own stories. The irony of Lapiro's conviction and the others cited above is the fact that they were expressing what was in their minds and yet they were arrested in breach of the Cameroon constitution which guarantees freedom of expression. However, it is clear from the above that prisoners are kept in dilapidated, aged and cramped colonial era prison structures, where the number of inmates exceeded by four to five times the intended

capacity. In addition, the overcrowding was exacerbated by the numbers of long pre-trial detainees. Nevertheless, Lapiro, in common with other government officials accused of corruption, was held in separate quarters and received special treatment and, yet, he was still able to experience the reality of life in a Cameroon prison. These appalling prison conditions are also portrayed by NGOs who report that cells intended for 30 or 40 prisoners often held more than 100 detainees. Since the construction of the old, dilapidated colonial buildings few new prisons have been built in the country. One prison was built in Yaounde and one in Moulvoudaye, Far North Region. These were operational by the end of 2009 (USDS 2009:27).

It is also possible that an inmate who has to endure the appalling conditions in prison, as Lapiro describes, may become depressed or suicidal, or else resort to becoming a hardened criminal, especially should they be left behind bars awaiting trial for many years and they live in the same cell with hardened criminals. It may, thus, be argued that, after serving their prison terms, the offenders leave prison worse than when they entered and they may become a greater threat to society than they were before being sentenced to prison.

#### **5.2.4 DESCRIPTION OF THE PRISON STRUCTURE**

This subsection provides a brief description of the six prisons that were the focus of this study, namely, Prisons A - F.

Prison E was built in 1930 to hold a maximum of 800 detainees. There were seven taps for approximately 3,500 prisoners, thus contributing to poor hygiene, illness, and death. PE is located in a built-up area beside Douala's central market and opposite the D.O's office. It is situated in the Wouri 2 district and is bordered in the west by another market and in the south and west by communities of peasants. Like PE Prison F (see Photograph 9 below) is a maximum security prison which was built in 1967 to hold a maximum of 800 detainees. However, by December 2012 the prison held 4,205 inmates (AI 2013). PF is located in the capital city of Cameroon. PE lacks appropriate sewage disposal and faeces from the prison runs through the drains that go through the prison cells. Septic tanks are not properly emptied as this is done by hand by the inmates themselves. Similar conditions exist in PF in Yaoundé. As a result of these poor detention conditions, the death rate is alarmingly high - at PE 19 inmates died in June 2008 and a further 19 died at PF in Yaoundé in March 2008 (ACAT

2008:4). These unhealthy conditions must have contributed to the descriptions of these prisons as 'hell on earth' or 'hell holes' (Tande 2012; USDS 2009 & Atabong 2008). The prisons are clearly substandard and contrary to the SMR (1955). In fact, a magistrate concluded that these are no places for human beings and a complete abuse of human rights. Justice costs money but most governments in Africa fail to realise this. This magistrate also stated that, if people are to be imprisoned, then the state must be prepared to spend money (Excerpt from an informal discussion the researcher held with a magistrate who also visited PB in order to provide food for the prisoners).

Prison C is located up Station Hill, Bamenda. It is an open prison with a perimeter wall of elephant stalks and bamboo. This perimeter wall is the most important safeguard against escape from the prison. There is also a buffer zone of empty space as the prison is built in an undeveloped area where there is enough open land to enable guards in watch towers to observe any person approaching or leaving the prison. There is strict control of vehicles, especially those entering and leaving the premises of the prison. Escapes from prisons with solid perimeter walls are rare (Nkanghaper 1995).

Photographs 2 depict Prison A. The prison has two watch towers from which to view people coming from the outside as well as the activities of the inmates inside the prison. Such arrangements resonate with reflections of Jeremy Bentham's panopticon aimed at maximising surveillance and as recounted by Foucault (1977). According to Foucault, the panopticon offered the most efficient system of surveillance and regulation because it provided an ideal structure and enabled a guard positioned in the tall, central control tower to maintain continuous surveillance of the prison.

Outside the fence of the prison there is a prison truck which has not been used for over seven years. However, the European Union recently provided two trucks each to the ten central prisons in Cameroon and this has facilitated the transportation of inmates and the buying of food and other facilities for the prisons. However, this number of trucks is insufficient in view of the number of prisons in Cameroon. Another significant feature of Prison A is the garden outside of the prison fence where maize is grown. The gardening is done mostly by the male inmates although female inmates, as part of their imprisonment with hard labour, also sometimes work in the garden.



**Photograph 2 : Entrance to Prison A and a view of the watch towers, truck and maize  
(Fieldwork photograph [FP])**

The iron beds on which the prisoners in PA slept in 2010 were the same beds that were used by the first occupants of the prison 80 years ago.



**Photograph 3: Colonial iron beds in the cell of female inmates at PA 2010 (FP)**

However, by the time I visited the same prison in February 2012, the beds had been replaced. An NGO had donated new beds and the female inmates were sleeping on the bunk beds, as depicted in Photograph 4 below. The iron beds in Photograph 3 had all been damaged and the female inmates had conveyed how they had used ropes to tie the beds together so that they could sleep on them without falling. With the provision of the bunk beds they will now be able to save some money as they will no longer have to buy ropes to tie the beds and they will be able to use the money to rent mattresses. In view of the fact that the bunk beds were provided without mattresses, the female inmates rent (borrow) mattresses for FCFA 750 per month. However, this renting of mattresses is not a general rule in all prisons because there are some prisons (e.g. PB) where the inmates have excess mattresses. In addition there is a television in the cells for the inmates although cellular phones are not permitted.



**Photograph 4: A view of the female cell at PA during a visit of a CSO (FP).**

“Every prisoner shall be provided with a separate bed, and with separate sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness” (Article 19, UN SMR). However, this rule is often not respected in African prisons, including prisons in Cameroon. According to LHR (2006), in many South African prisons, there are also no beds provided for the prisoners. The prisoners are provided with two mats, sponge cushions, three blankets and, usually, no sheets. While this provision of bedding may seem inadequate to a South African prisoner, the prisoners in Cameroon are not as privileged as their South African counterparts (see remainder of this subsection).

The conditions of female inmates in PA as regards the acquisition of beds are better than those of the men who may not be in a position to own a bed in prison. The inmates who were in prison before 2012 had to sleep on beds that had been in the prison since the time it was built. The five research participants interviewed at PA all explained that they slept on beds, despite the fact that some of them had to share a bed if a new inmate was remanded. However, the beds were all worn out and, in some cases; all the springs were broken (see Photograph 3 above). In extreme cases the inmates had to purchase ropes with which to hold the bed irons together. From time to time each inmate had to give 200 FCFA for the purchase of ropes.

The issue of items breaking in Cameroon prisons is not new and there are generally no credits for the running of the prison, let alone repairs. According to Kekay (2008), as a result of the



fact that the Buea Central prison is old, repairs have to be carried out on broken doors, burst pipes, broken kitchen axes or broken pots every week and this consumes a considerable part of the budget allocated for food. However, as depicted in Photograph 3 above, the problem of tying the beds was resolved when bunk beds were donated by an NGO. The research participants from this prison also complained of the cells having a single window and, when it rains, the rain comes into the room while the room itself has several leaks. With the roofs leaking and with heavy rains all the mattresses are wrapped up at night and the female inmates stand in one corner of the cell and wait for the rain to stop. In addition, the research participants also said they had an open electric wire in their cell and, when it rained, the wire sparked fire. Nevertheless, as explained below, they had ways of managing this situation:

*... by turning off the light and use candles to avoid danger. We always buy our candles because, when rain wants to fall, we turn it off and light our candles. When it is raining we are not fine in the cells because water enters into the cells. Like yesterday the rain was heavy and all of us had to hide at one corner as water was entering everywhere in the cell (Regina).*

This allegedly exposed electrical wiring demonstrates that the prison authorities have not learnt from the mistakes at Douala central prison. In August 2008 fire broke out in the Douala New Bell Prison and one of the two shelters and the beds that had been constructed with the help of the British High Commission in 2005 to ease the accommodation of the inmates were destroyed. Other cells around this area also burnt together with the beds and all the prisoners' belongings while some of the inmates lost their lives (Atabong 2008). However, the repairs have never been completed. It is significant that, to date, no one knows what caused the fire and, thus, it is difficult to believe that issues related to sparks of fire in prisons are taken lightly while permitting the inmates to use candles in their cells at night when sleeping is also risky.

The research participants also indicated that the beds were single beds and, thus, intended for individuals, although sympathy meant that, despite the discomfort, they sometimes shared their beds with sick inmates who did not have beds. The research participants also indicated that “*all the beds are always occupied*” and, depending on which prison you find yourself, there are often people with mattresses on the floor. The cells are usually so stuffy that it is

difficult to breathe properly while the consequences of a crowded cell are that “*even if you are clean it is not easy with many people in a small space*” (Dorothy).

In PF even pregnant women sleep on the floor because the cells are too small. A research participant explained that:

*I myself as a pregnant woman slept on the floor for three months. The other prisoners didn't care about my condition. It was only one lady sleeping on the top bed (bunk) who wanted to help me but her problem was I wouldn't be able to climb up with the heavy pregnancy because I could fall. She actually was sorry for me but the rest of the prisoners weren't (Dorothy).*

Despite the fact that the female inmates sometimes have problems in finding a place to sleep, one of the research participants found the conditions of the male inmates even more disturbing. She discussed the provision of mattresses in the male wing as follows:

*... I will ensure that they give each prisoner a mattress because many of them are sleeping on the floor. They don't even have beds to sleep on ...in the men's section. For us women we are okay apart from the fact that we lack bed sheets to spread on the bed and lack blankets or bed spreads. We are very cold during the rainy season. (Angela).*

The prison authorities are extremely hampered by the overcrowding and they are not able even to create space for sick prisoners or pregnant women and also they lack bedding for all the prisoners. Even if they had the funding to double the bedding facilities, there would not be sufficient space to keep the additional bedding. In some of the prisons, the inmates had to rent mattresses and bed sheets from the male inmates for 750 FCFA (one and a half dollar) a month. In PF the inmates' families and visitors were allowed to bring mattresses, pillows and other requirements as the government does not purchase mattresses. At PD the research participants indicated they had neither beds nor mattresses upon arrival. This was because they had been the first female prisoners to be remanded in that prison. The research participants had to beg for a mat and a mattress from a police officer who used to visit the prison. Meanwhile, the male section had mattresses while all five of the research participants shared one mattress. In extreme cases the inmates used their mattresses to sleep under the

beds of other inmates and, according to some of the research participants, very few of the inmates slept on the bare floor. However, the situation differs from that in Douala central prison where many inmates did not have either beds or mats on which to sleep on. In addition, they were packed like sardines while a hand clap every two hours signalled that they change their sleeping positions. While some slept in the open air, others slept in the toilets and wash rooms. Some had to stand up all night and only took their turn to sleep in the morning while others were awake (Atabong 2008:64).

This problem of the lack of mattresses and beddings is not new as the same problems were reported by the Special Rapporteur for Prisons and Detention in Africa. According to ACHPR (2002), the prison administration in Cameroon supplied the detainees with a bed and sheets were provided only occasionally. However, most of the prisoners slept on mattresses laid out on the floor at night and folded up during the day. Pillows were a luxury. However, the prison authorities allowed the prisoners to bring their own mattresses, sheets and pillows. The prisoners who could not afford such things complained of the cold as they were forced to sleep on the floor although prisoners in the hot regions, including Maroua prison, slept on the floor because of the hot weather condition. Thus, ten years later, the recommendation of the Special Rapporteur is still being violated as the situation is even worse than it was ten years ago. Similarly, in Nigeria, in a 1990 study of 56 prisons across the country, the CLO found that:

In every prison visited, most of the prisoners slept on the floor. Only few of the Metropolitan prisons had beds. Even where they existed, the beds were grossly insufficient for the prison population ... In all the places where we found beds, there were no mattresses (Ehonwa 1993:67).

The conditions in the awaiting trial cells are often even worse than those in other cells. In some of the prisons studied the awaiting trial section of the prison either had no beds or very few beds. This is the reason why awaiting trial prisoners are permitted to bring their mattresses or mats on which to sleep as opposed to the convicted prisoners who are provided with mattresses in prison. In the awaiting trial cell at PB in 2009 there were 36 beds for 230 prisoners and, thus, more than 75% of the prisoners were forced to sleep on the ground. One of the research participants in PB expressed this unexpected view:

*... the awaiting trial, as we were taught in school... must live in a strong condition in order for them to really know that they are in prison. Some will be set free and when they go home they will tell their parents I was really in prison. In this way they will change. But, for convicted prisoners they are those who have their beds where they sleep comfortably because they have already been convicted... (Prison guard PB).*

The narrative of this research participant places a question mark over the type of training he received as a member of the penitentiary staff. It would appear that he lacks knowledge of the SMRs and the NCPC, which presumes that an awaiting trial prisoner is innocent until he/she has been proven guilty and not the other way round. In Uganda, on the other hand, the inmates never had mattresses although some NGOs and friends have donated a mattress to each of the inmates. The British government also donated a weaving loom to enable the inmates to weave their own blankets (Neudek 2002). As will be discussed in the section on NGOs Cameroon has also received donations of various types to aid prisoners.

PA was the first prison to be constructed in English speaking Cameroon in 1930 and the structures have not been renovated to any extent over the years. Although the toilets for male prisoners have been adapted to flush toilets, thus eliminating the use of buckets, the septic tanks are not properly maintained and the result is leaking faeces. The female inmates' toilet has not changed since it was constructed in the colonial days and is a 'pit toilet' (see Photograph 5). The research participants indicated that they did not use it and, instead, they used small buckets and then transferred the waste into the toilet. A strong stench from the toilet was pervading the air.



**Photograph 5: Old dilapidated, colonial toilet facility for female inmates at PA (Left) and the semi modern toilet at PB (Right) (FP)**

In other prisons, such as PB, more modern toilets have been installed although the flush systems do not work and inmates have to carry water from outside in order to flush. This becomes a serious problem when they have been locked-up as the water sometimes flows into their room and there is a stench. The toilets in PD, on the other hand, are modern because the female cell was newly built in 2008 when female inmates were incarcerated there for the first time.

PA has a more secure gate for separating the female inmates from the male inmates than do PB and PD. This, however, does not prevent female and male inmates from communicating through the small grid in the door. Photograph 6 depicts how a male prisoner may look through the grid window in the iron door while there are visitors in the female cell. (This will be discussed further in Chapter 7).



**Photograph 6: The wall and gate separating the female from the male inmates (FP)**

In view of the fact that PA is extremely old and there have been no major renovations to the structures the buildings are dilapidated and some of the ceilings have fallen down. Another unique observation at PA was the fact that it appeared that the inmates were living with birds with several fowls entering the cells. The research participants said the fowls were owned by the wardresses and complained about the mess they made. However, Christie felt powerless to change the situation:

*We have to stay with fowls because we are prisoners... we haven't got a say. Anything which is done we are bound to accept, even if they go and carry excreta and put before us we shall accept it. We can't do anything.*

The research participants testified that, when they had been remanded at PD, they had to use lamps and they had to buy the kerosene for these lamps. The room had later been electrified but it was not possible to switch the electric bulbs on. At the time at which I conducted the interviews there were no lights and the research participants were using lamps. It costs approximately 250 FCFA (half a US dollar) to switch the bulbs on while the inmates have to buy the light bulbs. These relatively small amounts of money were beyond their means.

In terms of the ventilation in the female cells, the cells in PB each had two windows and two fans while the cells in PF and PC, on the other hand, had no windows and it was necessary to leave the doors open permanently during the day. The newly constructed PD female cell had windows. However, although these female cells may sometimes be overcrowded according to international standards, they are much better than the male cells. For example in PE, as in Maroua prison, the prisoners complained of a lack of air when locked in their cells (ACHPR 2002). Similarly, the ventilation was also poor in Masaka women's prison in Uganda where the women all complain that the premises are very cold (Tibatemwa-Ekirikubinza 1999).

### **5.3 CLASSIFICATION AND SEPARATING OF CATEGORIES**

The structural and architectural difficulties in Cameroon prisons preclude the division of the female inmates into separate categories, despite the fact that the UN SMR and the CPR make it clear that there should be separation between male/female; minor/adult; healthy/sick; awaiting trial/convicted and first time/hardened prisoners. Nevertheless, this is a remote possibility in Cameroon prisons where the strict separation of male and female in separate wings only is guaranteed. The male and female inmates may come together only during general assembly meetings which are organised by the superintendent and during socio-cultural and religious activities.

All 20 (staff and NGO representatives) of the research participants interviewed were of the opinion that overcrowding was the principal cause of the lack of categorisation. This is in line with the literature that suggests that overcrowding impedes the categorisation of prisoners

(Dankwa 2008). However, the non-implementation of strict categorisation is in violation of Rules 8 (b) and 85 (1) of the SMRs. This rule provides that remand, prisoners should be kept separate from convicted prisoners. All the prisons in Cameroon incarcerate both men and women prisoners while the premises allocated to women are entirely separated from those of the men and guarded by female prison staff members only. Even on those occasions on which a male staff member was to be found in a female wing, I noticed that the male staff member was always accompanied by a female staff member. The separation of male and female inmates is demonstrated in Photograph 6 which shows a stretch of brick wall and an iron gate. In some prisons a plank gate separates the male and female wings. However, I did not observe further separations between prisoners.

The staff member research participants blamed the lack of categorisation on limited infrastructure and not on the fact that they did not actually know what to do.

*... if you go inside there you will discover that those who are either first offenders ...uniform officers... recidivists... awaiting trials are mixed up. We only separate female inmates who are living in their own apartment and we also have minors. These are the few who are privileged to be living in their own cells but the rest of the inmates who form the majority are being merged up because we don't have a well structured prison so, in essence we need a modern prison... The...structures don't permit us do thorough classification. If we had various quarters it would help. We were taught to handle persons in such a way that they may not contaminate others but then in a situation... where the structures are not there it becomes difficult (Prison administrator PA).*

As in Uganda (Tibatemwa-Ekirikubinza 1999) women awaiting trial and those serving sentences in Cameroon were held together in the same cells. In all the prison institutions in Cameroon, awaiting trial prisoners are kept in the same dormitories as the convicted prisoners. The only reason for this situation that the research participants were able to give was that the low number of women who are convicted and, thus, it is not possible to separate them in prisons where the structures are limited and cannot even accommodate all the prisoners. The research participants indicated that, in some cases, only about five female inmates may be found in a particular cell and, among the five inmates, about two only may be

awaiting trial. Thus, to separate them in to different categories would require the construction of a new prison structure.

Rule 8 of the SMR provides that the categorisation of prisoners should depend, inter alia, on the criminal record and legal reason for the detention of the prisoner. However, this was not the case in Cameroon where the female research participants, all with different criminal records, were mixed up together. In other words, first offenders were not separated from recidivists nor was there separation according to the crime. The issue of non-separation is not recorded only in this study, but was also recorded in a 2002 and 2009 study in Cameroon, which found that there was no effective separation between the convicted and the awaiting trial prisoners or between those convicted of aggravated theft and simple offences (Wogaing & Abissi 2011, ACHPR 2002). In some cases minors guilty of simple offences were with female inmates who had committed first degree murder. When asked why minors were mixed with adult offenders, the research participant had this to say:

*If there is a minor in the women's section it is because their number is not enough to influence the minors. At least one of the reasons to separate them is intoxication. At that age too they are still weak and fragile. The pressure in the women's area is not that much to fear anything happening to any minor who get there... (Prison administrator PA).*

A research participant testified that if inmates are not on their guard about what they listen to in prison this may have a negative effect.

*Even women, they sit in a group and discuss terrible things and, you know, all of us have not committed the same crime. If you sit and listen to what they say you can copy the life style and when you leave prison you can continue with it and go out and come back in no time (Bih).*

In confirmation of the narrative of a younger research participant an elderly research participant stated:

*There should be provision for the underage because, when mixed up, they learn bad things... How to go to court and tell lies... the female offenders cells are more corrupt*



*than the others. Imagine that the youngest in the cell was the one who went out with a staff and brought a lot of friction in the cell (Ethel).*

Sloth-Nielsen (2008), quoting the Commentary of the UN SMRs for the Administration of Juvenile Justice, explains that children should not be detained in circumstances in which they are vulnerable to negative influences from adult detainees. In view of the fact that the prison structures are not adequate to ensure proper classification a research participant proposed the construction of another section in order to effectively separate the young from the old:

*...I will construct another quarter to separate these little children who don't have respect for elderly people. I will put the young and the elderly in different quarters... So there will be a separate place for the responsible so that they can have peace and they can sleep... (Dorothy).*

During socio-cultural week outsiders are given the opportunity to come inside the prisons. Nevertheless, these activities take place under strict supervision despite the fact that the inmates and their relatives watch football and also singing and dancing competitions together. The religious authorities also come into the prisons, for example, the Bishop of Buea comes on the 26th of every month to fellowship with the inmates while other denominations such as the Presbyterians and the other Pentecostal churches also hold services. Prisoners sometimes come together when church members come to visit the prison, the superintendent wishes to make a speech or the prisoners want to collect their rations in the kitchen and collect their plates.

For security reasons and, sometimes, when a prisoner is sick, prisoners maybe found either in an awaiting trial cell or with convicted prisoners, depending on the specific situation:

*We don't put only awaiting trials in their cells, we mix them up. We send about one or two convicts to be our spies because it is not secure to leave them there on their own because when they are planning to escape and it could be disastrous to the prison. That is why we do sometimes mix awaiting trials and convicted prisoners ... Also it depends; you can be awaiting trial when you are sick. You will be taken to the cells of convicted prisoners which are not so choked up. Asthma patients cannot be left in that kind of tight air ... yesterday I had to remove a man from there with a heart problem.*

*He is an awaiting trial but his condition doesn't warrant him to be there... Even those with TB (contagious disease) cannot be allowed there (Yard master PB).*

In cases of sputum positive pulmonary TB, the research participants indicated that they ensured that the inmate takes his/her medication effectively. Modern technology has it that, when an inmate begins treatment, the illness is no longer contagious and, thus, the patient may mix freely with the other inmates. However, the research participants explained that if the facilities were available, medically and ethically it is wise to separate the inmates for at least two weeks but, since the structures are not in place, there are constraints and the patients are housed with other inmates. The practice of placing sick inmates with other prisoners has deteriorated since 2002 when sick inmates were temporarily isolated from the other prisoners (ACHPR 2002).

As stated earlier, the research participants indicated that overcrowding and the lack of space were the main reasons why the inmates were not separated according to the abovementioned categories.

#### **5.4 OVERCROWDING**

According to Dankwa (2008), national human rights institutions in Ghana, Cameroon and South Africa visit prisons with the hope of improving prison conditions and overcrowding is their principal concern. However, the effects of such prison visits have not yet been felt as there is still a staggeringly high overcrowding rate which is gradually spilling over into the female wing which was often less crowded than the men's wings. Overcrowding has been observed in many parts of the world in the past few decades while, on the African continent, the first four years of this millennium witnessed an increase in the prison population. For instance, Ghana witnessed a 38% increase and Malawi 35% and growth of 24% and 26% in South Africa and Cameroon respectively (Walmsley in Tapscott 2008).

At PF, status determines who will suffer from the overcrowding in the female wing, with there being a good chance that paupers will find themselves in an overcrowded cell, while those who have sufficient money to pay the superintendent often stay in spacious cells. One research participant had the following to say:

*... overcrowded but it depends on what brought you. There were these 'big women' who came... they had to remove inmates from one room and gave them that room...they even changed the room... if you don't have a name you are just choked up somewhere. Even now ... you will see that they have shared the quarter into two. They are these special people who have just come and they go and pay money to the superintendent... they remove everybody and give the room to you alone or two of you. In one of the rooms, there is a state minister with her staff... that is normal but these other ones they are from the private society but they have the cash to pay and get a separate room... (Dorothy).*

According to Coyle (2002), the global increase in the prison population is not linked to an increase in crime rates but it is as a result of the fact that judges are sending an increasing number of offenders to prison for longer periods, thus making greater use of imprisonment as punishment. Similarly in Cameroon, the increase in prison population is not linked to increased criminality but to a combination of factors, including a lack of access to justice, slow judicial proceedings, too many awaiting trial prisoners as a result of the unchecked application of the remand system, the lack of an effective parole system and inefficiency in the speedy investigation of cases (ACHPR 2002). Inmates often spend several months in prison after their prison sentences have elapsed because of a lack of information and court decisions (Atabong 2008). In summarising the problem of slow judicial proceedings a research participant had this to say:

*...the judge goes to court and he is there the whole day and night. The following day it is impossible for this same judge to be in court on time and, therefore, the cases that were to be dealt with on that day are adjourned. Even if he/she gives judgment it would be difficult to keep up with the records correctly. The judiciary is understaffed and there are no computers...with the new criminal procedure code the judgement is supposed to be established immediately it is pronounced. Handed over to the procurer to be handed over to the prisons...Another thing is that some prisoners are not identified. In prisons there are no photographs. They will only ask you what is your mother's name, what is your father's name, what did you do, how long where you condemned, when did you come to prison. Sometimes a prisoner may sell out information to another prisoner and the prisoner will give him some money and a 'big*

*man' might live the prison on somebody else's name... (NGO research participant PE).*

The narrative above indicates that slow judicial proceedings are amongst other factors that are responsible for the overcrowding in most of the prisons in Cameroon. If this problem is not addressed the awaiting trial prisoner population will continue to increase and this, in turn, has an adverse effect on the scarce resources available for prisoner care. The narrative of the research participant was confirmed by the Ministry of Justice, Cameroon in its report to Amnesty International indicating that the ministry did not have adequate numbers of prosecutors to process cases and to ensure that suspects were brought to trial promptly. The report also indicated an insufficient number of trial magistrates which, in turn, led to a backlog of cases before the courts and, thus, suspects often spend longer time in prison than would have been the case if they had been tried, found guilty and sentenced (AI 2013).

## **5.5 HYGIENE AND SANITATION**

*I will handle the problem of toilets and the quality of water. They need to change the toilets... (Dorothy)*

*I will be giving the female offenders' toilet rolls or pad... bed bugs and lice are eating the bodies of prisoners. Things like soap should be given to prisoners to be taking their baths and remain neat...you will see a prisoner who is not sick but is very thin with a lot of scabies on him... (Alvine).*

The hygiene and sanitation in almost all the prisons in Cameroon, except for the Mfou Women's Prison, are appalling and have become issues of major concern for some of the female inmates. The above quotations indicate what the female inmates would improve in the prisons if they were given the opportunity. It is fundamental that the government provide toiletries to both the male and female inmates to enable them to wash themselves and avoid skin diseases.

The broken toilets produced a strong stench in the prisons under study. The inmates are not provided with sanitation materials and, thus, they have, somehow, to provide for themselves. Water is scarce and there is deplorable waste management. The poor hygienic conditions in

the Cameroon prisons are blamed on both congestion and the archaic nature of the prison buildings (ACHPR 2002). According to Atabong (2008), so many people within a small space obviously leads to an accumulation of dirt. The dustbins are insufficient and not emptied as often as necessary. There is considerable littering and cough sputum was dotted all over PE. The septic tanks are full beyond capacity and are emptied every night into the gutters of the prisons, with the gutters then being flushed into the community. Prisoners are sometimes not able to take a bath or use the rest rooms because they have to pay to use these facilities. This is especially evident in the cells in which the male prisoners live, where many do not have soap with which to bath nor clean clothes into which to change after taking a bath.

The problem of deplorable sanitary conditions caused by a shortage of water and poor toilets was also observed in Egypt. Women at Tanta prison used a pail to excrete into when they were locked up and the pail was emptied in the morning. The female inmates at Qanatar prison in Egypt had no access to the washroom and, thus, they had to wash and relieve themselves in buckets of water which were collected from plastic buckets and bottles daily (MEW 1993). However, the situation, at the Tanta and Qanatar prisons dates back as far as 1993 but, until 2012, the toilets are still deplorable in the female wing at PA (see Photograph 5 above) and there was also the water crisis. The female inmates at PA still have to use a pail throughout the day. The female inmates at PA were able to bath in the open space behind the prison while the female inmates at PB were able to bath as many times as they chose in their washroom, as compared to Qanatar prison in Egypt where there was no access to the washrooms. The research participants testified that, when the water was flowing regularly in the prison, they always kept their toilets clean. However, according to the research participants, the toilets were so bad that no female prisoner was prepared to go and crouch directly over the pit toilet. They reiterated that:

*What we do is that we are using our 'titi pail' (small buckets) to urinate and excrete inside before pouring it inside the pit toilet. It is not healthy because we can contract vagina illness from that toilet. We don't even have a bathroom; we bath at the open space at the back of the prison (Christie).*

A research participant at PF also stated:

*...the toilets are clean but not in good state. We have two toilets...already old. At times the water is very dirty though it is coming through the taps ... so I stayed there for 23 months but I was only drinking mineral water because if you see the water, you cannot even bath with it. I don't know where it comes from, I don't know if it is our Camerounaise Des Eaux<sup>5</sup> (CDE) or what (Dorothy).*

However, a research participant at PB said:

*We have a toilet inside but everything to use like toiletries each prisoner provides for herself. We have a bathroom and you can shower as many times as you want. The toilet sometimes stinks. Even dirt is placed near the kitchen and thrown [away] the next day. This plus the toilet pollute the air and we have to inhale it. It is worse off for the men who sleep with the dirty bag in their cells. We clean our cell and on Monday we clean that of our patron (Superintendent). We have a nice flushing toilet. We have one tap to carry water and flush toilet and use the water to bath. We have a toilet but the pipes have burst and the dirty excreta flows into our kitchen (Justine).*

Despite the fact that the research participants at PB had indicated their toilets were clean, there were still major health risks as a result of the faulty sanitation systems that could be discerned from the stench hanging in the air. At PC, a research participant maintained that the toilets were clean because the prisoners keep them clean through the guidance of the yard mistress. Notwithstanding the efforts of the female prisoners, their sanitation systems were not always in proper working order:

*It is only these three days that we have not been bathing and washing the place because the tap is not flowing...normally in the female section it is always clean, but, you know, in the male section they are very dirty because they like keeping dirt. In the female section we get up and clean up and then at 9 am we bath whether you like it or not from the instructions of the yard mistress (Bih).*

The research participants also indicated the Catholic chaplaincy had done much to improve the hygiene and sanitation of PC by providing four or five tanks inside the prison to store

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<sup>5</sup> Cameroon water supply.

water in case there was water shortage. Some NGOs also bring detergents with which to disinfect the toilets and the cells from time to time. As a result the rate of scabies in the prison has reduced. A research participant stated:

*Sometime ago if you entered this prison you could not withstand the stench. But, of recent, the sanitary situation has been updated with the provision of proper sewage disposal so that the issue of carrying faeces around the yard openly is no more being seen. The yard is clean now and you can go round it and not find any stench again. Scabies is not common; it is just some isolated cases. Cases of the ones who are extremely dirty... (Prison nurse PC).*

The prison authorities indicated that shaving the heads of inmates was for the purpose of cleanliness and not for punishment as most inmates thought:

*Shaving is mandatory...if an inmate is brought in the prison he should be shaved except his religion doesn't permit that like the Muslims and there are a few others... But, for health reasons they are supposed to be kept clean so as not to contaminate, because a person can be brought into prison that has lice. When they come we make sure that we clean their hair and we ask them to lose the hair (General administrator PA).*

However, there is a belief that, if the inmates' hair grew long and there was a crisis, the first action the staff would take would be to shave the inmates' hair and make statements such as "you want to compare with the staff". Accordingly, the inmates find it difficult to believe that shaving their hair is for cleanliness, as stipulated in Article 32 (2) of the CPR. However, not all the prisons punish the inmates by shaving their hair. At PA, the research participants had complimented the yard mistress for allowing them to keep their long hair. Nevertheless, a research participant said:

*Even though I have made my hair like this when I want to go out I tie it. This is my headscarf because there are some staff who do not like us to keep our hair, so that is why we tie it so that they will not start complaining that we are in here trying to compare with the staff who are workers (Brandine).*

While haircuts are an issue in Cameroon, in Uganda, in accordance with the new Draft Prison Act, the hair of the women in the Uganda prisons is never to be cut against their will, except for demonstrable medical reasons (Neudek 2002).

## **5.6 FOOD IN CAMEROON PRISONS**

According to Article 25 of the Universal Declaration of Human Rights, everyone has the right to a standard of living adequate for his/her health and the wellbeing of his/her family. Such rights include food, clothing, housing, medical care etc. In the same vein, Article 20 (1) of the SMR states that each prisoner must receive from the prison administration food of good quality at regular intervals and food which is well prepared and served and which has a nutritional value sufficient to maintain his/her health and physical wellbeing. The CPR 1992 adopted the international position in its Article 29 (1), purporting that prisoners have a right to a daily ration, that is, one meal a day, which should be balanced; have all the nutrients and be sufficient to prevent them from becoming malnourished and provide them with enough energy to sustain their health and enable them to carry out all the work they may be called upon to do. This article further states that the food of the locality should be prepared and that the traditions of the area or religion in matters relating to food must be respected. In addition, Article 30 (3) states that modifications may be made to the diet of prisoners who carry out hard labour and for those who have medical prescriptions. It is clear that the CPR has respected the international policy although it is evident, as revealed in this section, that from what happens in Cameroon prisons that policy sometimes does not measure up to practice.

In Douala central prison a female prisoner said: “They give you one cup of uncooked rice a day, no salt, no oil.” The state of Cameroon furnishes female prisoners with raw food such as rice, corn and beans only and, according to a female prisoner, if the prisoners do not receive visitors they may die (Wogaing & Abissi 2011). The Special Rapporteur (SR) on Prisons and Detention in Africa (2002) observed that the prison administration provides food in the Cameroon prisons, although prisoners are also allowed to receive food from outside the prisons and both male and female prisoners were able to buy food items from outside. The SR remarked that the menu was poor and the quantity of food inadequate, as it consisted of fufu, corn/millet, fish, green leaves and, occasionally, meat. The inmates had just one meal a day at lunch time, prepared by those inmates who had been assigned to work in the kitchen but with no skill. A research participant had this to say about PE:



*... the prisoners tell you it is 78 grains of corn and 5 grains of beans that is provided for them and that is what they are to live on for that day. There was a time that boiled rice was also added but the rice was for second ration and it comes on time and again, sometimes it does not come. So those who don't have supplementary food from their family just have to live on that corn and that gives them a lot of gastro intestinal problem because it is so hard and dry and it lacks nutrients and so we give supplementary food to those who are sick and those who are on anti-retroviral treatment, that is, tuberculosis treatment and those who consult... who are physically not fine so we provide supplementary food for them (NGO research participant PE).*

Another research participant confirmed the report of the SR in the following words:

*We have a kitchen and there are inmates and a staff in charge. They prepare the food in several pots. We have about ten pots where they prepare Corn fufu. They stir it in all the pots then they cook soup and they share it and, if it is green banana, since they prefer to peel it and each inmates puts his own in a plastic to identify... they put it inside the pot and boil it for them or they go and boil it themselves because, if they boil it together, they will not find their own in a bulk... it becomes too soft for them. They always prepare the soup and the rice. We manage to cook for all of them except the women who do their own cooking (Superintendent PA).*

It appears that the superintendents in charge of the majority the prisons are in contravention of the CPR 1992 when they maintain, for the sake of appearances, that they feed the prisoners twice a day while they are aware that this is not the case. For example, the superintendent in PB indicated that the prisoners received food twice a day, at 11 am and at 7 pm when, in fact, lock up is at 5 pm. Other research participants from PB indicated that “*it is supposed to be two meals a day but we decided to make it one big meal for a day because, during the second meal, it is time for lock up*”. The claim by the superintendent was further contradicted by the female inmates who all testified that food was given to them once a day only. They said that their average weekly diet consisted of cassava and greens with rice and beans on occasion. The superintendent had stated that the inmates received fish and meat twice a week while the research participants had reported that they had never seen either fish or meat since they had been admitted to prison. Some of the inmates who did not receive regular visitors complained

that they were hungry all the time and were sometimes rescued by elderly mothers in prison. Yet, when the inmates have visits some of the wardresses are found eating the food brought by the inmates' visitors.

It may be that, when the superintendent had said that he provided fish to the prisoners he was referring to the gifts given to inmates on holidays. One research participant in charge of cooking for the inmates stated:

*...during occasions like 11 February (Youth Day), 20th May (National Day), New Year and Christmas the superintendent makes sure that everybody has one big morocco (fish). Sometimes some of them decide to cook their morocco while others will require that we give them raw. So we steam the morocco with spices and the person who likes it will bring it for steaming or you take it raw and they cook it on their own...we do honour days because it is a holiday (Yard mistress PA).*

However, one research participant did refer to receiving fish and oil but not as regularly as had been indicated by the superintendent and the yard mistress:

*...That is every 18th day of the month; they give us oil, fish. Tangui bottle that is 1.5 litres for a month. The 1.5 litres oil (see Photograph 5 for an example of the 1.5 litres palm oil given to female inmates), I was talking about is for all of us in the cell, not for individuals. We reunite and understand ourselves...we are just like a family in the prison. They take turns in cooking for the different days. That is how it goes (Angela).*

However, the collective cooking suggested in the narrative was practised in PA only since there was an older female inmate there who had actually reunited the younger female inmates to live together as a family. This, in turn, revealed the power dynamics inherent in prison discourse. In this case the power was influenced by age with the younger inmates looking up to the older female inmate to provide for them as most of the younger girls had no relatives who came to visit them. However, this older inmate's child always visited her and she was willing to assume the role of a motherly figure, given the length of time she had spent in prison. She had adapted fully to the prison system and was able to socialise other prisoners into the prison culture. She also had an added advantage because, in view of her age (the prison authorities did not fear she would fall pregnant) she was permitted to go out and work

as a domestic servant. This enabled her to earn some extra money and acquire extra material resources from the place where she was working.

All the female inmates in this prison looked up to her not only for food but also for advice. She commanded great respect from the other inmates and she was welcomed as a heroine whenever she returned from work. Sometimes her coming back from work interrupted my interviews because all the inmates wanted to stay around her and ask what they could do to assist her after her return from work. The female inmates attested that they had started serving God and praying on the advice of this 'mother' while others said they would not have had anything to eat if it had not been for this 'mother'. The interpersonal relationship between these female inmates is in accordance with the stipulations of Owen (1998). Owen argues that, as women adjust to imprisonment, they develop friendships and other forms of relationships with other prisoners such as a 'prison family' or 'play-family' an important aspect of the social organisation in women's prisons. As a woman learns how to adjust to imprisonment through her interaction with these social units, she becomes 'prisonised' into the ways of behaving, feeling and thinking (Owen 1998:243). Such families are unique in the sense of their social and material responsibilities, including offering friendship and support, providing food and helping prisoners to adjust to prison life.

The Foucauldian view that power is relative is also relevant in this context. Not only the prisons staff members have power but also older inmates who are financially viable and willing to assume that position. The other prisons also had older inmates but their roles were not as effective like that of this 'mother' in PA. The older inmate in PB played her part in teaching the female inmates how to patch groundnuts (peanut), fry doughnuts and chin-chin and how to roast fish but she did not have the financial power to support them, particularly as her children were still young and she was still providing for them while in prison. It emerged from her narratives that, like a mother, she also wanted to help the inmates and she had chosen to do this through training them to become self reliant.

The question on balanced diet was contested by many of the research participants who maintained that it was important for every prisoner to receive one meal for a day. However, the issue of a balanced diet was a different matter altogether and one research participant stated:

*I don't think, even in our houses, we have a balanced diet. So when you have about 500 people what will happen? It cannot really be balanced with just about 200 FCFA a prisoner a day for six months. This affects the quantity given to them e.g. corn fufu, corn chaff, rice and groundnut soup, vegetables, fish (Superintendent PA).*

Another research participant supported this argument, saying:

*...what I know is that they take their daily meals... the feeding is not really nutritive but at least it may sustain them. For those who are sick the superintendent goes to the kitchen and instructs the people preparing meals to add them enough food because if you eat you have enough strength. Thanks to their families for assistance...there are visits every Wednesdays and Fridays and ordinary days they come and add something to the feeding (Prison administrator PC).*

In addition, a research participant in charge of healthcare had this to say:

*...we do it mostly for the sick cases that you order that this inmate should have a special meal...for that one you inspect to say it should be done like this, or like that, but for the general cooking, the wardress that is in charge takes care of it on a daily basis... I go there once in a while and insist on the special dishes (Prison nurse PE).*

A research participant at PF narrated her experiences with food at the gendarmerie and prison as follows:

*In the gendarmerie if you don't have somebody to come give you something to eat or water you will surely die. In prison they will give you 4 cups of rice the equivalent of one kilogramme of rice or one and a half kg and two cups of beans, 1 spoon of palm oil, 4 cups of groundnut, it depends sometimes you will have 4 and sometimes 3 cups and then they can give you the equivalence of half a bucket of 5 kg maize. Feeding is poor. You need relatives to supplement feeding. That is all for the month and so for somebody who doesn't have any other provision what will you cook, it is not easy. They don't give you firewood (Dorothy).*

Some prisons such as PB gave the inmates a few sticks to use as fuel and, thus, if the inmates were not able to afford the money to buy more they would suffer. However, in PA, the inmates are given firewood for fuel every Saturday. Clearly, the provision of fuel to prisoners varies from prison to prison.

The concept of resistance was unveiled in some of the narratives of the female inmates. It emerged that the women sometimes have to use force before they are given fuel in some of the prisons. A research participant said in this regard:

*I am just four months in PC. When we were in PD, we were fine at the women's wing... but in PC it is different. They do not even give firewood. One day I asked... that they must give us firewood. So they gave us firewood and oil. Another day they deny to give us firewood...I wrote to the administration, and then the wardresses started complaining that I was not supposed to write. Now every month they give us firewood because I wrote (Alvine).*

The female inmates were not docile and they exercised agency when they knew it was their right to do so. A research participant demonstrated the exercise of agency by insisting on their rights as follows:

*... These beans they are giving now... there was no light and so they shared ration for two days but never gave us the beans. Even the corn was not given, so we went down there to see the superintendent because the government cannot know that we are taking rations when we are not... they called us and gave the ration. If we never went down there to ask they wouldn't have given us (Bih).*

In a similar vein a research participant, who happened to be a foreigner, had this to say:

*They gave us oil after two weeks, but the last month before Christmas, they have not given us any oil till today. I saw the 'big man' (superintendent in charge of prisons) in the female ward last Saturday. I almost reported to him. I was bitter about this situation and so I told the female wardress that I am not happy the way we are treated, we, too, are human beings like the men and a person like me, I depend on the food given to us in the cell unless when the church comes and gives us something. I*

*am a foreigner and I don't have a relative here. I was ready to go and report the wardresses to the superintendent... the lady in the kitchen called all of us and gave to us our usual quantity. I was ready to be punished if the oil was not given to us. You know, I only depend on what is provided in prison but the other prisoners have visitors who support them (Justine).*

The concept of resistance evoked in the above narratives is a product of the feminist criminological framework, in terms of which Carlen and Worrall (2006) identified three main processes with regards to the resistance of female inmates to their conditions of incarceration. The concept of resistance is evident in situations in which prisoners directly disobey rules or engage in psychological strategies for the maintenance of identity and self-esteem and also survival.

Despite the limited quantity of food which the female inmates receive from the prisons, some female prisoners manage to cook and send food to their children at home. This was the case with the following research participant who said:

*I cook and send to the children home. I cry everyday because I know my children are not living very well. The light and water in the house has been ceased. The children also depend on what I eat in the prison. I sometimes cook like today and send it through the prisoner who buys for us to take to the children. At times, if I don't send money, they don't eat. Even when I send money, they are unable to manage because they are children. Most of the time I prefer to go without food, I gather what I am given and send to the children (Ethel).*

This particular research participant was allowed to use a stove in the cell because of her age (58) while the other prisoners used the three stone fireplaces. Accordingly, it was easier for her than for the other inmates to cook and send food to her children who were also living in Kumba. However, the children were living with their own biological father and, on further questioning I was informed that Ethel's husband came to the prison to ask for money from his wife and, so, the little money his wife earned from the small business she ran in prison was handed over to him. It is not possible to overstate the prominent position which this female inmate occupied in her family. This was in contrast to the other female inmates who had claimed that they had been the pillars in their families before coming to prison but that they

had not been able to continue their support from prison. It may however be that Ethel's situation was easier because she lived in Kumba while the other inmates came from far.

As in other African prisons, the food situation in the prisons in Cameroon is deplorable and it does not meet international standards. The female inmates are surviving only because of supplements from their relatives, friends, and NGOs. This is also the case in Egypt where the inmates supplement their diet with food supplied by their families and also pool their supplies and prepare collective meals (MEW 1993).

The deplorable food condition in Cameroon has become a cause for concern for the female inmates. One of them suggested the following:

*If they could give us ingredients to prepare our soup on a daily basis as they give us raw food it would have been better. ...The feeding... if not that the women cooperate you can die. One girl became very thin because she was not eating. ...normally, when you are in prison, you don't have liberty of your movement but you are not there to die and I think that the government has the means to feed people in prison...balanced diet and everybody must be able to eat from the 1st to the 31st (Dorothy).*

The narrative of this female inmate indicates that prisoners are aware that the government is capable of providing them with a balanced diet. However, the failure to do so has caused some inmates to become underweight and this may, in turn, be disastrous for their health. It would be in the interests of the government to heed the concerns of female inmates if the government does, in fact, have an agenda to improve the living conditions of prisoners.

## **5.7 AWAITING TRIAL PRISONERS**

According to Atabong (2008), 75 to 80% of prisoners are awaiting trial in Cameroon. There were a total of 3347 prisoners at the New Bell Prison as at 5 August 2008.

**Table 2: Distribution of categories of prisoners**

Category	Male	Female	Juveniles	Total	Percentage
Awaiting trial	2451	43	60	2554	76
Appeal	102	03	7	106	3
Cassation	01			01	
Life sentence	06			06	18
Death sentence	07			07	2
Convicted	631	08	13	653	19.5
Total	3129	54	74	3347	

**(Source: Atabong 2008:67)**

Table 2 illustrates that certain prisons are, in essence, occupied by awaiting trial prisoners. It is important to note that section 221 (1) of the NCC states that:

The examining magistrate shall specify the period of remand in custody in the remand warrant. It shall not exceed six months. However, such periods may, by reasoned ruling of the examining magistrate be extended for at most twelve months in the case of a felony and six months in the case of a misdemeanour. Further section 221 (2) states that, upon expiry of the period of validity of the warrant, the examining magistrate shall, under pain of disciplinary action against him, order the immediate release on bail of the defendant, unless he is detained for other reasons.

It would appear that the coming into force of the New Criminal Procedure Code (NCPC) in Cameroon in 2007 resulted in certain administrative bottlenecks. This is evident in the following explanation offered by a research participant:

*...the coming into force of the NCPC in Cameroon has kind of complicated matters...persons who come to prisons for felonies need first of all to pass through the examining magistrate to establish that such a person has a case before it ever goes to court and sometimes such cases need the intervention of so many people. It needs several witnesses, movement, expenditure and if you look at the state of our roads and the places where some of our villages are found with bad roads and the lack of means*



*for this magistrates ... The number of awaiting trials in our prisons has outnumbered that of convicts. The second point is that in the past there were two systems. The common law system was practised in the Anglophone Cameroon and the French system practised in Francophone Cameroon. Since the merging of this two it is evident that those who were practising the French system are reticent to adhere and so the victims remain those awaiting trial...in the case of PD if people have stayed here for more than six months without really being tried, it is just because of what I have explained examining magistrates have to do preliminary investigation before they go to court (Superintendent PD).*

Despite this policy many inmates, including female prisoners, in Cameroon are still spending a long time in prison without being brought to trial. This is sometimes blamed on the fact that the inmates do not have legal representation. This was clearly the case as regards many of the female inmates interviewed. The lawyers provided by the state for those individuals who are not able to afford to hire a lawyer are so poorly remunerated that they often do not even arrive at court. This was the situation of one of the research participants who had spent more than four and a half years awaiting trial and, on the day she was finally convicted for fifteen years, her lawyer did not appear at court. This was also confirmed by one of the research participants who testified that an inmate had more than 52 adjournments. Some of the research participants such as Grace had a lawyer but had decided to dispense with his/her services as she no longer had the money to continue paying him. In other circumstances the number of awaiting trial prisoners has increased because the inmates have not gone out on bail. As in Malawi, many of the prisoners in Cameroon are not able to afford to pay bail or to provide surety even when they are given the opportunity (Schonteich 2008). This was Hedwig's situation as she was not able to go out on bail because she could neither pay the bail nor did she have someone to stand surety for her. A research participant explained:

*Most of them we have there don't have anybody to take them on bail because they are just a headache to their families and maybe the society, they themselves don't have money to hire lawyers to handle their cases and some of them intentionally prolong their stay. They go to court and tell the magistrate they are not yet ready... because they think that if they go out they will not be accommodated by their relatives or will not have what to eat so they prefer to stay where they can eat and drink and that is it (Prison administrator, PC).*

According to Coyle (2002), the most important principle in the management of pre-trial prisoners is the fact that they are presumed innocent until proved guilty, unlike convicted prisoners who are held in prison as a punishment for their wrongdoing. It is essential that prison administrations ensure that the non convict status of pre-trial prisoners is reflected in their treatment and management. However, this does not apply in Cameroon where awaiting trial detainees receive harsher punishment than those who have already been convicted. A research participant explained the different treatment meted out to convicted and awaiting trial prisoners as follows:

*We open the cells from 10 am to 4 pm every day but, for the awaiting trials, we open them on tight security. Sometimes three or four times in a week... For a short period of about two or three hours. The discrimination is caused by insecurity, we prefer keeping them indoors...their number is too large...if there are just 5 warders they can cater for about 100 sentenced prisoners but if you have to open out the awaiting trials then the other 300 come out. That will be too much for the staff and we would not say part of the awaiting trial should come out and part remain. We prefer to tackle them under a common umbrella (Yard master PB).*

However, the discriminatory treatment of awaiting trial detainees is limited to the male inmates as, except for the fact that a convicted female inmate is permitted to go out of the prison to carry out domestic work but not an awaiting trial inmate, the female awaiting trial detainees are treated in the same way as the convicted female inmates.

The research participants explained that the long period of awaiting trial is the principal reason for many of the escapes from prison. An inmate may wait for his/her case for years and in complete ignorance of the status of the case. The lack of free transportation to court means that many of the inmates who are not able to afford the transportation fee become frustrated and lose their cases (ACHPR 2002). It is easy to understand why such an inmate may begin to plan an escape.

## 5.8 TRANSITION TO PRISON LIFE

In Egypt prisoners were welcomed to Abu Za'bal Liman prison with a 'beating force'. One of the prisoners who had experienced this ceremony explained:

Beating often takes place following group arrests directly on arrival at the prison or shortly thereafter, in the form of what has become termed as tashrifa, or reception ceremony. This has become one of the rites greeting political prisoners on their arrival in prison (MEW 1993:96-97).

The problem of the 'new man tax' is also common in cells in Nigeria with older inmates extorting 'state money' or taxes from new inmates. A refusal to pay results in abuse from the other inmates. However, this practice is more common among the male detainees although in the case of female detainees, any resistance in paying 'new man tax' is met with threats to throw the woman into a cell occupied by men. This type of psychological torture of women amounts to extortion (Agozino 2005:191).

The 'new man tax' and the shaving of hair in Cameroon have become a rite of passage for all inmates admitted into prisons, irrespective of their gender. The discussions in this subsection make it clear that any inmate who does not succumb to this rite of passage will not be comfortable in prison until he/she has paid the required amount of money. The 'new man tax' may be regarded as a form of adaptation to prison conditions and is very similar to 'prisonisation'. In terms of 'prisonisation' a prison subculture emerges and prisoners succeed in adjusting to the prison rules in order to serve their own ends (Carlen & Worrall 2006).

The already deplorable prison conditions in Cameroon are further aggravated by this concept of the 'new man tax' which every inmate is expected to pay when admitted to prison (ACHPR 2002). This is not a levy imposed by the government on the inmates but a fee which is supervised by the inmates themselves and which varies from prison to prison in Cameroon. One of the research participants stated "*When you are a new person in prison you are expected to pay a new man tax which cost 3,000 FCFA to the big woman in prison*" (the head of the inmates). According to the research participants this money is used to carry out repairs in the cells and may include head taps, buying brooms, replacing electric bulbs, repairing televisions, etc. In addition, in PB, an amount of 225 FCFA must be paid to one of the

prisoners for the shaving which takes place on admission to prison. The shaving fee is 200 FCFA and the shaving blade costs 25 FCFA. The shaving identifies that the inmate has entered prison. Other items given to the prison head may include food, packets of magi<sup>6</sup>, rice and soap. The amount for PC is 3100 FCFA and is made up as follows; 1000 FCFA for shaving, 1000 FCFA to sleep on a bed and 1000 FCFA to use the buckets in the cell and which are bought out of the 'new man tax'.

At PE, the amount is even higher. The wards or cells have been graded in different ways and some inmates pay 5,000 FCFA to go into a cell. If this stipulated amount is not paid the inmate is asked to stay outside. Some prisoners even pay more, with amounts ranging from 10,000, to 100,000 FCFA or more to live in the various cells. Despite the fact that some inmates give 5,000 as a fee in the prison cells, this is not the prison norm. It is the prisoners' right to use these facilities for free since they have been sent to the prison by the government. The situation is exacerbated in PE where prisoners are required to pay 'caisse de douche' (money to use the bathroom), a toilet fee, and a television fee.

According to the NGO research participant, the prison authorities have tried to stop these practices when they become aware of them. This research participant stated that "*I saw that some prisoners were not bathing because they could not go to use the bathroom*". This may have severe consequences for hygiene while desperate inmates have even used plastic bags for their faeces and, in some circumstances, have excreted in their trousers because they could not go to the toilets without paying the required fee. Despite the fact that these prisoners stated that they also used this fee to buy soap and a brush to clean the toilet it is clear that there is an organised system in place to extort money. The inmates who collected this money indicated that part of the money is given to the warders in charge of hygiene. Those prisoners who are not able to pay the hundred francs television fee have to stay out of the cells until those inmates who have paid the television fee have finished watching all their programmes. However, the television in the female section is free and does not require a fee while the television screens were actually donated by the television stations and are not, as is the case in the male wing, the personal possessions of the inmates. In confirming that efforts have been made to stop this practice a research participant said:

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<sup>6</sup> Beef cube, known by its brand name in Cameroon.

*No, we have done all to stop it but we cannot stop it. They have refused... they say it is as old as the prison systems... Like a new man they give you some work to perform inside the yard. If you cannot perform it and you have your money you use your money to pay others to do the work but for the new man tax... I have had so many meetings with them to stop it but there is no way I can stop it... I don't sleep in the cell with them. It is the system that they have instituted, even from the police or gendarmerie cells they are always implementing it and so they carry it to the prison (Prison administrator PC).*

During one of my prison visits to PC, I noticed two women crying because they did not have the money to pay the 'new man tax' and they were being tormented by the other female inmates. They were not allowed to touch either a pot or bucket. I asked one of the violent female inmates why she was scolding these newly admitted inmates. She said:

*It is a routine, everybody does that because, when I came, I did pay and it is for use in the cell, if the bulb is bad they have to buy it and if the bucket gets broken we buy it. So if these other people don't pay who will buy (Sheila).*

Such informal practices exacerbate the already deplorable prison conditions. However, despite the fact that such practices may appear degrading to the female inmate there is obviously a sociological underpinning of the practices which is related to the feminist criminological concept of 'prisonisation' (see section 3.3.4). Prisonisation refers to the process of learning how to adjust to imprisonment. According to Clemmer (in Owen 1998), prisonisation is the process of becoming socialised into the behaviours, values, and worldview of prison life. Learning to live in prison comes about as a result of interaction with other prisoners, and relationships are a critical aspect of this new socialisation process. Women have to establish a new identity and as newcomers, they will stumble through their first weeks or months in prison and, thus, they need help from someone who understands the prison setting and who will introduce them to the prison code.

The ideology of the 'new man tax' is embedded and institutionalised in the prison systems in Cameroon to the extent that it would seem impossible to eradicate it, even ten years after the recommendation of the SR.

It is worth noting that, even though the conditions in prison are appalling, the female inmates' expectations about prison were bizarre. Their opinions about prison were influenced by what they had heard from the communities about prison. However, this did, in a way, help the female inmates to adjust to prison life because they were prepared for the worst scenario but found it was not as bad as they had expected. It emerged from the narratives that going to prison meant different things for each individual:

*I use to think that prisoners are just criminals...I just thought, eh, this women, are they not going to kill, so I was afraid of them, I thought they were monsters and killers. I behaved like one woman who said every time she use to drive her children to school and they will pass by the prison and then the children will ask mama 'les qui habit la grand maison la?' (Who are those who live in the big house)? And she will say "oooh they are criminals, thieves, people who have killed". The day she entered the prison, her child now entered and said "Mama, so are you now a criminal? She said I was wrong it is not only criminals. It is true there are many people who have committed an offence but there are many people who are innocent (Dorothy).*

Prison is not always what people think it is, mainly because people have never taken the time to visit a prison:

*Of course, when you are out...you hear of prison, you fear because they have never been there. But when you are there it is not as we know it out there. You come to understand a lot of things in life that we never knew. Imagine when I was out there if anybody ever told me I was to come to prison I would have been very angry with that person. I could have not imagined an instance that could cause me come to prison. Because I had never been to prison, even if is to visit somebody. I had never had anybody who went there, maybe a friend, family or. I knew nothing about the subject of prison (Angela).*

Another research participant said:

*I know that in prison you were not allowed to have money on you. You cannot bath because the atmosphere is too dirty and all prisoners had scabies. I was also told you don't sleep as you are being beaten all the time, you don't eat, and you sleep on the*

*floor. I had observed prisoners moving in a long line to go to work. But when I came here I saw the contrary though I hear in the male cell that some prisoners sleep on the floor (Ethel).*

For another research participant:

*People in the community say prison is a very bad place where people go and die. They do not wear clothes nor eat and even if they eat they cook for them and share. There is no liberty. They bath once in a while. But when I came to prison I saw something different. For example, women are allowed to cook their own food to their own taste but the men do not have this opportunity. The prison staff cooks and shares for them. I realise that we have some amount of liberty in prison as they do not lock us up early. They open us at 7 am and lock up at 7 pm. We can stroll around our environment. You can wear your clothes and change it as you like. The people say the prisoners are criminals and the prison is the only place to help transform them. Let them go and rest there and repent from their sins and stop disturbing the neighbourhood (Mercy).*

It is clear from these narratives of the female inmates that one cannot eschew the fact that you can be knowledgeable about prison only if you have once visited a prison or had a relative or friend in prison. As the women's experience prior to imprisonment were different so too were their reactions to prison different.

## **5.9 ESCAPE**

Most of the prisoners who escape from prison are awaiting trial and have committed a felony. However, according to the research participants, women rarely participate in such escapes from prison. If women do become involve in escapes they do not involve themselves in escapes on a grand scale but rather in individual escapes. For example, on one occasion, a convicted female was taken out of prison by a wardress to help her with domestic chores and she escaped. A research participant explained how she could have escaped if she had wanted to because of the porous nature of the fence in PC:

*...you know, a woman is not like a man because me and my sisters living here, I can say we are the ones who like it because there is no fence if we can decide one night we can go (Sheila).*

Although the fence at PD appears solid from the front at the back it is constructed with aluminium sheets. According to the superintendent of PD, the fence that was there had collapsed and so the state had tried to rebuilt that section of the fence but that section also collapsed as did the other part of the fence - *“That is why, once in a while, when the weather conditions are not good we are obliged to lock them as soon as possible so that some don’t profit to escape.”*

A research participant explained why she escaped:

*I was sentenced in 2006 but decided to pretend I was sick...when I was being taken to the hospital I escaped. I told the prison nurse that I wanted to urinate. When he permitted me, I entered the toilet and bore a hole in the roof of the toilet and jumped through it because I noticed the prison nurse was not observant and was not around. I escaped because of the snake beating<sup>7</sup> I was receiving in prison. There was a time I was beaten until I sprained my hand (Therese).*

The notion of using the hospital as a means to escape is known to the prison administration and they are more cautious now.

*When you see such a case insisting to go to the hospital... you will know that the patient is having a secondary aim. We have cases of patients that have... escaped from the hospital with drips in their hands... imagine that... you refer a case who is having a temperature of 40...he will reach the hospital, once they have served the drip on him and he is having a bit of relief, he will bust the window and escape...those are things that will always force us to see the degree of the illness before referring. Within this year 2010...you can count so many of them that have attempted escape in the hospital.... I, for one, have chased one and caught him... (Prison nurse PA).*

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<sup>7</sup> To be beaten mercilessly.



Despite the fact that the prison staff carry guns and are permitted to shoot prisoners if they attempt escape, prisoners still take the risk because they find it difficult to endure the prison conditions. It would, thus, seem that they would rather die than endure the deplorable prison conditions. The next section will discuss the current practice of penal labour in Cameroon.

## **5.10 WORK, REHABILITATION, EDUCATION AND LEISURE**

This section discusses the involvement of inmates in prison labour, rehabilitation and training, education and leisure.

### **5.10.1 WORK/PRISON LABOUR**

When asked about what work in prison meant to the inmates, a research participant defined work in prison as follows:

*Those who go to work party are those who are about to be released, normally work party is the work that they give you to do... but the work party in PF is... when you are about to be released. Let's say you were condemned for 10 years and you have already served 8 years and you have two to go. You pay 15,000 francs per month to the superintendent of prisons to go out in the morning and do whatever you want and come back at 6 pm. That is what they call work party now... whether you go and steal... if you want to go out it is 15000 francs per month... (Dorothy).*

According to the research participants, the practice of work in prison has become a source of money for the prison staff members as the inmates were asked to pay before going out in a 'work party'. In PC, as in PF, those inmates who went out to work paid 50,000 FCFA for five months and, after these five months, they started paying 10,000 FCFA every month. The research participants in PC reiterated that it was mandatory to pay this money before you could obtain a 'visa' to go out. One of them said "*It was only in PD that I saw that people were going out without paying any money*". Those inmates who paid before going out were able to go and sell in the market while others, such as the inmates from Mendakwe, went to their houses and farms to work so that they could raise the money to pay the superintendent at the end of the month. A research participant had this to say about prison labour in PD:

*We have only domestic servants who go out and work in people's houses. Very few people come for prison labour but they do go out when we are chanced to have some of those people... We pay in two thirds to the treasury and one third is for the prisoner when they are going out finally. When we have some revenue from a job that has been done two-thirds of that amount is put into the government treasury and one third is reserved. What we usually do at PD is that for those who have been going out, the day one is released we are able to get out something from there to enable that person at least pay transport so that the person doesn't get stranded... (Superintendent of PD).*

While in PD the inmates were provided with money in the form of pecuniary aid for their transportation upon release, this was not the case in Uganda, where even the transport money due at the end of the inmates' sentences went into the pockets of the prison authorities (Neudek 2002). However, this does not mean that in Cameroon the inmates receive all they are due. As a research participant earlier observed the situation in PD is unique. In other prisons in Cameroon, as in Uganda, the money accruing from the inmates' labour is usually not used for the welfare of the inmates, who should be the beneficiaries of their labour, but it goes into the pockets of the prison staff members.

In some cases, if an inmate has found favour with the superintendent, she may be permitted to go and work at a relative's house. The research participants from PB testified that, while they did not have the opportunity to go out, there was one female offender whose sister was a pastor and who was allowed to go and work at her sister's home every day and come back at 4pm. This was disturbing for all the inmates, especially Ethel who complained that she had been using the same four pairs of pants for one year and six months and yet all attempts to get the superintendent to sign her permission form to go and collect some pairs of pants at home had fallen on deaf ears. *"I don't know whether they refused because I didn't pay but they gave me no reason."*

Those inmates who were almost at the point of release but who had no money stayed with the other inmates in the prisons, doing nothing apart from telling stories and entertaining themselves. However, some of them were allowed to go out and work in the homes of the warders and wardresses as domestic servants, but with no pay. A research participant stated:

*I do go out to work at the administrator's compound. I sometimes go and cook food, wash clothes and plant corn. I am not paid because it is considered as part of the hard labour in prison (Christie).*

Another research participant said:

*When I was in PD and the wardresses had their party they bring the stuff and we do it... they brought 30 fowls and we killed for them and did everything for them (Alvine).*

It is evident from the above that the whole purpose of rehabilitating the inmates for reintroduction into the work situation outside is being misinterpreted. There are sewing machines in the prisons which were donated by NGOs and some old sewing machines which were bought by the government but there is nobody available to train the inmates. During the course of this study two more machines were donated to PB by the Delegation of Women's Empowerment and the Family (DEPROFF). The NGO research participant testified that they had been training the female inmates in areas which the inmates personally selected. However, the major problem with the NGO training programmes is that they are not sustained for long. The teacher sent to train inmates at PC trained the girls on four occasions only but she disappeared because there was no money to continue paying her. The DEPROFF also taught the inmates how to make omo<sup>8</sup>, but there was no follow up and the inmates did not have the resources to enable them to continue practising.

Even in Egypt the opportunities for work and employment for the women at Qanatar and Tanta prisons were limited with less than 4% of women at Qanatar working in the three workshops available (needlework, knitting and a women's clothing shop). However, unlike Cameroon, a female inmate who had served at another prison for sixteen years and was able to operate a manual knitting machine was transferred to Tanta to train the female inmates. The female inmate pointed out that the women receive 40% of the profits, after the cost of the raw materials has been subtracted by the government and the balance goes to the state. In other words, the government of Cameroon should also endeavour to train a number of inmates or wardresses to learn these techniques and pass on the skills rather than always

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<sup>8</sup> Local reference to washing powder.

waiting for external organisations to take turns to provide training on a temporary basis and then leave the prisoners with inadequate skills which they are not able to use.

### **5.10.2 REHABILITATION AND TRAINING**

It is clear in a global context that where programmes are available to train female inmates these programmes are always in traditional methods of work. This is in line with the historical context of the criminal woman who was considered ‘unnatural’ and, therefore, the aim of imprisonment was to reform her so as to enable her to adhere to society’s rules as represented by the ‘ideal woman’ once she was freed. According to Carlen and Warrall (2006), women’s prisons were organised to feminise, domesticise, medicalise and infantilise criminal women. The theory of domesticisation is still being reinforced in contemporary Cameroonian prisons. This is evident in the way in which prison reform programmes are geared towards social welfare and the attainment of domestic skills and health education. These stereotypes will be obvious throughout this subsection. While men are sometimes trained to rear pigs in Cameroon prisons, the women’s training is usually limited to sewing, knitting and handicrafts.

Article 50 of the CPR prohibits female inmates from going out to work. The female inmates are not given the same opportunity as the male inmates to work because they may fall pregnant when they go out. One of the research participants had the following to say regarding this policy:

*The laws are gender biased since they were made by the men. If you go to the panel that made the penal code, out of a hundred judges you might find five or six women whose voice might not really be taken into consideration... if the laws are gender biased then the execution of the laws will be the same. They have all types of reasons... they will tell you the woman will get pregnant but it is the man impregnating the woman, if the man has to make the woman pregnant and then the man is let free then it is some kind of a punishment on the woman... we have tried to say that throughout the years but since the men are still in power, it is kind of difficult (Prison administrator PA).*

The argument of the research participant is in line with feminist criminological theories which reject criminological theories which promote protective, preferential treatment for female inmates. In fact, this treatment is often to the detriment of the female inmates. This argument is founded on the premise that the male inmates who go out for 'work party' are remunerated, no matter how small the pecuniary aid may be. Meanwhile the women are not allowed to go out and work although they are sometimes allowed to work as domestic servants in the homes of the prison administrators, but for no wages. On the other hand, the female inmates in Uganda lament the type of manual labour which they have to perform. Women are often given heavy labour which even men are not able to do, including splitting heavy and hard stumps of firewood, working long hours on farms and carrying heavy bags of posho<sup>9</sup> (Neudek 2002).

The non-engagement of women in remunerative activities in prison has forced them to engage in entrepreneurial activities in order to become independent and self-reliant in prison and to prepare them for release. However, the question arises as to how the prisoners obtain the money to start small business in prison and what the objective is of engaging in business? A research participant explains how this became possible for her:

*... My husband is from the north so they have their way of making pap (porridge). It all started when I gave birth... they gave me some money the first day I went to the church... in prison, there is a church for the Catholics, a church for the Presbyterians and a church for the born again (Pentecostal or charismatic churches). In that church, when I gave birth, I brought the baby, they gave me a gift for the baby and then they contributed some money... 20,000 FCFA. So I decided that, with 20,000 FCFA, I will start doing something, even though the baby was only one month. I started making pap. I will make it and in the evening a prisoner from the male wing will come, they will open the gate and I will give him. He will go and sell it in the male wing. So I was having like 2500 FCFA a day and then I kept my money. I kept my little money and started selling soap, cotton, rubbing oil and that way I was really doing well. Every day I paid him 750 FCFA and, at times when he has a problem of 3000 or 5000 FCFA I will solve it. I used the profit to add other items to increase my business. Women like making 'nyanga' (fashion), cotton, rubbing oil and little things*

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<sup>9</sup> Pap (maize product) in South Africa and *corn fufu* in Cameroon.

*and they were really buying from me. In PF there are prisoners who are tailors and hairdressers. If you are there and you are hardworking you will not lack money because inside the prison there are people who have much money (Dorothy).*

The research participant explained that she was able to buy for her business in prison through an inmate who had been authorised by the prison authorities to buy for the other inmates. Those inmates who are at the end of their prison terms are sometimes permitted to buy for the male and female inmates (ACHPR 2002). Every evening the inmates who needed something from the market would come with their list of items to buy and present them to this inmate. She would then buy what was required and inform the inmates how much they had to pay her for her work and taxi fares. In the morning the prison authorities would allow her to go and buy for the prisoners and, after she had returned from the market, she would give out the items she had bought to those inmates who had given a list of their requirements and money for the shopping.

According to RODI (in Dissel 2008), it would appear that Cameroon does not have a policy concerning rehabilitation. This accounts for the reason why inmates engage in profit making activities in prison with the consent of the prison authorities who know that, without these activities, many inmates would starve to death given the limited amount of food provided to the inmates. A research participant explained as follows:

*We lack the funds. If the government can provide us with the funds... There are prisoners who are serious inside there who sew bags and even the prison staff buy from them. There are about 15 inmates who make those bags and, when officials come around, we display the bags and women buy. They train themselves inside there because it was one boy who started that trade but they are more than 15 now. You need to see the bags, very beautiful, and so many people buy when there is an occasion... It is true we have those who go out to work but we also have those who sit in the cells and are creative to do something on their own (Superintendent PC).*

Other women who wanted to engage in entrepreneurial activities received support from NGOs. An NGO research participant from the Business and Professional Women's Club of Kumba, an affiliate of the International Business and Women's Federation of the World, explained how they went into the prisons and tried to find out from the female inmates what

they could do to help them to prepare themselves for their reintroduction into society. Some had indicated that they wanted to learn handicrafts such as sewing and crocheting while others wanted to be engaged in the marketing that would help them to be able to buy food for themselves while in prison. For example, they wanted to fry groundnuts (peanut) or crack egusi<sup>10</sup>. There were several different ideas about what they wanted to do.

*I myself knew that the women prisoners have been given some sewing machines because I remembered some few years ago when madam Chantal Biya sent some sewing machines to the prisons and I asked them where are the sewing machines? From the prison authorities I found out that the sewing machines were there. We had some of our members who started teaching the female prisoners how to peddle<sup>11</sup> the machine and so forth. We bought some materials so they could start learning. Then for the ones who wanted to learn handiwork we bought materials and thread. We had members who would teach them needlework and so some of them are quite proficient in needlework now and some have really adapted to the sewing machine (NGO research participant PB).*

There were about fifty sewing machines at PA which was rusting as a result of the lack of funds to oil the machines and the fact that there was no one available to train the inmates. In fact, all the research participants from the various prisons said those who were able to train the inmates were all on retirement. However, it would appear that it is the lack of resources and funds that have left the inmates without rehabilitation programmes, otherwise the authorities would not be encouraging the NGOs to invest in the prisons (see chapter 9).

The NGO research participant at PB had discovered that some of the women were illiterate. It was then that the NGOs decided to change focus and teach basic reading and writing skills. Some of the female inmates who were released had benefitted from this programme while others preferred to continue with sewing, crocheting and knitting. Others, in turn, learnt cooking skills such as frying and mixing chin-chin,<sup>12</sup> roasting fish and baking groundnut and also how to mend dresses. One research participant stated:

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<sup>10</sup> Pumpkin seeds.

<sup>11</sup> Manually operated sewing machines.

<sup>12</sup> Mixture of flour chopped into cubes, fried and served as snacks.

*While in prison I have learned how to manage money and everything. At first I was squandering money. I have learned how to keep myself clean in prison as a woman because there are some church groups who come every Thursday to teach us on how to keep ourselves. When I was at home I did not care about my personal hygiene but prison life has taught me this. If you go to our cell you will not see a woman who is dirty and putting on dirty clothes. When those people come and see any woman dirty they send us to go and bath and show us how a woman cleans her body. When I am released, I will ask my husband to put me somewhere to learn a trade like sewing because the groups that come to prison have taught us a lot...a woman is not supposed to sit like that but must do something to support the husband and family (Mercy).*

The narratives clearly demonstrate that the female inmates are satisfied with the teachings they have received in prison. The narratives also confirm that the training in domesticity which was central throughout the twentieth century (Carlen & Warrall 2006) is persisting into the twenty-first century in Cameroon.

### **5.10.3 EDUCATION**

The penal system in Egypt allowed prisoners to continue their education onto secondary, university and post-graduate levels, although very few of the inmates did, in fact, study. Thus, despite this unique opportunity in Egyptian prisons, there were no women inmates who were studying for any degrees, despite the fact that the Qanatar Women's prison had a small library (MEW 1993). However, this may be because of the Muslim culture that secludes women or because of the small number of women in prison. It may, however, also be argued that very few men were studying, despite their large number. In Cameroon a few of the research participants indicated that they would like to pursue their education. However, this appeared to be impossible even in prisons with educational opportunities. Educational discrimination is blamed on women's physiology while, at best, the women received informal education if the facilities existed in the prison in question.



The research participant at PC indicated that the inmates are able to write both their First School Leaving Certificate and General Certificate of Education Ordinary Levels (G.C.E O'Levels) in prison.

*We have two students in form 5 in Lycee de Mandankwe, they will be writing their G.C.E O' levels this year... we got them admission into form 4 and I think the Catholic chaplaincy has been helpful for that because they bought their books, uniforms and paid the money the school demanded from each candidate... (Prison administrator PC).*

However, it is clearly not the government that is paying for the tuition but rather the Catholic chaplaincy, otherwise teaching would be found in all the prisons and not limited to PC. However, one of the research participants in PC had wanted to write G.C.E O' Levels in PC but it appeared that the permission to write would have to be granted as a favour from the superintendent. The research participant said:

*Through encouragement from visitors I made up my mind to write the GCE O levels. It was then the superintendent of prisons asked me to work in his house so that I can also prepare for this exam. I was so happy but, unfortunately, I could not concentrate I was doing virtually all the work in the house, ranging from going to market, baby sitting, cleaning the house etc. Even in the night when I could read...I had to sleep with the baby...Well, I went and visited once and I was asked to park my things and go back to the prison. That is when I knew I will not be permitted to write the G.C.E O'levels (Vera).*

When writing public examinations in prison books are, of course, of paramount importance. The prison authorities showed me the prison library at PA while one of the research participants confirmed that there is a library at Mfou Women's prison. These libraries, which may be found in some of the prisons, may more aptly be described as bookshelves with a few books and not really a library (see Photograph 7 below). In addition, not one of the research participants at PA was aware that there was a prison library and they were surprised when I asked why they did not use their leisure time for reading. When I asked the staff member in charge of the library why the women did not know there was a library, he said they are not interested although he indicated that male inmates had been using the library, thus giving the

impression that women do not like reading and reinforcing preconceived assumptions about women and gender construction.



**Photograph7: Library PA (FP July 2009)**

There are very few programmes available in prisons and even those that are offered in order to generate income die out after a short time because of the embezzlement of state funds and the problem of corruption which is endemic in Cameroon prisons. A research participant explained that there are no psychosocial (e.g. to combat depression) programmes because of the lack of staff:

*The few social workers that are there, sometimes they will not even have an office, sometimes the will is not there and sometimes their programmes are not well structured because the social welfare system in the country is not well planned. The school where they are trained have very few experts. Rather than training social workers to really have the degrees or the education and come back and teach the older personnel, the teachers prefer to go and do three month courses in social work and pose to be social workers. These are the people who would have probably made a difference in the prison to show the government that more workers like psychologists and psychiatrists are needed in the prisons (Prison administrator PA).*

The prison authorities also need to be educated to be able to impart knowledge to the female inmates, since “you cannot give what you do not have”. It would appear that education in

Cameroon prisons is a privilege rather than a right. This, in turn, explains why, when a female inmate was asked what her major concern was in prison, she said:

*I do not think prison is advisable for women...I do not see any change upon the women in PB. If they want to send women to prison, they should send them where they could be educated and learn a trade. What I see in this prison is that prisoners become more stubborn than they were when they came, rather than being transformed. There is no change because the only correction they give is beating and that cannot help the prisoners. I believe women should be in a place where they can come out having learnt a lesson (Grace).*

According to this research participant female inmates leave prison worse off than when they came because the prisons lack education and training programmes. This differential treatment in respect of women resonates with both the chivalry hypothesis and with current debates on alternative sentencing for women criminals as postulated in the theory chapter. According to the chivalry hypothesis, which is embedded in the discourse of criminal justice scholars, because women are viewed as weak and irrational, in general, law enforcers and the criminal justice system treat them in a more lenient manner than men (Grabe, Trager, Leah & Rauch 2006; Flowers 1987; Anderson 1976; Pollak 1950). Much of this bias is based on judicial paternalism in terms of which female criminals need to be protected.

The above concern voiced by the female inmate also falls within the ambit of the debate on alternative sentencing which is gender specific and which is based on the argument that much needs to be done to divert low-level, offending women not just from court but also from prosecution (Corston Report 2006; Bastick & Brett 2005; Taylor 2004). This was the same treatment which another research participant suggested should be used for the youth and the elderly:

*They should consider the youths who have not had their own future and give them alternative punishment. Also the elderly should be considered because they are helpless. When they are imprisoned they disturb us in the cell. We are the ones who put water for them to bath and give them water to drink. Why should prisoners be given a second punishment? (Therese).*

The underlying message which the female inmates have for the prison administration is that alternative sentencing is necessary for specific groups of prisoners, namely, the young, the pregnant, nursing mothers and the elderly. In addition, there should be provision made for those who have been going to school to continue with their studying. According to these inmates “if everybody is busy the crime wave within the cell also will reduce”.

#### **5.10.4 LEISURE**

The lack of recreational facilities in prisons is not limited to Cameroon but is also found in Egypt where the women in Tanta women’s prison lacked organised sports or exercise programmes (MEW 1993). The lack of recreational facilities is blamed specifically on the issue of space as the prisons were originally designed for men. Photograph 8 below depicts the female wing at PA and shows that there is no space in which any meaningful recreational programmes may take place.



**Photograph 8: A view of the female yard, PA (FP)**

Article 10 of the Convention on the Elimination of all Forms of Discrimination against Women (CEDAW) stipulates clearly that “Girls and women have the right to take part in sports and physical education...” However, it would appear that the involvement of female inmates in sports in Cameroon is a luxury and neither compulsory, a privilege nor a right. In this respect one of the research participants stated:

*We used to play sports but for a year today we are no longer going out for sports. We were doing sports here at the parade ground. The yard master use to come and open the door for us. We would go out for sports for at least an hour. We used to run, play*

*ball before lock up. The yard master who was available at the time has been transferred to another station. We now have a female yard mistress; since she came she has never spoken about sports to us. Up till now we are still begging the superintendent to give us time for sports. But he said we should give him time to think about it (Mercy).*

A research participant from PF indicated that, despite the fact that she may like to do sport, the security of the inmates at PF is problematic and depends on the type of offence you commit.

*There was sport from time to time once in a month, they will go out and play football, or handball. I did not involve myself because outside there, there is no security. There are these old prisoners, some are condemned to death. So, if you are there, like some of us that we already have a ticket that we have stolen the government money...if you go out there, they can take a spoon, sharpen it and kill you... I did not know he was having a mental disorder...he touched me on the buttocks so I was angry and started talking to him, not knowing he was not normal, then he started following me, he wanted to beat me and nobody intervened...there were people watching and it was another inmate who came and distracted him and he let me go (Dorothy).*

According to another research participant:

*The female wing hasn't got space for sports so we can't do sports inside. But there are moments we try to do the little we can within our milieu. But there are people who don't like sports. But I like sports because it gives me good health and so I do sports from time to time (Angela).*

According to Ethel:

*There are no recreational facilities. The only thing we have indoors is the television and we receive just STV 11. The girls borrow DVDs from the male offenders who are from work through the connecting door.*

Christie maintained that “*sport is when we get up and move around our yard*” while Alvine stated that sports is not for women as “*only the men can do that, that is not for women*”.

As discussed in the next section the mental health of the inmates may also be influenced by the extent of the contact they have with people outside of prison.

## **5.11 PSYCHOLOGICAL STATE**

*I have had cases where some people come to prison and they spend sometime alone, they don't want to talk to other people, when you try to talk to them they are crying injustice “Oh, I was sent to prison for nothing”. Sometimes some refuse food for a while but, in the long run, we try to make them to calm down. Sometimes some have mental breakdown because they do not have visitors, their relatives have abandon[ed] them. Some break down mentally because they know they were responsible outside. They had children and families to care for...in prison they don't see the exact state of the family and so it gives them a lot of trauma (Prison administrator PA).*

Some prisoners may develop severe mental problems because of losing their husbands and children.

*Like as I was telling you, generally, whether you like it or not the psychological torture is more than the physical torture so they are people who break down, I have seen women in Mfou who actually break down (General administrator ENAP).*

Others regretted the offences they had committed.

*I knew one female prisoner who fought because her friend insulted her... when she was sentenced she regretted a lot because she said the insult did not take anything away from her body, why did she go to that extent to fight and wound her friend. She just wanted to make her friend know that she was tougher than her but it ended up in prison (General administrator ENAP).*

While some research participants gave reasons why prisoners suffered breakdowns, others thought the prisoners were pretending.

*No, it is because you don't know them. We know them very well. It is pretence, because as they pretend they are mad as they leave this door they are already okay (Prison guard PB).*

However, a research participant said:

*When you do psychiatric medicine you can detect who is actually displaying a mental malaise and who is pretending. One came here three months ago and another had a mental depression. He became so violent and the relatives came and took him away and, since then, I've been trying to find out what has become of him, but to no avail, I haven't been able to trace the people (Prison administrator PA).*

The question is whether this prisoner was just pretending to have mental problems and that is perhaps the reason why it was not possible to find her. At Mfou, for example, there was a woman who showed signs of mental illness but, after a while, the symptoms disappeared. One research participant had the following to say about this case:

*... mental malaise was caused by the prison environment because the day she was discharged she was very healthy, the stress left her, she paid her transport to go to Buea since she was from South West which is a distance away from Mfou (General administrator PA).*

However, prison conditions do have an adverse effect on prisoners and one of the ways in which this manifests is through mental breakdowns while, in extreme cases, the inmates may resort to committing suicide.

The absence of rehabilitation, training and educational programmes in prisons contributes to boredom and, as a result of this boredom, the inmates will often think of doing anything that may come to mind, especially when the conditions in prison do not meet their needs. One research participant at PB had considered committing suicide:

*There was a day I was very sick and crying and disturbing the other prisoners. When I saw that everybody was sleeping, I remembered that my brother had promised a number of times to come and take me to the hospital. This angered me so I went to the*

*bathroom and took one of the cleaning agents for the toilet to drink and die. But the bottle dropped down and broke. The next day I repeated the act but failed... because I cannot imagine why my brother is lying to his own sister (Therese).*

The inmate had thought about taking her own life because she felt her brother was not going to come to take her to the hospital. However, if this inmate's health needs had been catered for in prison she would not have thought of committing suicide and her narrative serves to demonstrate the fact that deplorable prison conditions may have numerous disastrous consequences for inmates. Some inmates revealed that they had considered committing suicide because they had a problem with other inmates. According to one inmate, he had been right and the other inmate wrong but, since the other inmates had supported the inmate who believed he was right he said he would take away his own life. *"He got a knife and he was trying to cut his body"*. One research participant stated:

*In the year 2008 there were two suicide attempts. One was a Mbororo, he really tied a rope on his neck and his colleague saw and hurriedly cut the rope. Another one used the carbon from a battery and then drank and almost died. Thank God our nurses intervened rapidly and then he was saved (Prison administrator PA).*

However, according to international literature, the suicide rate among inmates in Cameroon is mild in comparison to that of women inmates in developed countries who are reported to have successfully committed suicide by using dangerous weapons such as blades.

As will be discussed in the next section the mental state of female inmates maybe improved by continuous contact with their families.



## 5.12 MAINTAINING CONTACT WITH FAMILIES



**Photograph 9: The courtyard of Kondengui Prison in Yaounde (Tande 2012)**

The photograph above portrays life in prison with the inmates in front of their cell, looking at the prison staff below in the yard and visitors waiting to see some of them.

Imprisonment automatically means that a prisoner loses his/her right to freedom of movement although they retain other rights as human beings. Thus, inmates still retain the right to contact their families, particularly in view of the fact that when they are released they are expected to go back to their families. According to Coyle (2002), the loss or restriction of family visits should not be used as a punishment, under any circumstances. The prisoners in Cameroon are given the opportunity to receive visits. However, this differs from prison to prison as there is no uniform policy across the prison system (ACHPR 2002). In a prison such as PB, visitors may come every day to give food to their relatives but are allowed to communicate with the inmates only on Wednesdays and Fridays. Thus, they are authorised to see the persons before giving them the food even although they may not communicate. The prisoners are given a maximum of 5 to 10 minutes in which to chat with their visitors and then they have to return to the prison to make way for other prisoners. The conditions of visiting in Cameroon is similar to that of women in the Qanatar prison in Egypt where the visiting period allowed was between 5 and 10 minutes. The only difference was that Cameroonian prisons allowed visits everyday and communication twice a week, while families were allowed at Qanatar prison only every fifteen days (MEW 1993).

It was evident that limited space prevented the prisoners from spending more time with their visitors. This was because the visits take place outside the superintendent's office where there

is one bench for visitors to sit on while the prisoners kneel in front of their guests. When a research participant was asked why the inmates were kneeling she said:

*Listen, as a visitor, you don't look different from the inmates. If the inmates are allowed to sit on the chairs like their visitors, we shall not be able to know who the prisoner is. That is why the inmates must kneel before his/her visitor to create that difference. It is just that the prisoners in this prison are good. If you don't take care on communication days prisoners do run because all of them are in civilian dress. (Senior yard mistress PB).*

There are no exceptions to the time allowed, even the children are given the same time slot. This was, however, the reason for a major concern on the part of one of the research participant who stated:

*I will also wish that there be an improvement on visiting condition space. Also the rule of bringing soap and toilet roll should be abolished because it prevents many visitors from coming who have very little money... Most of the visitors complain that this scares them (Ethel).*

The fixed rule in some prisons in terms of which the visitors of inmates are expected to bring a gift for the prison staff if they wish to see their visitor is what Ethel is referring to and which she would like to see abolished since it scares many visitors. Infact, this practice is illegal and is in contravention of both national and international standards in contact with the outside world.

As regards the question of space an NGO, REPCAM, is hoping to build a structure at Kondengui that would give women in prison the privacy in which to play with their children for at least two to three hours. According to REPCAM, after Kondengi they will move to the other 73 prisons in the country. The inmates in PD are freer to communicate than the inmates of other prisons because of their small number. At the time of the interviews there were only 81 inmates incarcerated in PD and this was below the prison's capacity of 100. The superintendent indicated that, because of the small number of inmates and the fact that the prison is situated a distance from other houses, the inmates could, despite the small visiting

space, communicate for up to 45 minutes with their visitors if too many persons were not waiting outside to come in.

Despite the fact that there was limited time in some prisons for the inmates to communicate with their visitors, some of the research participants indicated that those who had money were able to provide bribes for more time – this is known as ‘*cover hand*’. The research participants related that, in order for their visitors to be allowed access to the prison, their families and friends had to bring toilet rolls, beer, soap or money. Surprisingly enough the prison staff members confirmed that they accepted gifts as a sign of appreciation from family members. Those inmates who came from poor families who could not afford these gifts related that their visitors were arbitrarily denied from seeing them.

It is a sad situation for an inmate not to have visitors because these visitors help the inmates to cope with prison life. The female inmates relied heavily on their families to bring food and to take them to the hospital when they became sick. Those inmates who did not have visits were often forced to depend on senior female inmates for food. One research participant told me:

*She doesn't have anybody who comes to look for her, we are the ones helping her. For somebody like me if it is bad I can go and cry to the social welfare woman for help. At times it is my brother's child who comes and, if there is no money, he can give me about a 1000 FCFA and raw food after having bought all the ingredient (Therese).*

However, although some families seek regular visitation opportunities, others have abandoned their relatives and, even in cases where the inmates are sick and not able to afford adequate medication, those families who are able to afford may be unwilling to help.

Another research participant's major concern was for the government to permit the use of cellular phones in prison to assist prisoners who were sick to reach out to their families:

*I prefer phones so that prisoners should communicate with their family because some prisoners die because they don't have the means to communicate. The prisoners who have hidden their phones in the cell keep on communicating their families when they*

*are sick. Suddenly you see their families coming to visit and making a book with the state counsel to take the prisoner to the hospital (Alvine).*

This request of the research participant should be taken into consideration, particularly in view of the fact that this practice is permitted elsewhere, despite potential problems as additional security is required. The narrative further reveals the fact that, whether or not cellular phones are banned in prison, there are some inmates who still have them in the cells while I also witnessed prisoners making calls.

Some of the inmates' relationships with their families were supported by social workers. The social workers contact the inmates' families and sometimes bring their relatives to come visit them. One research participant explained:

*My mother has come here twice and it is the social welfare that brought her. I can't lie it is this social welfare woman I always send. Anything I need I just tell her to pass through my house and bring it to me, she lives in Limbe. She came here one day when I was crying and she offered herself to go to my house. She went there and collected some things and brought for me. She looked for my sister-in-law who sent some food for me. That is my junior brother's wife. The third time she went to our house on a lucky day she met my mother who was back from Kumba. She was the one who brought my mother to visit me and we sat in her office until when she was going. She brought my mother again for a second time and we discussed for long until when I had to go and work at the administrator's door (Christie).*

Creating a social network for the female inmates is a fundamental factor which the government must reinforce in order to ease the living conditions of prisoners. This was evident in the narrative of the female inmate who appreciated the effort of the social worker in bringing the mother to see her in prison.

The role played by social workers in Cameroonian prisons was highlighted in this narrative. Their fundamental role is to provide a link between inmates and their families in order to prepare them for their reintroduction into society upon release. This admirable role of the social workers must be taken seriously, particularly in view of its possible application in other countries such as South Africa (Herbig & Hesselink 2012).

This chapter described the physical conditions of female inmates in prison in Cameroon. The chapter began with a discussion of prison infrastructure and then went on to provide a brief history of the penitentiary systems in Cameroon, a description of prison conditions by high profile prisoners and a description of the prison structures. The chapter further examined the effectiveness of classifying and separating prisoners into categories, overcrowding, hygiene and sanitation, food, awaiting trial prisoners, transition to prison life, escape, work, rehabilitation, education, leisure, psychological state and maintaining contact with families.

### **5.13 CONCLUSION**

This chapter provides a picture of the living conditions of female inmates in selected prisons in Cameroon. The narratives of these female inmates are confirmed by the various narratives accurate of the prison staff. The chapter also demonstrates the ineffectiveness of policy vis-à-vis practice and the relationship between prison conditions as seen by the prison staff and the narratives of the female inmates. It is clear that, no matter how good the ratified policies are and how well the prison authorities try to implement these policies, there will always be gaps which fall below international standards. This, in turn, confirms the postulation of Foucault's theoretical framework on which I focused my analysis. Foucault (1977) points out that the mere loss of liberty has never functioned without an additional element of punishment that concerns the body. He argues that punishment such as rationing food, sexual deprivation, corporal punishment and solitary confinement are the unintentional but inevitable consequences of imprisonment. In addition, the United Nations Standard Minimum Rules for the Treatment of Prisoners (1955), a key reference document in designing and evaluating prison conditions, contains only a handful of provisions specifically directed at women. There is, therefore, a need for the re-examination of this key policy document to match current debates on women's imprisonment, especially in view of the fact that feminist criminology, a product of the second wave (1960s and 70s) of the women's movement, emerged after this policy had been designed. This, thus, is one of the reasons why many articles in the UN SMR are gender neutral, failing to take into account the gender specific needs of women as they commit crimes.

The next chapter deals with power and control: the relationship between staff and inmates in prisons in Cameroon. The chapter concludes by highlighting the fact that inmates sometimes

resist prison conditions when they act as a group fighting for survival and when it is their right.

## **CHAPTER SIX**

### **POWER AND CONTROL: THE RELATIONSHIP BETWEEN STAFF AND INMATES IN PRISONS IN CAMEROON**

#### **6.1 INTRODUCTION**

This section of the study examines a historical overview of torture and discusses torture in its various phases; including the general instances of torture, vicarious punishment, and specific instances of torture (collective, individual and punishment from fellow inmates) encountered in Cameroon prisons. The chapter further explains that an extreme form of torture on inmates may escalate into prison riots. Torture is defined as any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person, other than that pain or suffering which is inherent in the fact of detention or imprisonment (Coyle 2002:34).

Torture is used as a means of control and is, therefore, often endorsed by certain prison staff members. However, torture is so embedded in the prisons that inmates often torture other inmates either openly or in the cells. Although prison staff may not always be present, this is considered 'normal' or 'acceptable'. Clearly such practices breach the international instruments which Cameroon has ratified while showing total disrespect for the Cameroonian correctional policy.

#### **6.2 TORTURE: A HISTORICAL OVERVIEW**

Torture in Cameroonian prisons today has its roots in the colonial period although even in the pre-colonial period instances of torture have been recorded. Thierno Bah (in Pete 2008) states that certain penal systems in pre-colonial states shared certain characteristics with the modern systems of imprisonment. In explaining the centralised states of Cameroon during the nineteenth century Bah (in Pete 2008:41) has the following to say:

...the Mandara system of official titles proves that the kingdom used a classical penitentiary system, complete with torture and squads of guards...Each political unit of command (lamidat) had a prison, perceived by the local population as a place of terror... In the lamidat of Mindif<sup>13</sup>, the Bongo, a Muslim convert who did not belong

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<sup>13</sup> A sub-division in the far north region of Cameroon.

to the Fulani ethnic group, acted as a chief of police and prison guard ... Physical cruelty and starvation were frequent. Recalcitrant prisoners were tortured by being shut up in a stifling hut, and exposed to smells of hot peppers thrown onto fire.

The practice of torture continued into the colonial period in which corporal and capital punishment was widespread. This is evident in the famous chicotte whipping administered by the Force Publique in the Belgian Congo and which later became widespread and has remained as an icon of colonial punishment in the memories of contemporary Zairians<sup>14</sup> (Bernault 2003:15). The various forms of torture inherent during the colonial era led many to understand that “colonialism and torture were now inseparable” (Le Sueur 2001:171). The institutionalisation of corporal and capital punishment during that era emphasised white hegemony over the colonised territories with the result that the prison officials of today in Cameroon inherited a dehumanising system from the colonialists - a system which may still be observed in the prisons of today.

Torture still exists in contemporary Cameroon prisons, irrespective of ratified international instruments such as the UDHR (1948), Article 5 which states “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment”. In addition, the International Covenant on Civil and political Rights (1966), Article 7 states that “No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” while Article 5 of the African Charter (1979) states “Every individual shall have the right to the respect of dignity inherent in a human being and to the recognition of his legal status. All forms of exploitation and degradation of man, particularly slavery, slave trade, torture, cruel, inhumane or degrading punishment and treatment shall be prohibited”. All of these treaties are incorporated in the preamble of the Cameroon constitution and are part of the constitution. The 1948 UDHR is particularly significant because most of the colonial powers that institutionalised torture in their prisons were party to the drafting of this instrument after World War II. It is evident from this 1948 declaration that torture was considered a bygone product of the old regimes. However, they were not able to enforce Article 5 of the same instrument to which they were party. Even the French historian and philosopher, Michel Foucault, seems to have believed that the traditional forms of torture had disappeared from French prisons in the modern period. According to Le Sueur (2001), Foucault was

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<sup>14</sup> Belgian Congo became Zaire and the Democratic Republic of Congo of today.



surprisingly silent on the recurrence of torture during the period of decolonisation. In *Discipline and Punish*, Foucault (1977) argued that “there are no longer any of those long processes in which death was both retarded by calculated interruptions and multiplied by a series of successive attacks” (in Le Sueur 2001:162). The post-independent Cameroon prisons have embraced the spirit of modernity by sometimes converting capital punishment into life imprisonment through presidential clemency although, as will be demonstrated below, torture still exists in subtle, and not so subtle, forms in Cameroon prisons today.

### 6.3 GENERAL INSTANCES OF TORTURE

Torture is practised by the prison staff on prisoners in order to exercise control over the inmates and by inmates on other inmates to establish a power hierarchy. This torture may take different forms, including humiliation through strip searching, verbal abuse or insults, corporal punishment, collective punishment, chaining and solitary confinement. A regular visitor at PB explains:

*I visit PB twice a week and, while in town, I was told prisoners had escaped from prison. The next morning I went to PB and the wardress told me the inmates tried to escape and they were hushed down. I was not there, but I was told that, because of this uprising, prison staff opened the door, they beat prisoners, and put them in chains whether you were a perpetrator or not... and some prisoners died in the course... So, while they were renovating the structure that had been damaged, if rain fell prisoners who were out in it, they chained many of them, they just sit on the ground if rain fell, they were just in it... I said the women gave me more information what the uprising was all about. So, a few days after the male prisoners were beaten, they called the women prisoners out... the female wardresses had them bitterly beaten (NGO research participant PB).*

Some inmates believe that, in the absence of corporal punishment, if an inmate conducts him/herself in prison, that inmate will automatically be a friend of the wardresses. Ethel stated that “since I came here, I have never seen any woman that was beaten except these children who are stubborn”. According to Alvine, they beat women when they are stubborn but, if you are not stubborn, they will not beat you. Christie, on her part, said “I can’t call the beatings in prison as beating because you know how you can touch a child and tell her not to repeat something again”.

It is important to note the parent-child discourse in this context. The older inmates tend to call the younger inmates children while the prison staff refer to inmates generally as their children, irrespective of their age (some of these inmates are sometimes older than the prison staff) and consider that these inmates are in their custody. Within the context of this parent-child discourse, female inmates appear to accept some degree of torture when it is intended to 'correct' the inmates. They associate this kind of punishment with a parent correcting his/her child with love and which may be likened to the Bible verse that says that "you spare the rod, you spoil the child". The appellation of the parent-child discourse is not new when one takes into account the introduction of experts to help individuals to identify their abnormalities. This is also evident in the use of the term *corrections* (cf. Foucault 1977).

The tolerance for and justification of corporal punishment in prison was reiterated by three research participants:

*You know at times you could flare. A prisoner could do something to you and, out of anger, you give him a slap but it will not mean that it is all the time. That now is between the warder and the prisoner and thereafter if the matter is reported, the boss looks into it (Prison nurse PC).*

*Because when it goes to an extent where you are saying he or she should stop it and she doesn't want it. If you remind him/her about two times and they don't stop you need to use a cane on that. Even if it is a child at home, once in while you can use a cane on him to correct once you have been correcting for so many times (Prison administrator PC).*

*We only beat when all other forms have proven to be futile... we would not allow the indiscipline to be in a way they will come out to be what they came in or worse than when they came in. We must do something, not for the sake of causing harm but as a point of correction to accomplish a mission assigned by the state (Prison guard PB).*

According to the above participants, the prisoners understand the language of beating. When inmates fight the warder will take a belt and threaten both of them to stop fighting. This is because it is sometimes difficult to separate prisoners amicably. According to the accounts

above, it is often not possible to stop inmates fighting until a whip is used to brutalise them in order to separate them. This fact and the statements of the research participant justifying punishment for correctional purposes are in line with the analogy of Foucault. Foucault (1977) argues that the modern prison introduced a new concern, which involved knowing the criminal, understanding the source of his/her criminality and intervening to correct wherever possible.

In PD, it appeared that the relationship between the staff and inmates was good. There were five female inmates only in that prison and, when asked if they were being beaten, they all answered “no, except you commit an offence before they can beat you”. This, in turn, suggests that, even though the relationship between the staff and female inmate was cordial, she could still be punished if she committed a crime in the cell.

Alvine and Patience, on their part, had the following to say:

*Here in prison we are okay, I can't say we are suffering because, even in the cell, we are fine, the staff don't worry us, when they are here... we feel free with them, when I have a problem I discuss it with them. But since I was moved to PC that freedom is impossible (Alvine).*

*For me and my sister the prison staff treated us very well but for the others they cried that they were treating them very bad. The prisoners treat the staff badly and so they to treat them bad because for the prisoners when the staff give them something to do for them they will work and at the end they will take sand and pour inside the stuff before giving it back (Patience).*

Thus, according to these inmates, if inmates are treated harshly, they contribute to this state of affairs as they are not willing to help the staff. Again the view is expressed that prisoners somehow deserve to be physically maltreated if they ‘misbehave’ like children. The harsh treatment of inmates seems to vary from prison to prison and it also may be that the number of inmates plays a role as PD is a small prison.

Furthermore, the inmates' subjective views of punishment or 'good treatment' also vary. For example, a research participant in PC thought the prison was treating its inmates well as compared to PD:

*...because I heard that in Ndop and PD they don't open the women and they only have to strike before they are being opened [referring to prison cells], but here we have the liberty that they open us sometimes 5:30 am and lock up 6 pm. So I think that the administrator here is good. You notice that here we are allowed to use phones whereas in other prisons phones are not allowed. The administrator here treats us like his children (Bih).*

The use of cellular telephones is strictly prohibited in prisons. The report of the SR of Prisons and Detention in Cameroon indicates that telephone calls are denied to inmates for various reasons (ACHPR 2002). Even as a visitor my cellular telephone was taken away from me at the gate before I entered the prison while many of the female inmates interviewed said they were not allowed to keep cellular telephones. As reported by the inmates the prisoner staff relationship is not consistent in all the prisons although there is constant brutality as regards the gifts the inmates receive from their visitors. According to Grace:

*If you get a visitor and they give you money, the prison staff will ask for his or her own share - most often a beer. If you don't heed to their demands, anything you do will anger them and you will be beaten and chained.*

The attitude of the prison staff towards the inmates' belongings is not unique to Cameroon. Neudek (2002) argues that, in Uganda, it appears that the worst behaviour among prison staff occurs when the inmates receive expensive and quality items from relatives which the wardresses are not able to afford.

In general, the inmates testified that the incidences of torture had decreased. According to one research participant:

*Human right has refused that prisoners be beaten; the beating has reduced drastically from what it used to be. Like one woman that we met in prison who has been here for*

*27 years said at the time she came to prison she was always beaten to the extent that she knew she would die (Alvine).*

The narrative of this female inmate was confirmed by one of the prison staff members who said:

*I think corporal punishment has even been abolished in our penitentiary regime? If at all we inflict corporal punishment on some prisoners we no longer beat as in the yester years where beating was a daily affair.*

Another staff member stated:

*The text does not permit it and whoever does that and something happens to the inmate he might stand trial for such an act...in the course of beating an inmate... you kill him you will be taken to court” (Superintendent PD).*

A superintendent explained:

*We use other types of punishment. At least to do some work other than beating because beating is in itself dangerous... There is also the existence of section 320 of the penal code in Cameroon which states that any professional who, in the course of his or her service, inflicts harm on someone will be punished by the law and were such harm results in the death of that person the officer will be punished to life imprisonment. If it is grievous harm he would have a sentence of about 10 to 20 years so we are very aware of that and we do not resort to corporal punishment in the prisons nowadays (Superintendent PD).*

The research participants understood that, as stipulated in the SMR, the deprivation of liberty was the sole punishment that could be inflicted on the inmates in prison. However, they suggested other methods of punishment including shaving, taking a sentenced prisoner to the “C ward for awaiting trial”, putting the inmates in solitary confinement and chaining. On the subject of shaving the staff argued that, if a prisoner has long hair and it is shaved, this would be psychologically more like torture than if she were beaten. A similar argument was presented in a case at the Qanatar prison in Egypt when a sentenced prisoner maintained that

her long hair had been cut using force as a form of unauthorised punishment after an argument with a guard (MEW 1993).

An acute awareness of the law is evident in the responses of the staff members cited above although this may have been for the benefit of me, as the researcher. However, the law is not always interpreted correctly and, as earlier mentioned, Article 32(2) of the 1992 CPR suggests a different form of punishment to the cutting of hair.

The research participants explained that life in an awaiting trial cell was not pleasant. For example, in some prisons awaiting trial prisoners were allowed outside for fresh air three times a week only as a result of the lack of personnel and, thus, the inmates in these cells lacked fresh air while their cells were not ventilated. Accordingly, condemning sentenced prisoners to spend five to six days in an awaiting trial cell as punishment when they commit crimes was more painful than if they had been beaten. The convicted cell inmates enjoy better treatment than the awaiting trial prisoners as they are allowed outside everyday of the week and their cells are more spacious with ventilation. Thus, the prison staff use the awaiting trial cells as a form of punishment for the other inmates, thereby acknowledging that the awaiting trial cells are dungeons and places not fit for human habitation.

Placing prisoners in solitary confinement and chaining them as an alternative to beating is in breach of Article 31 of the SMR which states that “Corporal punishment, punishment by placing in a dark cell, and all cruel, inhuman or degrading punishments shall be completely prohibited as punishments for disciplinary offences”. Consequently, solitary confinement and chaining are not appropriate punishments. Coyle (2002) maintains that, whenever possible, the use of solitary confinement should be avoided and steps taken to abolish it. However, ten years after this statement, a prison staff member is promoting its use instead of beating. This shows that, although certain forms of physical punishment are recognised as being in violation of the human rights of prisoners, for example, beatings, others are not, including solitary confinement and chaining.

In reiterating the fact that the violence in prison has diminished a female inmate cited a new method of punishment handed out to inmates who commit offences in the cell. She indicated that, instead of beating such an inmate, the wardresses will order the inmate to “draw your buttocks” on the floor in the prison main yard in the male wing. An example was cited of a

woman in PC, mama Nigeria, who, for 21 days, had to “draw her buttocks” on the gravel in the male yard until late in the evening as a substitute for beating.

Although the beatings may have reduced, the inmates are still forced to endure other forms of embarrassment from prison staff in front of their visitors as well as forms of physical deprivation. One research participant explained:

*... One bad experience I had with a guard – my husband came and I was talking with him, it was not yet time for me to go in, there was still time, so she just started shouting and insulting me...and my husband got angry and he spoke to her. Personally that was the first and the last encounter with the prison staff. But, with the other inmates, there were times that they will slap them and they even fought with the prison staff. There was a time that a staff came and slapped one girl...I don't know what she did then they fought... (Dorothy).*

It is important to note that inmates also exercise resistance in subtle ways when they notice that a wardress is behaving in a corrupt way by ordering them to do private domestic work. According to Alvine, when the wardresses give them bitter leaves to wash, the prisoners will wash the leaves extremely thoroughly and then pour sand on the leaves so that, when the wardresses cook the vegetables, they are unable to eat because of the sand. Thus, Alvine's narrative indicates that the inmates may demonstrate a certain amount of passive resistance or even agency. As a result, the wardresses are careful to give work in their homes only to inmates who favour them or who are more docile (cf. Foucault's “docile bodies”).

#### **6.4 VICARIOUS PUNISHMENT**

This section examines the relationship between experiencing the torture of a fellow female or male inmate and the subsequent fear that fills the inmate watching. Thus, this section discusses the inmates being aware of torture or witnessing the torture of other prisoners.

A well-known historical example of torture is the case of Henri Alleg, a French intellectual who was living in Algeria during the period of decolonisation. He was arrested on the grounds that he had evaded prosecution as the editor over a banned publication. This example has historical significance because the victim was a white person from France who was

tortured by his own people because of a black cause in Africa. He narrates several torture sessions to which he was subjected and records the violence inflicted on others and which frightened him. He recounted incidences involving both French and Muslim women in El Biar who were raped, beaten and forced to endure water torture and electric shocks (Le Sueur 2001). Similarly, the research participants in the Cameroon prisons describe the various ordeals which they had witnessed. Observing the punishments meted out to others had made them fear every passing moment in prison or detention centres.

In order to illustrate what happens in the detention centres in Cameroon, Justice Wakai provides the traumatic details of his violent arrest at his home in the early morning of October 28, 1992 and relates “the indignity... mental torture and inhuman condition” to which detainees were subjected at the Brigade Mixte Mobile (BMM) in Bamenda where they were held.

We were treated like common criminals. I witnessed young men beaten and degraded beyond any human imagination. Passing one through the *balançoire* and beating of the soles of the feet were common features for the treatment meted out to the detainees (Tande 2012).

The experience of Justice Wakai is no different from the experiences of the female inmates who had spent some time in the police or gendarmerie cells before their official transfer to prison. Prison and detention centres have become ‘torture chambers’, even from the perspective of the female inmates. Bih and Brandine provided a succinct narrative confirming Justice Wakai’s observation twenty years after their experience at one of the police stations in Bamenda “*They took us and place us on balançoire (hanging their feet in the air). They take you up and place an iron under your legs*”.

In confirmation of the reality of vicarious punishment in detention centres in Cameroon, a university student who had been arrested during a strike on campus appeared before officials celebrating the 57<sup>th</sup> Edition of the Human Rights Day, under the theme of ‘Prevent torture’ and told his story:

We were smashed, beaten with batons, and made to crawl on gravel with our stomachs under the sun at the national gendarmerie cell; I successfully jumped out of



the yard, while the guard was detracted. I have come to plead with human rights officials to release my friends [in desperate conditions] (Nkematabong 2005:11).

It is significant that this student had appeared before the human rights officials “battered with a plastered face and bruised arms” in order to plead the cause of his friends who were still being subjected to the appalling conditions. The appearance of this student left the National Commission for Human Rights and Freedom (NCHRF) chairman with no option but to confirm that “torture is still a reality in Cameroon” (Nkematabong 2005:11).

Justine, a female inmate, confirmed that prisons still torture the male inmates in the following words: “*During the August incident, prisoners were beaten and their feet chained and fire was used to burn them. That is why all their feet have a mark*”.

The infamous August incident is explained by a prison staff member:

*What happened is that the guys were so funny to the extent that they took the warders to be their friends... they wanted to be too free like the people outside. You see, as an inmate some of your rights have been ceased ... Since they were too free they were not even respecting the rules and regulations of the prison. So one day we just observed in the afternoon around the hours of about 1pm, I was even the victim they almost held me in the cell but, thank God, the Chief of Bureau for Discipline was there and so she held me behind and pulled me and so I came outside. If I was taken inside I would have been a dead man. So there alone they break the door and forced themselves, some were even moving on the zinc and so we had to call the superintendent and he came and needed some reinforcement from the Senior Divisional Officer (SDO) and the SDO called other forces to come. They came and intervened and rescued the situation (Yard master PB).*

The August incident epitomised brutality with some of the inmates being beaten. Some fell ill and some even died. A prison staff member was asked to confirm the allegations of the female inmates. He responded that he had not seen what had actually happened but affirmed that the police, the gendarmerie and military soldiers had been called in. They had been called into provide reinforcements to prevent the prisoners from escaping. According to one research participant “*when a military man is called somewhere, it means he is coming to destroy. They are not coming to amend any situation*” (Prison guard PB). What was further

astonishing in the narrative was the fact that “*the warders also wanted to make the prisoners know that they are those in control and not the prisoners*”.

This was confirmed in an interview with a prison official who said:

*We cannot deny that prison officials have control on a daily basis over the most basic human activities of people kept in prisons. We decide when prisoners sleep, when and what they should eat and, if possible, when they can perform their bodily functions. In short, we control when prisoners do everything (Prison administrator PA).*

This assertion brings to mind Foucault (in Connell 2002) who was sceptical about the existence of a unified central agency of power in society. Nevertheless, he argued that power is widely dispersed and operates intimately and diffusely, especially through the ways we talk, write and conceptualise. This diffuse, but tenacious, power operates in an intimate manner and impacts directly on people’s bodies as ‘discipline’ as well as on their identities and their sense of place in the world.

The words of the prison staff reveal that the prison authorities had felt they were losing their power of control over the inmates and so their action had been intended to reinforce their role and keep the prisoners in their place. More than half of the prison staff had tolerated corporal punishment and attested to the fact that the absence of corporal punishment had weakened discipline:

*Because you can see prisoners addressing warders right into their face because they know that you will not do them anything ... But the aspect of fettering them with chains is a good restraint. It is a milder punishment to corporal punishment. If they keep you there for 10 minutes... Even in your house at times your child will disturb you until it will exhaust your anger. You see those groups, the prisoners we hung on that chain yesterday, they disturb and even threatened to escape and when we went in we caught Banga (Indian hem/drugs) from them but they still threaten us. They were now deciding on how we should work with them. That we should have informed them before coming to do our work (Prison nurse PC).*

Research participants expressed pain at vicarious punishment in different ways:

*What bothers me most in the prison is that when one person commits a crime, they will include all of us and punish, which is not good because some of us are of good behaviour. I know I am a stranger and cannot disturb in another person's country. I am a Nigerian. Let them punish us individually when we commit our offences (Justine).*

*Punishment in a group pains me a lot. A mother cannot have her children and when one does something, she calls all and beat and chains them. There was a day when an inmate paid 45,000 FCFA to an awaiting trial prisoner who bore a hole for him to escape. Since then the male cell for six weeks has been constantly locked over the weekend (Grace).*

*... I wanted to go to the house and they refused. If I suffer any punishment it is because of that collective punishment because, if they are locking everybody, they will not allow me here alone (Ethel).*

*There are some wardresses who are harsh and love verbal insults. You can sit like that, you don't do somebody anything and they come and say you have done something and start insulting you and go away (Patience).*

One may deduce from this section that vicarious punishment has huge repercussions on the psychological well being of the female inmates. This form of punishment projects a silent message of deterrence since the female inmates suffer even when directly involved. Accordingly, they are careful not to cross the line with the prison staff. Nevertheless, no inmate is capable of maintaining his/her own space in prison. As illustrated below, specific instances of torture may arise, requiring collective punishment, individual punishment or punishment from fellow inmates although not of your own making.

## **6.5 SPECIFIC INSTANCES OF TORTURE**

It is not possible to ignore the fact that specific instances of punishment are taking place in certain prisons in Cameroon in the twenty-first century. Although the instances of punishment and torture have decreased, as demonstrated below the old system of punishment

may manifest in very specific instances in Cameroon, suggesting that Foucault's analogy may not always be applicable.

### 6.5.1 COLLECTIVE PUNISHMENT

The August incident mentioned earlier demonstrated collective punishment in its totality. Women were not part of the uprising as it had taken place in the male 'C' ward and yet the brutality had been extended to include the female inmates:

*...They beat them, you know, it was during rainy season and then they had other prisoners (male) come and throw water on them and then, during the rainy season, the front area where male prisoners usually are is quite muddy, had them sit down in the mud, had water thrown on them, they kicked them with their big boots, they beat them. OK, they said that a wardress will beat a prisoner and say "The other day I brought my egusi for you to crack, you said your hands were aching, you refused to crack my egusi. The other day I brought my bitter leaf for you to wash, you said that you were tired," then she beats. "Oh, you people, you wear your hair so long you want to compete with us", she beats, it was terrible. They barbed, shaved all of their hairs (NGO research participant PB).*

The uprising in the prison had evoked past grievances which the prison staff members were harbouring towards the female inmates and this was an occasion for revenge since the door for 'collective punishment' was already open. As one prison staff member stated: *"The prisoners were growing horns and so we needed to straighten them, otherwise they will not be rehabilitated"*. The uprising was so severe that the prison staff members were ready to ensure that all the inmates suffered. It did not matter whether an inmate had been in the cell during the uprising and had made a comment or had been out of the prison for some official duty. When any inmate returned to the cell that inmate received his/her share of the beating:

*Even those who were not available during the uprising were beaten upon arrival. OK, so the young lady who has gone now out on sick leave who is actually supposed to be released in August of this year. At the time this beating was taking place she was out because they had given her assignment to go and buy foodstuffs for the other prisoners, so she came back after the beatings, then the female wardress said they have to beat her*

*too although she wasn't there at the time the beatings were taking place and, at that time, her hair had grown very long down her shoulders ... So, the first thing they had to do was to shave her beautiful hair and then they beat her and, you know, she is just such a tiny young girl, beat her, kick her in her sides with those heavy boots , beat her so bitterly that, that the girl could not wake up (NGO research participant PB).*

I had witnessed the shaving of hair when I had arrived to visit PB about a month afterwards. However, this was probably a different incident and not the uprising that had provoked the shaving of the inmates' hair. In the case I witnessed the female inmate whose hair had been shaved had been talking to a male prisoner and, the following morning, the wardress had all of them beaten and then all their hair had been shaved. The issue of collective punishment is one of the greatest pains which female inmates undergo in prison and they always wonder why wardresses are not able to identify the culprit and deal with her accordingly instead of forcing them all to suffer.

Good behaviour is not relevant in respect of collective punishment. The only way in which good behaviour may count is when the female inmates in a particular cell abide by the rules of conformity - by exposing those who commit crimes in their cells. Some warders and wardresses defended the practice of collective punishment based on a number of factors. Firstly, they justified the practice in instances in which the inmates refused to tell the truth, especially when there is a mass escape - 'evasion massive' in a cell. "*We are bound to beat all the inmates in that cell. You cannot be sleeping and 25 or 30 people escape in your cell and you would not know what they were doing.*" In some cases, the punishment may involve dispersing the inmates to various other cells or giving them odious activities to perform, for example, cleaning the toilet.

Secondly, collective punishment is justified when there is a missing item in a cell and nobody wants to say anything. In that case "*we are forced to punish everybody*". After the punishment the truth often comes out. Thus, the collective punishment acts as a deterrent for the inmates and they learn to denounce the guilty parties. The prison staff also justified their use of collective punishment based on the fact that it is also applied outside of prison.

*An accomplice to a crime is obviously prosecuted in a law court...that is why, even at the level of the state, there is always this plea for the population to collaborate and*

*denounce criminals. Even in our legal books when you are an eyewitness to such a situation that is criminal and you want to hide that person, it can likely be taken that you are an accomplice in one way or the other and you cannot deny it (Prison administrator PD).*

Thirdly, the prison staff maintained that “*corporal punishment was sometimes necessary for effective reformation. If those prisoners could not be reformed while in the society then it is our place to do all it takes for them to be.*”

However, one prison staff member differed with the others:

*Collective punishment is not a good thing because, when you beat collectively, you will not know the real person that has committed the offence. So we need to select and then go into the matter before we know the kind of punishment to give (Prison administrator PC).*

Despite the reasons advanced for the justification of collective punishment, some of the female inmates thought that the efforts of the prison authorities which were aimed at reformation, as they claimed, were in vain. According to the female inmates the brutality of the wardresses had not in any way improved the inmates’ character because they had not changed. They had been condemned and so they did not want to change. The question of changing the character of the female inmates is in line with the modern theories of punishment. Foucault (1977) argued that, in terms of modern punishment, judgement moves from the offence to questions of character and this is being manifested in contemporary prisons.

Similarly, a prison staff member explained that:

*Capital punishment is not a deterrent and so beating also does not solve any situation. I have simpler punishment that I can give to somebody and the person will feel the effect more than beating because, if I beat you, after one hour the pains will subside... but if you were... having visits because of a certain offence you committed I suspend your visits for one month. You will know that for that one month you cannot communicate with any of your persons and it will pain you more or if you were going*

*out to work out of the prison and then I stopped you from going out because of your indiscipline you will feel it more... I think I don't see anything good in corporal punishment (Prison administrator PD).*

According to this research participant, depriving an inmate of receiving having visits or of going out in work gangs is a more effective method of punishment than corporal punishment. Indeed, this method of punishment may be devastating for the inmates, given that the inmates depend on visits and on going out to work in order to supplement the food and health facilities available to them. This is particularly important because the prison authorities always complain of insufficient funding to take care of the food and health needs of the inmates and, thus, they rely heavily on the visits of relatives to assist the inmates.

### **6.5.2 INDIVIDUAL PUNISHMENT**

During the August uprising, female inmates were punished collectively on the day on which the event took place and also individually several months later. As mentioned earlier under collective punishment specific punishment was meted out to those female inmates who had been unavoidably absent at the time of the event. A research participant who was working and living at the superintendent's residence as a nanny at the time this incident took place had this to say:

*When I was parking my things to prison the superintendent saw me but asked no questions. Suddenly when he left the house to the prison, he asked the wardress to give my own August pepper soup<sup>15</sup> an incident that happened in prison in my absence. That was on the 28 January 2009. The wardress took me to a corner where water runs and there is mud. I was thrown inside the mud and asked to roll in the mud. After sometime the male inmates were asked to carry buckets of water and throw on me. Then the female inmates were called and given sticks to get me well beaten. Any woman who did not beat me very well was also beaten. I sustained a lot of wounds for something I did not do (Vera).*

The abovementioned is not uncommon in some African prisons where physical assaults against prisoners by police or other prisoners on the instruction of warders is commonplace.

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<sup>15</sup> She was going to be tortured like the other female inmates during the August uprising at PB.

The Special Rapporteur's report on the prisons in the Central African Republic found that the Director of Police had ordered that prisoners "be beaten and stoned if they begged for money from passers-by" while, in Benin, the assault and battery of prisoners at the command of the guards was also commonplace (Schonteich 2008:109). It is sad to mention that most of the torture which takes place in prisons is premeditated, organised and carried out in the presence of prison officers. The torture which Vera had experienced under the supervision of a wardress was in breach of Article 7 (2) of the African Charter of Human and People's Right which stipulated that "punishment is personal and can be imposed only on the offender".

The issue of prison staff members assigning inmates to leadership responsibilities is prevalent in Cameroon prison and was explained as follows:

*Already there is serious discipline within them. At times when they are crying we look through the window to see what is going on. Inside their cells they have prisoners of different ranks and so they maintain discipline, i.e. commissioner, magistrate, judge, state counsel, police. It is within them that we have those disciplines (Prison administrator PA).*

Assigning various roles to inmates for disciplinary purposes may not be a problem as this practice may help to maintain order in the cells. However, some inmates may abuse the power given to them. Strip searching is another example of a specific punishment which is directed at female inmates upon remand. A research participant remanded for embezzlement narrates her experience:

*The first gate the staff opens and they will now take you... insult you, see these ones, you went and stole the money, where is our own? It starts from there. They will now check you very well even in your intimate parts; if you have hidden any money there they will take the money... there are times that they come to make strip searching when they check everything, they will even check you and touch you everywhere and touch all your things. So you just feel like a lesser person, looking very little (Dorothy).*

It is evident from Dorothy's experience that strip searching is both humiliating and degrading. Similarly, an inmate in Oko prison in Nigeria said "Imagine, a woman will put her



hand inside my body because you are a prisoner. I feel shameful when they do it” (Ehonwa 1993:51).

Specific forms of control are found not only in prisons but also in gendarmerie detention centres where the prisoners are detained before coming to prison. The narrative of Bih mentioned earlier about *balancoire* at the gendarmerie cannot be overemphasised. She further reiterated that:

*In that process (balancoire) they got me well beaten and I told them that they are beating me for something I don't know... I was beaten with abscess in my stomach and, because of the pain I called the name of a boy that I took the money and gave him whereas I never did such a thing.*

*Then when we got to the state counsel I told him that I have not given any money to that boy and I asked that my elder sister help me. So I told the state counsel that I said all those things under pressure but I have not given the money to anybody. I told the state counsel that my statement is very complicated ... I was dying with abscess in my stomach. That is how they brought me to prison (Bih).*

It is evident from the narratives that, after undergoing severe torture, some of the female inmates were forced to confess to crimes they had not committed. Similar incidences were reported in other parts of Africa, including Algeria where Djamilia Boupacha (suspected of being a member of Front de Liberation Nationale) was tortured, devirginised and raped with a tooth brush and had a beer bottle inserted into her vagina. When she was submerged in a bathtub full of water to the point of drowning, she began confessing to crimes she obviously could not have committed (Le Sueur 2001). Similarly, in Nigeria, during interrogation, women were tortured with candlesticks or the neck of a bottle being inserted into their private parts by the male police officers in an attempt to force them confess to crimes that they had not committed (Agozino 2005).

Foucault (1977) noted that, in terms of finding out the truth, the confessions of accused persons form part of the judicial investigation and ‘self-evidence’ as regards the findings of the prosecution. However, he argued that the use of judicial torture to elicit evidence from the accused had to be carefully regulated and allowed only where sufficient written evidence

already existed to imply a prima-facie degree of guilt. Consequently, the confessions of Bih would not be sufficient to have her prosecuted unless there was other supporting evidence. However, Bih was still awaiting trial at the time when this interview was conducted and she had already been to court a number of times.

Although torture is by no means limited to female inmates it is worth mentioning the examples where torture places a question mark over the exercise of state power in modern penitentiary. Torture may have disappeared as the form of public spectacle presided over by state authorities in Foucault's spectacle of the scaffold, but the torture chambers in Cameroon penitentiaries do far more than merely punishing the 'soul' of the inmates. In short, most of the prison staff members are of the opinion that corporal punishment is necessary in order to redress a serious situation. This is evident in the following words of a research participant:

*There are some inmates here who are just like gorillas – very powerful. You will see them using their physical strength, they know that the law is there...they have internal rules and regulations if this person goes wrong they are supposed to come up and report to the administration but...they take upon themselves to hit on the other ones will you sit there and be looking at them, you need to rescue the situation by using force to bring them down (Superintendent PC).*

As regards the female male inmates, a prison staff member said:

*The female inmates sometimes misbehave but we don't hit them with strokes. With the women, naturally speaking, we know that they are a 'weaker sex' and it is very easy for us to control them and, in most cases, we counsel them. We talk to them and bring them to order to understand that if you have any difference with somebody, report to the authorities who will take measures and bring the situation under control (Warder PC).*

Concepts of masculinity and femininity are evoked with the men being seen as aggressive and, therefore, stronger while the women, on the other hand, are seen as passive and, therefore, weaker, thus bringing the issue of gender constructions to the fore in prisons. The social analysis arising from the concepts of patriarchy - the notion of men as the dominant 'sex class' - is characterised by the evocation of media images of women as passive, trivial,

and dumb. This is, in turn, why the Women's Liberation Movement recognised that patriarchal power was not only a matter of direct control of women by individual men but it was also realised impersonally through the state (Connell 2002:58). Thus, it is not possible to ignore, the presence of such constructions in a totalitarian institution such as a prison.

### **6.5.3 PUNISHMENT FROM FELLOW INMATES**

In addition to the torture which is inflicted on female inmates by the prison staff they are also subjected to other forms of torture from their fellow inmates. This torture takes the form of severe violence and is often initiated when, for example, inmates break prison regulations and rules, attack another person physically, take something which does not belong to them, refuse to follow the daily routine, disobey a legitimate order or attempt to smuggle into the prison items which are not allowed. Sometimes the kind of punishment which inmates receive from prison staff is transferred onto the inmates. For example, a research participant said:

*If you are in prison and you don't look for problems you will be okay, but if you are in prison and you like problems every day you will be punished, and every day you will not feel free in the hands of prisoners because prisoners will contribute to punish you. In the prison if you do something in the cell in the night, the prisoners will send you inside the toilet and throw water on your body and then you sleep in the toilet inside that water (Mercy).*

The punishment meted out by the inmates is sometimes harsher than that of the staff because the whole group is involved in punishing the inmate in question. This assertion is confirmed in the case of Douala central prison, where the inmates are cruel to each other partly because the penitentiary staff members allow the inmates to exercise control in the prison (Atabong 2008). If trust is to be restored among the inmates dedicated training programmes would have to be instituted. This was confirmed in the workshop training in the Douala central prison which was conducted by an NGO. According to Atabong (2008), these inmates live as a family, eating and sharing everything and they assisted the NGO during the consultation and prepared food for the sick prisoners. Likewise, in Uganda, Neudek (2002) argued that a training course on HIV and AIDS helped the inmates to be friends with each other; it taught them that they were relatives of one another and instilled caring among them.

Insults and accusation are another form of violence which inmates experience in prison. A research participant had this to say:

*The problems were many. The problem that really disturbed me was that there was one mama there who was looking for problems...I avoided her but finally she reached me and she accused me of being a witch in prison. That I am selling with medicine and I have made her own business to slow down...that prisoners are not buying her things. This woman insulted me for more than a month continuously every day. In the morning at times I am still sleeping she will pull me from the bed saying I am this, I am that all through the day, I was pregnant at that time. It came to a point that she said she was going to kill me with a knife and then they had to change our cells (Dorothy).*

The threat to which Dorothy was subjected from other female inmate was real as there have been a number of cases where the inmates have killed other inmates. In one case the violence was so severe that the presence of the prison nurse could not stop the fighting inmates who then had to be admitted to the infirmary where one died.

A female research participant complained about the difficulties involved in living with other women. It would appear that this is a general prison crisis, particularly in view of the example cited above. The inmates often exchange words and fight over trivial matters and, as a cell head; it is extremely difficult to resolve these problems.

Although these inmates fought among themselves they reunited as a group when they had an external enemy, that is, when they thought the prison authorities were infringing on their rights. This, in turn, suggests that, despite the fact that inmates are forced to succumb to the power and control of prison staff members they are not completely without agency. This issue is discussed in the next section.

## **6.6 PRISON RIOTS: FEMALE SOLIDARITY IN RESISTANCE**

Bosworth (1999:128) argues that resistance allows for an appreciation of difference and also requires feminists to include socio-economic factors in their analysis. Resistance entails the construction of power as relational rather than absolute since, by its very nature, the term

indicates the possibility of alternative arrangements (Ibid: 128). In order to demonstrate the concept of relative power the female inmates sometimes assert themselves through prison riots:

*There are times female inmates unite for a common cause. They forget their differences and strike. That is they will lock our gate. The gate is locked from outside, they will also lock inside. That means if they (prison authorities) want somebody from inside to go out she cannot...there are times that the guards need to come in and make rounds. In such a time it is impossible for them to come in when there is a strike. At such times nobody comes in or goes out. The inmates will be beating containers to attract the attention of the staff (Dorothy).*

I asked the question as to the reason why female inmates strike. A research participant answered as follows:

*Something happened, I don't know what the inmate did but it was not anything serious and then the guard just decided to beat her. They were two of them... well beaten...then the women were angry...they said they wanted to speak to the superintendent and, if he is not coming, they will not stop the strike. There are places the superintendent comes and stands. So the superintendent came and stood up there and then the female inmates told him their complaint. He then promised that he will treat the women well... there was also this particular guard, he is very arrogant, he will abuse, insult, make you feel that he was there when you were committing your crime. To be his friend you have to give him money. At times when somebody comes to visit you he will refuse that you should come out (Dorothy).*

This narrative throws light on the two major grievances which were presented to the superintendent. These grievances included the beating of two female inmates who had not done anything serious and the arrogance of a prison guard towards the female inmates. In order to arrest the strike the superintendent promised to treat the female inmates well and the prison guard was moved to another post because the female inmates had insisted that they did not want that guard. Thus, the superintendent took immediate action in order to arrest the strike. As the female inmate had requested, “*The prison guard was no more at the women's gate.*” Female inmates coming together to strike is not only a coping mechanism or an

expression of solidarity in attempting to adjust to imprisonment but is a means of resistance and is indicative of the prisoners' agency. According to Kruttschnitt and Gartner (2003), women's responses to the carceral setting may be seen as critical aspects of their attempts to retain a sense of self and an identity in an environment over which they have limited control and in which they have few means of expressing active resistance.

The research participant reiterated the fact that the female inmates are united when it is an external enemy. She narrated another episode that had almost caused a strike:

*Like this girl who died there in prison, she was sick and did not tell anybody. When she went to hospital the doctor told her that they have to put her on anti-retroviral drugs. She refused, she came and stayed there and became sick and she was coughing and then she did not tell anybody...so now the inmates felt the doctor is not doing anything about it (Dorothy).*

In this case, the research participant explained:

*The inmates now decided and formed a delegation to go and confront the doctor and find out why she doesn't want to treat this girl... the doctor asked the girl to tell us what is happening. It is three years that they told her that she is HIV positive and she refused the drugs offered to her. They contacted Central Hospital Yaoundé, they sent a staff from central hospital to come and take the girl but it was already too late, she went out but the same day she died. It was only with this explanation that the female inmates set the medical doctor free otherwise it would have been another strike (Dorothy).*

The narrative of Dorothy confirms the viewpoint of Bosworth (1999:45) that, if a prisoner does not perceive that he/she is being treated with justice, he/she will legitimately feel debased, he/she will bear a grievance and he/she will be a difficult prisoner to control. The female inmates have limited confidence in the prison staff. According to Kruttschnitt and Gartner (2003), women's attitudes towards interactions with prison staff members appear to reflect the realities of having to contend with both good and bad staff members and the feeling that they derive from being constantly subject to custodial control. The majority of inmates feel it is more important to earn the respect of their colleagues than the respect of the

staff. The interview with a female inmate in Cameroon cited above highlights the fact that inmates resist when their rights are not respected in prison. They may then resist as a group, thus manifesting agency as a characteristic which I had earlier identified in female inmates resisting prison life.

## **6.7 CONCLUSION**

The government of Cameroon and the human rights officials have not ignored the various forms of torture taking place in detention centres and prison yards and, in fact, the officials of the UN Sub-Regional Office of Human Rights and Democracy in Central Africa, representatives of the Ministries of Justice and External Relations, human rights foundations and NGOs have all decried any act of torture, mental and physical (Nkematabong 2005). Specifically the representative of the Ministry of Justice has admitted that much has been done to eradicate torture. According to her, traditional rulers, police and gendarmerie officials have been sentenced for acts of torture while the immunity of a parliamentarian was lifted to enable the parliamentarian to stand trial for the death of a politician. However, despite the efforts made by the government and related bodies to eliminate torture, relevant policy is not matched in practice and Cameroon is far from meeting international standards.

It may, however, be said that punishment is gradually diminishing in Cameroon prisons, thus confirming Foucault's assertion about modern penitentiaries. Nevertheless, aspects of the old regime represented in Foucault's argument of the condemned body still exist in various forms in Cameroon prisons. For example, even though punishment is no longer focused on the physical body of the condemned or the soul of the individual, physical punishment still takes place in Cameroon when inmates are shot, injured and killed by prison guards under the guise that they wanted to escape (AI 2013). Thus, the actions of the military towards inmates during the August incident are not unusual but, rather, a regular occurrence which merits attention.

The next chapter will explore the issue of sexuality, including same-sex sexual acts, in Cameroon prisons.

## **CHAPTER SEVEN**

### **SEXUALITY IN CAMEROONIAN PRISONS**

#### **7.1 INTRODUCTION**

According to the World Health Organisation (in Izugbara 2011:533), the definition of sexuality includes several elements: “Sexuality is a central aspect of being human throughout life, which encompasses sex, gender identities and roles, sexual orientation, eroticism, pleasure, intimacy and reproduction. Sexuality is experienced and expressed in thoughts, fantasies, desires, beliefs, attitudes, values, behaviours, practices, roles and relationships.” While sexuality may include all of these dimensions, not all of them are always either experienced or expressed. This chapter also discusses power relations and power structures within the discourse of sexuality in prison.

Sexuality is influenced by the interaction of biological, psychological, social, economic, political, cultural, ethical, legal, historical, religious and spiritual factors. The ‘Iron Gate’ depicted in Photograph 6 (Chapter 5) is symbolic because all the transactions and sexual favours between the male and female inmates were negotiated through this gate. This chapter also demonstrates the link between sexual relationships, intimacy and care as instigated by the privilege which allows women to cook their own food and facilitated by the money provided by the male inmates.

The practice allowing female inmates in Cameroon to cook for themselves is almost unique in prisons, where it is customary for the prison to cook for all its inmates. Although there are exceptions such as Hameenlinna prison in Finland where, according to Talvi (2007), there were prisoners observed cooking their own food in their own small kitchen. In addition Middle East Watch (1993) had reported that, in prisons in Egypt, the inmates had makeshift ‘stoves’ on which they were free to cook the meals of their choice brought to them by their relatives. Although the issue of food was discussed in chapter 5.6, cooking is also relevant in this context as it may, at times, be related to the issue of sexuality in prison where male and female inmates often exchange sexual favours for food and money.



Other subsections in this chapter discuss power relationships, sexuality and sexual satisfaction; the right to parenthood and sexual satisfaction; sexual offences in prison and homosexuality in Cameroon prisons.

## **7.2 POWER RELATIONSHIPS, SEXUALITY AND SEXUAL SATISFACTION**

The power relationships observed stemmed from the fact that the male inmates have access to resources such as money but they have to eat prison food which they describe as poor in both quality and quantity. In fact, some of these male inmates will not eat prison food although they have no facilities with which to cook their food in prison. The female inmates requested raw food from the prison to cook to their taste while the male prisoners do not enjoy that privilege. Although the facilities are available in the prisons, the male prisoners have not formally requested the right to cook for themselves as the female prisoners have and, even if they did request such permission, it may not be granted because of the large numbers of male prisoners. They have to eat the food cooked in the prison irrespective of whether it is well prepared or not. However, they can decide to buy their own food and cook just as those who operate restaurants in prisons. However, the male inmates believe it is the role of the woman to cook and so they express their manhood by providing money to their ‘female lovers’. Accordingly, provision of money becomes a significant criterion for masculine identity in the prison setting. In this regard, a research participant had this to say:

*My uncle has been complaining that I have so many boyfriends in prison and that I should behave myself and not disgrace him. But I tell him these relationships with these guys cannot go anywhere out of this prison, all I am doing is survival of the fittest. I need to survive in this prison by having boyfriends who can care for me here, I don't care the number. Provided they can buy me food when I am hungry or give me money to prepare a dish. I don't know why my uncle is worried; I can never fall pregnant for these boys because there is no space for that to occur. The best I can do for these inmates is to show them my face or [give them my]breast for them to touch once in a while and sometimes they ask me to open my vagina and buttocks for them to see and that is all and I get what I want... I will stick to these guys (Brandine).*

This narrative reveals the research participant as a woman who has the power to cook and also to expose her body parts at the request of the male prisoners. The latter is clearly the

source of sexual satisfaction they require to sustain the relationship. The roles which the female inmates play give them agency and so they will do anything to maintain these relationships.

The concept of sexuality also emerged as a prison discourse during the interviews when I asked the question “Is there anything I have missed in this interview?” Sheila immediately responded with a question “Have you never heard about some women who are always pregnant in prison?” She then added:

*...when I came here there was one girl called Esther, she was pregnant...when she got pregnant... I heard that she had that pregnancy in prison with [male] a prisoner who escaped because he could not bear the consequence. He could not bear the torments, the insults, so the boy had to escape but the girl was here because she was already jailed, she had torments, insults every day (Sheila).*

*...sometimes when we go to church on Sunday some women, when they have their rendezvous with men, they will say they are not going to church...they will stay behind and, you know, there is no fence here, they will come in and meet with the woman and go away?(Sheila).*

The narrative suggests that even the church services women appeared to really enjoy were sometimes compromised when these women had appointments with the male inmates. This is because it would appear that the time of the church services was the only convenient time at which they could meet with their boyfriends as all the other prisoners were meeting in the church hall. This period was also convenient because, according to both international and national policy. Inmates may not be compelled to be affiliated to any religion if they chose not to be.

The research participant made it clear that the porous nature of the fence at PC was partly responsible for the sexual relations in the prison and further explained why the pregnant experienced problems with the wardresses:

*...she went through torments because she had to lie that she was not pregnant, the pregnancy started growing and after people started shouting at her “You said you*

*were not pregnant what is that in your stomach” ... The girl was lucky that the decree (presidential clemency) came and removed her and now she has a baby boy and she called us and said she has given birth to a baby boy (Sheila).*

The same research participant also referred to another female inmate who also had sexual intercourse in the female cell and became pregnant. However, she had been discharged before delivery:

*There was one small girl, I hear, she is ‘bayangi’,<sup>16</sup> she had sex with a boy inside here too and then she was also pregnant, is just that her sentence was very short. She had six months imprisonment so she had worked the imprisonment and go out with the pregnancy (Sheila).*

It is clearly possible to become pregnant in this particular prison because, when the other female inmates are out of the cell, “*a cheap woman can just invite her boyfriend to come and sleep with her*”. It is significant that the research participant described female inmates who engaged in sex in prison as ‘cheap’. This, in turn, is linked to the patriarchal discourses which hide women’s sexuality while there is a vast network of control mechanisms to keep the sexual desires of women in check. When asked why she had called the woman ‘cheap’, she said:

*She is cheap because nothing can interest me in this type of a place, to even have that time to think of sex...it doesn’t mean that we do not interact with men. I, myself, I interact with a man, but I cannot go to that extent of having sex, I will tell you, if you like me, allow me to finish this imprisonment before we can meet outside one day. If you are given me money or food because you want sex with me, you better take your money and your food and go with it, let me stay (Sheila).*

Thus, according to Sheila, female inmates who succumb to sex in prison are cheap. She is clearly of the opinion that sex is not something an inmate should be thinking of while in prison, particularly in view of the problems that may arise. To this research participant food and money are not sufficient reasons for a woman to have a relationship with another inmate

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<sup>16</sup> An ethnic group in Manyu Division of the South West Region of Cameroon.

as she believes it is possible to wait until after imprisonment if there is true affection for a particular inmate. The judgemental position of this research participant echoes Foucault's theory of gendered bodies as the product of the disciplinary practices which operate in prisons and other institutions. The research participant is manifesting the type of knowledge which sorts people into categories and which are interwoven with the techniques of social discipline that police their bodies (Connell 2002).

Sheila further raised the issue of male inmates giving their female counterparts money to cook food for them but with a hidden sexual agenda. *"They will start to give you money and, along the line, if you are cheap then they will have sex with you."* The notion of men giving the female inmates who are their girlfriends money to cook for them and to share is reminiscent of the male breadwinner model which depicts the housewife pattern of social control and a male breadwinner (Connell 2002). This argument is no different from that of Gillombardo (in Owen 1998), which suggests that the needs of women in prison are based on the family and kinship structure with the women taking on family roles such as wife, mother or sister. In the context of this study the boyfriend/girlfriend relationship fits this description. According to Owen (1998), the main reason for this is that imprisonment prevents women from attaining the traditional goals of being a wife or a mother and, therefore, the social order in prison provides an alternative way in which to realise these internalised expectations.

Apart from the sexual relations which are facilitated by the gate (see 'iron gate', chapter 5:14), the female wing is often used by the male inmates in order to escape although this may have repercussions on the female inmates:

*In this prison escape is not so difficult because there is no fence. Look, in one place there, you can even force yourself. Most of the escapes in this prison the men pass through the women's wing before they go. Sometimes when they are escaping in the night through our section we, the female inmates, are shivering inside here because they can come and even harm or rape us before going. The last time they had a massive escape here by 7 pm we were still watching TV, we heard them on the zinc, walking on the zinc, we were shivering because they can come to rape us and do anything before leaving (Sheila).*

Alvine also confirmed the fact that male inmates had been coming to the female cell until the female cell had been well fenced:

*It doesn't happen in PD. But, since I came to PC, I heard it was taking place when the Catholic father had not build the female section and fenced it well. I heard that women were getting pregnant in the prison and it was the men jumping from their section and coming to impregnate the women in their section. But now that the father has fenced the compound the men prisoners can no longer enter the female section (Alvine).*

However, despite the fact that the Catholic chaplaincy had ensured that the female section was fenced, the inmates still devised ways in which to express their sexuality by digging holes in the prison walls:

*I remember that when we came the father sent some people to cement all the holes dug by the prisoners for sexual purposes. They have cemented all the holes, that is why the prisoners don't have the means to do that again. The place where the prisoners used to have sex has been converted to a solitary cell for prisoners and warders (Alvine).*

A prison administrator also confirmed that the inmates had dug holes for their sexual purposes, but the prison had later been fenced to eradicate this problem:

*Well, I have worked in a good number of prisons. I witnessed it in a prison where some male inmates had to break through a fence. They had to clave a hole and then went to the female quarter and the result was a pregnancy and that is why here we had to do everything possible to put a fence and I have always told the staff working to make sure that no male staff nor male inmates is found in the female wing and no female inmate be allowed to stray in the compound because one can never tell.*

If sexual relations are to be regulated in prisons then it is essential, for example, that the porous fence in PC be renovated and, if possible, all Cameroonian prisons experiencing similar problems. This would ensure that the female inmates would be protected and feel secure as the male inmates would not be able to escape through their wings.

Irrespective of the precautions taken by the prison administrator, while conducting my interviews at PD, I noticed the male prisoners freely entering the female wing on a particular day. However, these were the brothers of a group of sisters who had been arrested together for the murder of their father and were being detained at PD. I also observed the same situation in PA where the uncle of one of the female inmates barged into the female wing and started quarrelling with his niece. However, despite these personal observations, the prison administrator of PD insisted that a male inmate may enter the female wing only if he is accompanied by a wardress.

It is obvious that the men, as Sheila said, start negotiating for sexual favours by promising money for food before revealing their real intentions. This is evident from both Alvine and Bih's experiences:

*I know that there are women who receive money from men to prepare food for them. They do open the gate and send juveniles to give the food to these men. This is because, when you cook for this man, you will also benefit and eat because maybe the woman didn't have something to eat. So, when she accepts to cook for the man they will share the food together. In that way you have helped each other (Alvine).*

*I told them that how can they ask me out when they, too, are prisoners. They said no while here they can be helping me as a prisoner just as I will help them. I asked that in what way can you help the woman? They said they can be buying something like food and then you cook and give their own and, if you go out of prison and you are a good person if you as the woman goes out you can remember them and come and visit them because nobody knows until you see the end (Bih).*

The narratives cited above clearly reveal that male inmates use providing food as a preliminary step to soliciting sexual relationships in prison. This, in turn, explains why Bih feared pregnancy when the male inmate was negotiating to find a girlfriend who could cook for him and maybe visit him if she were released before him. However, Bih was afraid that accepting a male inmate's request to prepare food for him may result in her becoming pregnant while still in prison:

*...when they tell me like that I tell them that I came here for something else and the matter has not yet been handled ... I don't want another problem on myself. The boys ask...what kind of problem are you talking about? I told them about a girl who became pregnant here in prison and I don't know how she got the pregnancy and the consequence is when the girl leaves the prison her question will be should I give birth or go back to school and that will be confusion for her. I don't also want to become a victim (Bih).*

The discussion between Bih and the male inmates shows that the men are not only looking for sexual favours but also support, particularly as the sentences of most of the female inmates are often shorter than those of men. Therefore, engaging in a sexual relationship with a female inmate may reflect a long term project that may even continue after the female inmate has left the prison. This, in turn, may also reflect the issue of visiting, particularly in view of the substandard nutritional, health and hygienic facilities in prisons, the inmates have to rely on their relatives and friends as much as possible. The need for support from outside explains why some wealthy male inmates who are incarcerated with their girlfriends in the female wing, do everything to help the female inmates financially to pay their fines if these female inmates have shorter sentences:

*Like some of them when they have their girlfriends who are caught with them, if she has a smaller sentence and she has a fine to pay they will do everything for her to leave so that she can be taking care of them while they are in prison (NGO research participant PE).*

Alvine, on her part, does not imagine any sexual relationships arising from the male inmates giving their food to be cooked by the female inmates, while Angela thinks this would be impossible because of the strict separation between the male and female inmates in the prisons. To Alvine the inmates are helping each other with no strings attached:

*Yes, they used to give the money for cooking but those women don't have anything to do with the men because they don't have the means to meet sexually (Alvine).*

*No, such things are difficult because, first of all, we are separated. We are not together with the men. We have our female wing separate and then men have their*

*own section. Yes, when we are going to church, you know we go to church sometimes and so we mix with men. But at that time we have prison guards all around us to supervise. So those kinds of things are difficult to come by (Angela).*

However, after further probing Angela did open up to say that the boyfriend/girlfriend relationships did sometimes occur to help adaptation to prison life with such relationships helping the inmates to overcome stress. Angela also confirmed she had a boyfriend. Nevertheless, Angela denied the allegation that the male inmates touched the female inmates through holes dug in the prison walls. Her denial was based on the fact that all the holes which had previously been found in the prison walls had all been closed by the time she was incarcerated:

*Yes, things like that happen because there are girls who have boyfriends. It happens so that you can occupy yourself in prison...you don't think a lot. It does not mean that when they tell you they have boyfriends they have sexual relationships. There is no sexual relationship. They do not touch themselves. The highest we can do is to dialogue when we hang at the door. That is all. If somebody decides to take care of you as a man he will do it with that. He will give you money to cook and then you cook and give his own (Angela).*

When asked if she had a boyfriend, Angela responded in the affirmative smiling “A *no fit lie you yes*” (she spoke in Pidgin English instead of French this time). She indicated that the male inmates no longer enjoyed the privilege of touching the body parts of the female inmates because of the construction of an iron gate with just a small hole through which the men were happy just to see the faces and the smiles of the female inmates.

The use of the communication space (hole) in the female inmates’ gate which is depicted in Photograph 6 was corroborated by a prison staff member who said:

*...there is no way where you can break through the door and enter there. They only converse through a hole that is at the middle. They only see their faces the other end and they converse except they jump and it is difficult for them to jump...here the hole is right up that even to see with the eyes you have to take up your heels to see the*



*person you are talking to... they could display their body parts where the holes are right down (Superintendent PA).*

However, Dorothy emphasised the fact that, despite the fact that the holes had been blocked up in PC and PA, the inmates still negotiated sexual relationships through holes, letters and telephones at PF:

*That one is another long story, the system is in a way that, there is a language that if you are not from there you will not understand. This one they call 'rada' when you go to prison and you hear a woman saying "'mon rada' take it that means they have boyfriends with whom they don't meet, they don't have sexual intercourse but in their phones, so the man is there and she is here and they are trying like making love to themselves (Phone sex) (Dorothy).*

It is possible from Dorothy's narrative to detect that the desire for intimate relationships may be expressed in different ways, including letters and cellular telephones. Phone sex was, thus, a new concept which the female inmates had introduced at PF and which has implications for Cameroon prison regulation that prohibits the possession of cellular telephones in prison. It is clear that the inmates in this prison are subverting the Cameroonian prison regulations that prevent them from having sexual intercourse and also carrying cellular telephones. The inmates had invented ways to express their heterosexuality through emotional attachments and commitments in letters, via telephone and by cooking:

*Over the phone and then they write to themselves, that is what occupies them. They are writing letters and one thing that I really sold in prison was papers and envelopes whooooooh!!! It is a society, it is organised, at the boys quarter at every gate there is a prisoner standing there. He will allow you to go out if you give him 25 francs and then we have messengers, people who are in charge of depositing those stuff. They will come here but you know that they don't open the women gate anyhow. But there is a hole beside the gate so, when this guy comes, there are some girls by the gate too who are always around, so whenever they call somebody goes to the gate ...And he will say I have this and so call me this person and so that girl will call that Angel they are looking for you. That one will come and take the letter through the hole or this one will say he has said this and they even cook for those boys. Those boys, some*

*have money, now they will give the money in the evening like a man is giving money to the wife, she will now make the food and there is a time she will knock at the gate and there is somebody special he takes the food and goes and gives to the boy. It is a society... (Dorothy).*

The question of the inmates breaking out in the prison wall in order to have sexual intercourse was confirmed by a prison staff member who explained:

*That is an experience I personally had ... there was an elderly lady a few years ago who caught a prisoner like that. They had a hole from the wall and then the female prisoner, I don't know how they were communicating but the female prisoner went as if she was going to urinate and then this man was behind there just looking at her. That senior staff just saw the male inmate just behaving a type and then when she came nearer she discovered that there was an inmate somewhere there with her buttocks open and then the man was, just, in fact, all those things they happen (Prison superintendent PA).*

Another prison staff member stated *"I cannot say they are human beings and you cannot stay for so long because there are some of them for about five years here, they are human beings"* (Prison superintendent PC).

Dorothy further indicated there are inmates who subvert the prison regulations outright with the complicity of the prison staff. These inmates would give money to a prison staff member and the prison staff member would permit the male and female inmate to have sexual intercourse in front of him/her. The female inmate concerned came and boasted about it in the female cell. The attitude of this female inmate corroborates Bosworth's (1999:128) assertion that the attention which women pay to their physical appearance and their sexual relationships with other prisoners are central aspects of the resistance to imprisonment, rather than reactions to the deprivations inherent in prison life and accommodation to prison life. This is demonstrated in the following narrative:

*Yes, here in prison, this boy will come and give money to the guards in charge... but this particular woman or girl that boy will come and give money to the guards, some of the guards, not all of them, he goes out, I saw them with my eyes one day, I was*

*having a visitor outside and they make love there in front of the guards, so the man stands. That girl, she just pulls her dress and that boy brings his penis out and they do it there because they have their amount that they pay, I don't know how much. And then they do it there and then she goes and this little girl whenever she goes out and does it, when she comes back she will say 'you have been saying that I am in prison I have done it, go and report me' (Dorothy).*

This illustrates that, despite the fact that Cameroon prison policy deprives the inmates of having sexual intercourse; the inmates have managed to devise other ways to defying the prison rules with the assistance of corrupt prison guards. The corrupt attitude of the Cameroonian guards is similar to that of the corrupt wardens in South Africa. Niehaus (2002) describes how wardens in South African prisons organised women for the prison gang (Ferreiras) at an exorbitant fee. This concept of subversion is reiterated in the following statements:

*I know in this prison also some people have permission to go out but it is strange that there are some prisoners who have never gone out but their wives come there and some have had three or four children [she laughs] (NGO research participant PE).*

*We sent prisoners...female prisoners in the church. They were doing their choir practice but one inmate who had an intention of going out with one of the prisoners went and fraud a paper, this visit cards and brought it to church,...that girl has a visit so that the girl left the church now and came for the visits. Instead of her coming to the police post she went but to the minors quarter where the boy followed her there but, before they could undress, there was one other minor who saw them and raised an alarm and disturbed them from carrying out their act (Prison administrator PC).*

This research participant also sympathised with some of the inmates who had been sentenced to life imprisonment as this affected their sex lives. Despite the fact that these inmates had committed a grave offence, the research participant was of the opinion that they should be given an opportunity for their families to come and spend a week or two with them in prison. This is what she had to say:

*I remember thinking the other day...this man has been condemned to death, all his life he will stay in prison, it has to do with his sexuality and it bothers him so much, what*

*does he do? You know he has done one thing; it is true he took away somebody's life but when you are condemned also you are prevented from your liberty, but then it is so far-reaching at the end of the day. In some prisons that I have visited in other parts of the world they allow their wives to come. They can come and spend a week or two especially...the church in the Philippines. Their wives and their children can come and spend some time with them. You identify how you will get your privacy but they allow them to come... (NGO research participant PE).*

The sexual tension that results from the sexual deprivation of the inmates was emphasised by some of the prison staff:

*We have been punishing them and, you know with men, they have stayed for years without having sex with a woman and so on. They just force themselves and say "massa a be want just for follow water"<sup>17</sup> (Prison administrator PA).*

*I just want to tell you that God created human beings in such a way that there is that urge, eh...from experience there are these women and the men who usually crave, you know that animal instinct...they can have their relationship out of prison and not within the prison because there is just no way they can do it in prison, when they go out for work, it suffices that you go behind that you want to go and fetch water to go and harvest vegetable and if they have an opportunity it goes (Prison Administrator PA).*

The narrative of the prison administrator confirms sexual release as a natural, irresistible biological function that cannot be evaded but is a social construction. The narrative also suggests that there are times when all men experience sexual tension. This is similar to Moodie and Ndatshe (1994:128), who quotes HS Cooke that the 'evil' at the root of migrant labour in South Africa was "the natural tendency of the male animal to give expression to his desires."

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<sup>17</sup> Sir, I wanted to release some of the sperms.

The suggestion of the NGO research participant regarding conjugal visits in prison corroborates the suggestion of an inmate who, when asked what she would like to change if given the opportunity, explained:

*I will like the government of Cameroon to do for the prison, particularly PB, that young girls like us sentence for 14 years, others 7 years and 8 years...the government should give women the advantage when they are married to meet their husbands, so that if it is a matter of conceiving you can take in and have your children while in prison. That is what is tying us down because we have the anxiety to get husbands or boyfriends to make our own family. So if the government can provide that for women it will be a good decision (Hedwig).*

According to Hedwig, the inmates should be accorded the right to parenthood and those who are married should be permitted to meet with their partners once or twice a month. However, when claims concerning rights are voiced the following two questions arise. Does the person claiming the right have a legal claim? And is the right sufficient to compete with conflicting considerations? (Statman 2003). In the case of this study it is clear that the right of this research participant has been deferred both internationally and nationally. In other words, once imprisoned an inmate's right to freedom is withdrawn and the inmate does not have the right to lay claim to parenthood which deserves special protection. If correctional policy allowed the inmates to establish their own families in prison, who would take responsibility for the children, particularly in view of the fact that most of the female inmates do not work in prison and are not likely to obtain employment immediately upon release.

The research participant also mentioned the concept of sexual satisfaction in her narrative. She would like the government to allow the inmates to have boyfriends and be given the opportunity for sexual relationships. However, sexual satisfaction means different things to different people and it is rarely defined in scholarly articles. According to Swartz and Young (2009:1), the measure of satisfaction is merely a question: Are you satisfied with your sexual life together? How happy would you say you are with your relationship right now? In the context of the prison, to talk about sexual satisfaction among the inmates is bizarre because, even if conjugal visits were permitted, the time allocated may not be long enough to enable sexual satisfaction. Nevertheless, to an inmate the shortest time given to satisfy his/her sexual urge and conceive as requested may relieve mental tension. This is in line with Swartz and

Young (2009) when they argue that there is a correlation between satisfaction and happiness and mental and physical health.

Apart from inmates forming relationships in order to satisfy their sexual urges – sexual satisfaction - some adult inmates sometimes force female minors into sexual relations against their will. This was reported by Alvine who stated “*She opened the gate and gave a small girl that was locked up to a male prisoner to sleep with her in the male section. When the prison staff heard of it, they punished her*”. Although this appears to be an isolated example in the context of this study, it does, however, reveal what maybe happening in other prisons in Cameroon if further research is undertaken based on whether the older female inmates enjoy sexual satisfaction through the younger inmates.

The action of the adult female inmate in respect of the female minor is indicative of the fact that prison policy on classification is not respected in Cameroon, with female minors often being incarcerated with adult inmates. However, the prison staff explained that a lack of infrastructure made this unavoidable and that strict punishment is meted out to any adult inmate who takes advantage of a minor.

### **7.3 SEXUAL OFFENCES IN PRISON**

Another theme which emerged from the narratives of the female inmates relates to sexual offences in prison and, in particular, rape. The interpersonal relationships between the female inmates and the prison staff revealed that prison staff sometimes take advantage of the female inmates’ vulnerability in prison. An inmate at PF said:

*I have not heard of any case of guards raping or harassing. I know there was one girl who was being suspected of going out with one guard but not rape, I don’t know if it is true, but... the prisoners, whenever they are angry... they go out from their quarters and they want to come and enter the women’s quarter to steal and rape (Dorothy).*

Dorothy’s narrative is indicative of the fear of gender based violence. As in the community men were often portrayed by the research participants as sexual aggressors. As Sheila had reported in PC the participants clearly feared the possibility of rape, especially when the men were escaping from prison. This fear on the part of the female inmates was confirmed by the

prison guards and the NGOs who reported that there were incidences of rape among the inmates in Cameroon (USDS 2011). In fact, in 2007 when the prison staff were striking against poor working conditions, some of the male inmates at the Kondengui central prison went on the rampage and broke into the female wing and raped several female inmates before escaping (Afrol News 2007). However, the female inmates have clearly learnt to cope with this kind of situation by hiding during incidents of escape and, thus, demonstrating agency.

The inmates were aware of relationships between the male and female inmates but were not certain about what happened between staff and inmates. Most of the staff interviewed denied the existence of such relationships. However, there were allegations of rape, despite the fact that the inmates at PB, including the NGO representative working with the inmates, thought these involved consensual relationships and not rape. They argued that:

*Well, I don't think that we have any problem of sexual harassment in this cell. But last year one lady confessed to us in the cell that she had an affair with a prison officer and it was alleged that she got pregnant and she was taken out and I don't know what transpired after that. But the staff members were trying to cover the secret...but I am not certain since I never saw the pregnancy grow (Ethel).*

*Well, you know, I heard that story myself... the girl in question talked to me and gave me her own version of the story but I think it was more consensual...because even the other women prisoners had told themselves and said we are all locked up. If she had made an arrangement with the guy to come at a certain time in the night and sneak out and do it quietly, then how does it turn into rape. Because if it was something forced everybody would have heard. Because all of them are inside one room so I think it was more consensual (NGO research participant PB).*

Something may have happened between the prison staff member and the female inmate but the theory surrounding rape cases had worked against this inmate who had not been believed by even those closest to her. Although one of the inmates to whom she had complained had given her the assurance that she was not the first to be raped. The research participant explained her situation as follows:

*It was on the 15 May 2008 that one warder called me and, when I came, he said I should come to the office. He later took me to the cell where the female wardress sleep and raped me. I couldn't complain to anybody because I was afraid that I will be beaten. I missed my menses. I complained to one of my prisoner friends who told me that this situation had happened to another prisoner who was here before me. She said this prisoner was raped by a warder (Therese).*

However, no one would believe Therese. In any event, the criminal justice system is not equipped to deal with allegations of rape while cultural prejudices blame and disbelieve women (Monckton-Smith 2010). According to the inmates and the NGO research participant PC, Therese could have prevented this situation if she had taken greater care, raised alarm or indicated that there had been force. In addition, some of prison staff indicated that it was common for prison staff members to be in relationships with the female inmates but only in the prisons in which the female prisoners shared toilet facilities. However, in most of the prisons in the study, the toilets and other amenities, such as kitchens, were located in the female wing which has one door only and the key is in the care of the yard mistress.

Even when there was strict classification of prisoners, one of the prison administrators stated “*You can never know, so we discourage such relationships and, sometimes, if a staff is caught harassing a female inmate, he might lose his job*”. The position of this prison administrator is in line with the viewpoint of the superintendent of the Bedford Hills Correctional Facility in the United States of America who, as earlier mentioned, believed that it is not possible for incarcerated women to consent to meaningful sexual relations with staff members (Taylor 2004:75-76).

This section discussed the issue of sexual offences in prison. Although the female inmates in this study had never been raped by escaping male inmates, some of their predecessors from PF and other prisons in Cameroon had experienced such an incident. Their narratives also mentioned a prison staff member raping a female inmate in spite of the fact that the act was judged as consensual. Apart from the sexual offences in prison which are punishable under section 296 of the CPC, homosexuality is another offence which is punishable by this same code under section 347. The next section will discuss the issue of homosexuality.



## **7.4 SAME-SEX RELATIONSHIPS**

The concept of ‘homosexuality’ has become a ‘catch-all’ phrase in Cameroon public today. Homosexuality evokes contempt, stereotypes, and prejudices against those who have chosen it as a sexual preference, even if they are consenting adults. However, this is in contravention of all instruments and conventions which Cameroon has ratified and which support section 347 of the CPC that criminalises same-sex sexual acts. Same-sex acts are punishable by imprisonment for up to five years and a fine of up to 350 U.S dollars. Those individuals who are predisposed to same-sex sexual relations in Cameroon have lost all protection, even from the National Commission for Human Rights and Freedom (NCHRF) which is charged with the responsibility of protecting the rights of individuals. Indeed, senior NCHRF officials argue that lesbians, gays, bisexuals and transgender and intersex individuals (LGBTI) should change their sexual preference in order to avoid being arrested and punished as prescribed by Cameroon criminal law. In common with the dictates of the Ministry of Justice, this argument of the NCHRF is based on the premise that Cameroonian law reflects the religious convictions of most Cameroonians as prescribed by both the Christian Bible and the Quran. However, such stipulations ignore the fact that international human rights standards protect the right to freedom of religion and thought of all ‘individuals’ under the jurisdiction of the government, including those who do not adhere to a majority or any particular religion. If same-sex relations are openly stigmatised in a free society then what is the position of ‘homosexuals’ in prison? This issue will be discussed in the next subsections, beginning with the conceptualisation of the terms *homosexuality* and *lesbianism*.

### **7.4.1 CONCEPTUAL UNDERPINNINGS**

According to Kiragu and Nyong’o (2005), homosexuality is the term used to describe people who are physically, emotionally and sexually attracted to people of the same sex. The term lesbianism refers specifically to women who are emotionally, physically and sexually attracted to women, and who identify themselves as lesbians. In the context of Cameroon, sexuality is influenced by religious fundamentalism, which emphasises heterosexuality as opposed to homosexuality, thus making homosexuality a criminal offence. In fact, homosexuality is regarded by most Cameroonians as a taboo. This is reflected in some of the responses of the female inmates which are essentially homophobic:

*For what I have experienced is that, when I came, I was told by the [former] prisoners that lesbianism existed. But the prisoners in the cell today are children of God and so do not behave like that (Christie).*

*Ehhh!!! No, this does not happen amongst women, I have never seen it for my three years in prison. Maybe because we are not many. We are just six of us (Alvine).*

The responses of the research participants reveal that Christians are prohibited from practising either homosexuality or lesbianism and this, in turn, explains why the female inmates were shocked at my asking a question based on the subject matter. There is a power struggle between the various forces in the prisons which aim to prevent the inmates from engaging in homosexual activities and those forces that apparently do mind about what the inmates do as far as their sexuality is concerned. The attitude of the research participants is not surprising because the position assigned to sexuality by law is being deployed by the instruments of state control and dominance. For instance, the criminal legal systems in most African countries attempt to regulate how, when and with whom the citizens have consensual sex. Thus, the criminalisation of homosexuality affects all males and females who do not conform to the dominant discourse on heterosexuality (Tamale 2011).

The homophobia demonstrated in the narratives of the research participants is embedded in the discourses on 'heteronormativity' and which are widely used in contemporary political, social, and critical theory to describe the socio-legal, cultural, organisational, and interpersonal practices that derive from and reinforce a set of taken-for-granted presumptions relating to sex and gender. These include the notions that human beings fall into two distinct and complementary categories, namely, male and female and that sexual and marital relations are 'normal' and 'natural' only when people of different genders are attracted to one another. Such attractions may then be publicly displayed and celebrated. Thus, same-sex couples are, if not 'deviant', a 'variation on' or an 'alternative to' heterosexual couples (Kitzinger 2005:478; Kiragu & Nyong'o 2005).

#### **7.4.2 HOMOSEXUALITY AND LESBIANISM ARE 'UN-AFRICAN'**

The growing tide of homophobia which is sweeping through specific countries on the African continent today is being masterminded by the media, mainly newspaper articles, religious

leaders, politicians, and the wider community. Discourses on homosexuality being un-African are dictating the pace at which those practising same-sex relationships would be accepted, especially when these discourses emanate from presidential spaces. For example, President Robert Mugabe of Zimbabwe and Sam Nujoma, his Namibian counterpart, have repeatedly described same-sex, erotic relations as an un-African ‘disease’ which was introduced by disreputable European settlers (Niehaus 2002:77). Both presidents have, on several occasions, threatened to expel gays and lesbians from the body politic. To Mugabe homosexuality is inexcusable on the continent, stating “let them be gay in the United States, Europe, and elsewhere, they shall be sad people here” (Clark 1997:32).

Apart from presidential spaces manifesting homophobia, female parliamentarians also decry the practice of homosexuality as un-African. This is evident in the voice of Sabina Thembeni, the Member of Parliament from Mufakos, Zimbabwe, who indicated that “homosexuality is not African. It hurts us mothers to hear that our children are turning to homosexuality, our children must be punished” (Clark 1997:32). Furthermore, in South Africa, visionaries such as Kenneth Meshoe, charismatic leader of the African Christian Democratic Party, often uses the phrase “God created Adam and Eve, not Adam and Steve” (Niehaus 2002:77).

Similarly, in Cameroon, political leaders condemn homosexuality as a ‘foreign imposition’. In addition to the politicians fuelling prejudices and hatred for LGBTI individuals, the religious leaders also play a role. L’Effort Camerounais, a newspaper of the Catholic Bishops’ conference, reported that, in 2009, the Catholic Church in the Douala Archdiocese had protested against Cameroon’s ratification of the Maputo Protocol<sup>18</sup>. According to the newspaper the Catholic Church is not in agreement with the protocol’s stance on issues of reproductive health and same-sex marriages, which the Catholic Church considers as an aberration (AI 2013). However, this is surprising because, although the Protocol’s article 14 forbids all forms of discrimination based on sex, it does not overtly protect the rights of LGBTI individuals and, hence, the protest was not necessary.

In addition, Moses Tazoh, a writer for L’Effort Camerounais newspaper, wrote that ‘homosexuality’ is an abnormal behaviour that goes against natural law and human

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<sup>18</sup> The Maputo Protocol of the African Charter of Human and People’s Rights seeks to protect and promote the rights of women.

behaviour. Thus, it is detestable and punishable as a crime in most African cultures and countries” (AI: 30). This writer views those African politicians, soldiers, prisoners and some professionals who indulge in homosexual acts as people who are seeking spiritual, political and social power, promotion, status and riches. He does not believe that a man in his right mind would indulge in homosexual practices. This homophobic attitude continues to gain grounds in Cameroon and, in December 2012, the Cameroon Ministry of Justice stated that “homosexuality ... is an unnatural activity that seeks to eliminate human reproduction”. As a result, during the passage of the Universal Periodic Review of the Human Rights Council, Cameroon rejected the recommendation relating to decriminalisation of homosexuality (AI 2013).

That explains why some newspaper articles in Cameroon condemn homosexual practices as un-African and promote the notion that embracing same-sex relationships means indulging in demonic sexual orgies and is a reflection of humanity rapidly sinking into barbarism (Opio 2012:9). Similarly, Bouddih Adams (2012:4), in a newspaper article on Cameroon entitled “Homosexuality: we vote God’s ways” argues that it is through the Bible that Africans come to know of Sodom and Gomorrah and that God turned his wrath against sodomy (homosexuality) by destroying the community of those who were practising it. Despite the fact that Adams could be criticised for essentialism, it would appear that he is deeply convinced that homosexuality is a Western concept. He, therefore, recommends that Western powers should identify homosexuals and transport them to their own countries where the sin is not a crime.

### **7.4.3 AN OVERVIEW OF HOMOSEXUALITY IN AFRICA**

If the above represents the position of homosexuality in Cameroon and on some parts of the African continent, this means that it is heterosexuality that is being celebrated and that any person who does not conform will be punished severely by the law as having committed an abominable act. This supports the argument of Telesa (1995) who states that certain religious institutions have turned sexual expression and practices into an abomination if they are not for the sole purpose of procreation within a heterosexual marriage. Dlamini (in Lewis 2011:208), on his part, writes that African sexuality is defined in relation to reproduction, thus assuming that Africans could not possibly display homoerotic desires or agencies, attributes which are associated with sophisticated human desires and eroticism. The denial of

the existence of same-sex practices in Africa continued until the mid-twentieth century and, thus, colonial and early anthropological representations of sexuality are central to many of the taboos, laws and attitudes surrounding sexuality in Africa today (Ibid). This assertion is in line with Jane Bennett's suggestion that the fact that European and Christian colonial values denied sexual liaisons outside of sanctioned marriage - same-sex sexual display is the reason why homosexuality is considered as un-African (Bennett 2011).

Nevertheless, empirical evidence suggests that homosexuality has always been part of the social fabric of Africa. Mutua (2011) points out that, in Uganda, as in many African states, homosexuality and related sexual practices were criminalised for the first time by the colonial powers. He maintains that there are few African epithets in African languages for gays, such as Kiswahili which mostly derived from the Arabic.

Jacklyn Cook (in Ratele 2011:410) problematised the usage of the terminologies gayness<sup>19</sup> and lesbianism<sup>20</sup> as 'identities' as this practice is politically dangerous and may provoke strong reactions. She argues that "the assertion of a public gay identity is particularly problematic in an African context." In addition, Kendall (in Ratele 2011) found that the notion of 'lesbian' was not helpful in understanding female-female relationships in Basotho. Kendall found widespread, apparently normative, erotic relationships among the Basotho women, although these were not defined as sexual, and not a single Mosotho, to Kendall's knowledge, defined herself as a lesbian. As a result, Kendall (in Ratele 2011:410) concludes that "love between women is as natural to Southern Africa as the soil itself, but that homophobia is a Western import." She reiterates the fact that Basotho society has not constructed a social category 'lesbian'. To her, Basotho women define sexual activity in such a way that makes lesbianism linguistically inconceivable. This research study also found examples of same-sex relationships - see discussion below.

#### **7.4.4 SAME-SEX ACTS: A REALITY IN CAMEROON PRISONS**

*I remember that, when I was working in the Northern part of the country, inmates used to confide to us that there were some people who were harassing them in the*

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<sup>19</sup> Has come to be referred to as "men who have sex with men" or MSM (Ratele 2011:410).

<sup>20</sup> Refers to "women who have sex with women" or WSW (ibid).

*night and that they will sleep and they will come and start caressing them. Usually it is prisons in the urban areas, not rural areas like PD... but I make sure I educate the inmates on such practices, that is why we have beds. I always insist that the beds be separated. No two beds are put together because it can lead to such practices (Superintendent PD).*

The narrative of the superintendent suggests that the fact that inmates were being caressed at night was an indication of the existence of homosexuality and lesbianism in Cameroonian prisons. However, the superintendent indicated that homosexual practices took place in the urban and not in the rural prisons. The narrative of the superintendent also suggests that homosexuality is an unacceptable practice in prison and that is why, as superintendent, he ensured that the beds were separated to avoid the practice of same-sex behaviour. This, in fact, begs the question as to whether the non-separation of beds gives birth to homosexual practices.

It is not possible to deny the fact that some of the prisons with fewer female inmates as compared to others may not experience lesbianism while those in the urban areas such as PF and PE may experience it. A female inmate in PF explained her experience as follows:

*...and then there is this lesbianism. I saw it...I had doubted before I saw it with my own eyes. I was in one room with one girl, that girl, she is just like a boy so I have never called her a woman so she was having her boyfriend (another woman) in the other room, room 6, there was a time they were having problems... she sent and they bought her a shirt. She now came and folded it, perfumed it and was asking the other girl... I am telling you that there are lesbians, and then I was denying and then she said do you think that she will fall in love. Then the other girl said it is you who has to know her objective. So, generally, there are lesbians in prison and they carry out the act openly, especially as most of them are prostitutes. These lesbians smoke cocaine with the complicity of the guards (Dorothy).*

It is significant that Dorothy equates lesbianism with prostitution and it is clear from her narrative that she labels lesbians as 'bad girls', especially as she links them to the consumption of drugs. Such prejudices towards female sexuality are rooted in the ideologies that good women were not expected to enjoy sex while 'fallen' women (nymphomaniacs,

prostitutes and lesbians) were believed to crave sex and were, therefore, labelled as 'pathological' (Nzegwu 2011:264). These were the women who had violated the normal and natural order. Chacha (2011) points out that the assumption of universality has subtly influenced thought patterns with regard to deviations from the norm as sick, perverse or immoral, a notion demonstrated in the narrative cited above. Dorothy further raised the issue of lesbians smoking cocaine with the complicity of the guards. This is similar to the situation where some inmates in South African prisons bought cannabis from the wardens (Niehaus 2002). This, in turn is thought provoking because drugs are prohibited in prisons and yet some prison staff disobey the rules.

It is also evident from the narrative of the female inmate that she abhors lesbianism or homosexuality. This, however, is not unique to Cameroon, but is found in most African countries and is driven by the natural law.<sup>21</sup> For example, in Nigeria, Ojo (in Izugbara 2011:551) points out that the Nigerian Anglican Communion stipulates that "there could be no compromise over homosexuality because it is clearly outlawed by the Bible". The Anglican Communion also insists that "homosexuals are worse than animals in the forest" (ibid: 551). This stance is, however, mild when compared to Williams Kumuyi's argument that any form of sexual activity occurring before and outside marriage is an unwholesome submission of one's body to sinful pleasures, punishable by eternal damnation (Izugbara 2011:552). It is no wonder that the inmates caught practising homosexuality in cells in prisons in Cameroon are given snake beatings<sup>22</sup> by their fellow inmates and are further punished by prison staff if the matter is brought to the attention of the staff. An NGO research participant had this to say:

*Another problem that worries the prison is homosexuality, it is both a house problem<sup>23</sup> and, probably, sometimes they say at the end of the day, what do you do? There was one of them who was almost killed because he was caught like that and he was beaten mercilessly. It is what goes on in the prison; I was looking at the male*

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<sup>21</sup> Natural law refers to a body of principles and rules, imposed upon individuals by some powers higher than man made law and that are considered to be uniquely fitting to and binding on any community of rational beings. Natural law determines what is right and wrong and whose power is made valid by nature; its precepts are eternal, universal and unchangeable.

<sup>22</sup> Severe torture.

<sup>23</sup> It is a common phenomenon in prison.

*inmate with somebody who is condemned to death. They have friends there and they practise same sex relationship some of them.*

Irrespective of the fact that homosexuality is condemned in Cameroon prisons it is, nevertheless, widely practised in the male cells which are often overcrowded while the vulnerable and the newcomers in prison often suffer the most. The NGO research participant explained:

*Some of them practise homosexuality and one of the ex-prisoners was explaining to me what happens, it is very dramatic. It is usually those who have the urge. They start looking for clients who are weak, young people who have come into the prisons and may, in one or two weeks, they realise that they don't have this or that, they are suffering. They are suffering, they are poor, so they propose to them that they will care for them and with that, sometimes they drug them and they use them and some of them have just developed partners there...There was one who was beaten because the partner found him with another person and they started fighting and there was such a big fight.*

The explanation of the inmate to the NGO research participant is indicative of similar practices in other prisons, including South Africa where same-sex marriage is legalised. According to Gear (2010:317), newcomers to South African men's prisons are vulnerable because they are not familiar with the unwritten prison rules. As a result, they are easily tricked and manipulated by other inmates, especially if they are naive and needy. This, in turn, further increases the risk that the poor, physically weak, 'pretty', prisoners will be linked to crimes associated with women and will be identified as gay or transsexual. Nonetheless, Hunter (1993) points out that even those males who are put into a position of subservience through force and intimidation are blamed in the same way as female rape victims and their identity is mistaken with that of males who actively wish to give other males sexual pleasure.

Nevertheless, all the 18 prison staff members interviewed indicated that homosexuality is common in prisons although they were doing all they could to reduce this crime. However, *"it cannot really be abolished where there are only men. We educate, separate them and, at*



times, that is why I told you that we put them on restraint". A prison staff explained what they were doing to reduce homosexuality:

*I want to say we have reduced this happenings...those of them who are of good comportment are allowed to go outside. When they go outside they can have their deals with their wives and things like that...It is a right in developed countries... under very organised conditions. Do you understand, because they are human beings, but here we don't tolerate it? (Prison administrator PA).*

This quote from a prison staff member supports the notion that sexuality is a human right and that inmates should not be deprived of this right. Conjugal visits are permitted in prisons in other parts of the world, specifically in many Western European countries, including Denmark, Sweden, Netherlands and Spain (Coyle 2002). Prisoners in these countries may be visited by their spouses or long term partners for a period of up to three hours. The couple are given privacy in a small unit which contains a bed and a shower with other sanitary facilities. According to Coyle, a much less formal version of these visits occurs in many Latin American prisons where the norm is that during the weekend, there are family visits for male prisoners and, in some prisons, for female prisoners. These visits take place in the cell areas, and often sheets and blankets are hung on ropes to create a private space.

Similarly, in Hameenlinna prison in Finland, even though sexual contact is forbidden in prison, the prison staff members accept that flirtation and attraction are part of human nature (Talvi 2007). In addition, the sexuality of the inmates is respected as women are allowed monthly, unsupervised, overnight visits with their male partners in a small, comfortable room, regardless whether they are married or not. When the prison authorities in Finland were asked whether same-sex couples would be allowed to spend the night together, the reply was "No one's asked yet, but if they do, of course we'd let them. If they're in a relationship, then that's that" (Talvi 2007:256).

In short, the research suggests that homosexuality is more prevalent amongst male inmates than female inmates. The findings also suggest that some of the homosexual activity in the male and female cells is consensual and rooted in affection and attachment instead of being characterised by the dominant motives as found amongst South African gangs. If this were

not the case the perpetrators would not go begging or beating the other partner when there was a misunderstanding or the other partner was cheating:

*It happens in prison, especially homosexuality, but I have never seen it with women. I have seen how men do it. A man will pay his fellow prisoner 10 FCFA and then use him for sex. When the other male inmates find these same-sex couples enjoying sex, they punish them before the prison authorities know about it. By the time we come you will see the prisoner beating the man. We shall come and separate the beating and take the culprit to the solitary cell and punish him (Prison administrator PA).*

Thus, the existence of homosexuality and lesbianism in Cameroon prisons cannot be denied in spite of the criminalisation of the offence. The narrative suggests that sexual access to a fellow inmate is not expensive (20 cents), the equivalence of 10 FCFA. In some prisons in South Africa, a homosexual husband provided his lover with extra food, cigarettes, cannabis and small amounts of money (Niehaus 2002). Thus, the act of providing demonstrates who has the power in both heterosexual and homosexual relationships. When one looks at the narratives of the female inmates in this chapter, it is possible to conclude that sexuality involves more than just the physical act of sexual intercourse and extends to a range of personal services that male inmates may be reluctant to do without.

## **7.5 CONCLUSION**

This chapter discussed power relationships, sexuality and sexual satisfaction, sexual offences in prison, same-sex relationships, conceptual underpinnings of same-sex relationships, homosexuality and lesbianism as 'un-African', an overview of homosexuality in Africa and the fact that same-sex are a reality in Cameroon.

The female prisoners' adaptation to imprisonment through the expression of their sexuality raises questions as to what is applicable in prison. There is a link between the findings in Cameroon and the early scholarly history of women's adaptations to imprisonment as propounded by Ward and Kassebaum (1965) and Gillombardo (1966). These studies found that the female prisoners played several roles which revolved primarily around homosexuality and prison family relationships. According to these writers, it is possible to understand the prison experience by employing deprivation and importation paradigms as

these represented ways in which women specifically attempted “to resist the destructive effects of imprisonment by creating a substitute universe within which the inmates may preserve an identity relevant to life outside of prison” (Gillombardo 1966:129). The female inmate social system, in conjunction with the notion that pre-prison identities, is critical to understanding how inmates serve out their imprisonment (Irvin & Cressey in Kruttschnitt & Gartner 2003). There must, therefore, be a rethink of the societal norms criminalising homosexuality and upholding heterosexuality while this rethink must take into consideration those behind bars. Heterosexuality, which is the acceptable norm in society, is not granted to prison inmates and so they are left with no choice other than to improvise in prison.

The next chapter focuses on another facet of sexuality and encompasses reproduction as influenced by the female biological anatomy. This issue has not yet been effectively recognised by the CPR 1992. Female bodies may suffer torture during pregnancy, childbearing and breastfeeding because of issues such as a lack of food and healthcare.

## **CHAPTER EIGHT**

### **PARENTING IN CAMEROON PRISONS: PREGNANCY CHILDBEARING, BREASTFEEDING AND BABIES IN AND OUT OF PRISON**

#### **8.1 INTRODUCTION**

This chapter examines pregnancy, childbearing and breastfeeding, and the children of imprisoned mothers who are left out of prison.

In various parts of the world it is reported that imprisoned women are often also mothers (Luyt 2008; Vetten 2008; Du Preez 2006; Harris et al 2006; Sloth-Nielsen 2005; Kaufman 2001). The lives of imprisoned women reflect the gender disparity in childcare that exists in the broader society. Very few of the male inmates are the primary caretakers of children whereas most women in prison are the primary caretakers. Moreover, while the children of most male inmates remain in the care of their biological mother, incarcerated mothers are rarely able to rely on the father to care for their children (Du Preez, 2006). In many cases the imprisoned woman's mother (the child's grandmother) takes care of her children while she is in prison (Chesney-Lind & Pasko, 2004). Thus, it is far more likely that the incarceration of a woman will disrupt her relationship with her child more than it would in the case of a male inmate.

The very young children of incarcerated women may live with their mothers in prison for a temporary period. However, in other cases, as evident from the research results discussed below, maternal custody may be terminated. The procedure used depends on the jurisdiction and the circumstances surrounding a particular case. A common arrangement is for children to reside with either their grandparents or other relatives or friends, including foster parents, during the mother's period of incarceration (Vetten 2008). The research findings of this study indicate that 13 (72.2%) of the 18 imprisoned women interviewed were mothers, while 5 (27.8%) had no children (see appendix E). Table 3 below depicts the distribution of caregivers of the female inmates' children during their incarceration.

**Table 3: Distribution of children according to caregiver during the mother's imprisonment**

Caregiver	No. of female inmates	Percentage %
Grandparents	8	61 %
Husband/child's father	3	23.7 %
Sister-in-law and friends	2	15.3 %
Total	13	100

**Source: Fieldwork data 2012**

Of the 13 female inmates who had attested that they were mothers with dependent children, eight (61%) indicated their children had been left in the custody of their grandparents, while three (23.7%) said their children lived with their fathers, and two (15.3%) said their children lived with either a sister-in-law or friends. The number of female inmates who had left their children with grandparents in Cameroon corresponds with the international statistics that indicate that most of the children of imprisoned mothers are left with their grandparents. However, in South Africa Luyt (2008) reports that the majority of dependent children (47.76%) were left in the custody of their fathers and grandparents looked after 8.95% of children only, while other relatives took responsibility for 1.49% of children. It is significant that the imprisoned mothers preferred leaving their children to look after themselves rather than live with their grandparents or other relatives. This is in contrast to Du Preez (2006) who pointed out that most of the children of imprisoned mothers in both South Africa and Scotland are cared for by relatives, especially by maternal grandmothers. In addition, Taylor (2004) argues that mothers tend to express a strong preference for their children being with relatives in order to minimise any potential obstacles relating to contact with their children.

Wogaing and Abissi (2011) argue that several researchers have investigated the area of women and motherhood when discussing the incarceration of women, but very few have questioned the relationship which exists between incarcerated women and their children. I

will, therefore now discuss the issues of pregnancy and of children, both in and outside of prison, especially in a setting (Cameroon) that largely ignores the existence of this category of prison inmates. The focus of this research will be on the pain associated with imprisonment, both in the life of the female inmate and her children in and outside of prison. A strong viewpoint in this debate is that contact with the family is of paramount importance to child development with maternal contact being the cornerstone of early childhood development (Luyt 2008).

## **8.2 PREGNANCY AND CHILDBEARING**

Despite the fact that, on paper, pregnant and nursing mothers and children are not allowed in prisons in Cameroon, in practice the situation is very different. Occasionally pregnant women are arrested and they deliver their babies in prison, while others are sentenced at the same time as they are nursing their babies. However, when this happens, the women have to be taken to the hospital nearest to the detention centre to deliver the baby as prisons have no maternity facilities. The situation is exacerbated once these women have given birth and they come back with their babies to prison, which has neither the health nor the nutritional facilities for them. One of the research participants confirmed this by saying:

*My child is a problem because, to feed her, is a big problem. I need great help even from you... The baby is constantly sick and does not have the right to be consulted in prison [since it is not a prisoner]. Nobody has checked her. I always call ... to come and buy drugs for her (Mercy).*

Three inmates in three different prisons in this study described their experiences. One of the inmates is depicted in Photograph 4 (Chapter 5), sitting on the bed and holding a baby. This inmate had become pregnant as an awaiting trial prisoner and had given birth in the hospital nearest to the prison. After three months she had come back to prison with the baby. The question arose as to why she had taken so long to come back to prison:

*You know, when I gave birth I spent three months in the hospital and, at that time, the social officers and my lawyer were following up that I should be given bail. There was no possibility, that is why I came to prison with the baby. There was nobody to take the baby; that is why I spent one year with the baby. In fact, the baby had to grow up*

*before somebody could accept to take care and you can actually see that it is not good for a baby to be given out when it is very young. That is why at the age of one my mother came for the baby (Angela).*

Angela mentioned the need to bond with a child when the child is very young. Shonkoff and Phillips (in Luyt 2008) mentioned that children require positive and loving interaction with at least one caregiver as this will provide a responsive environment that offers opportunities for emotional security and early learning. In the context of this study this mother had one year only in which to bond with her baby in prison before the child's grandmother had come to take over custody.

Another factor that stood out in Angela's narrative is the problem of negotiating bail; especially in murder cases in Cameroon. Inmates have sometimes succeeded in being granted bail in such circumstances. For example, two women charged with the murders of a boyfriend and a brother-in-law respectively were granted bail in Cameroon (Ngassa 1998). The same situation also applies in the High Court in Uganda, where bail is granted to an accused person in all cases, including capital cases. However, in the Ugandan situation, the court grants bail to capital murder cases only if there are exceptional circumstances (Tibatemwa-Ekirikubinza 1999).

It is also possible that the three months Angela spent in the hospital were in accordance with the prison regulations (see section 27 of the CPC below). This would accord with the words of a prison staff member:

*At times when a woman is pregnant we give her that privilege, we try to help the woman and, in fact, at times when the pregnancy is around the term of delivery, we send them to their family to go and deliver and after three months she comes back to come and continue the prison sentence following the prison regulation (Prison Administrator PA).*

However, this inmate had succeeded in remaining in hospital for three months, either because she was negotiating bail or in accordance with the prison regulation because, according to one research participant, her case was different:

*I was not authorised to sleep outside, so, as soon as I gave birth, 30 minutes after I had to come back to the prison with the baby, I came back and the baby was there with me until when the baby was 8 months old (Dorothy).*

Dorothy's case was different in the sense that, before going to the hospital to deliver, her husband's signature had been needed - *"They called my husband that he should come and sign that if I run they will come and arrest him, that is how I went out and gave birth at the clinic"*. The possibility of women escaping after delivery was emphasised by the NGO research participant at PE and who works closely with inmates in that prison. *"I know that one of them went to deliver and escaped from the hospital. So there was another one who had to go and deliver and come back to the prison immediately after"*. This was further confirmed by a prison staff member who said: *"At times when they are pregnant they go and they escape. Do you know that?"* Thus, consequently, the prison staff's duty of surveillance becomes more complex in such circumstances, especially as Dorothy was still awaiting trial.

In another case the baby was born in the prison infirmary. The inmate went into labour when there was no nurse in the prison and the inmates had to scream for help: *"The woman was there so, when finally the nurse came and open the gate to take her to the infirmary, she did not reach there, she gave birth"* (Dorothy). Similarly, in the United States, Siefert and Pimlott (2001) argued that an inmate had notified guards of the onset of labour on a Friday evening but she was told that no medical staff would be available until the following morning when she gave birth on a mat outside the door of the jail clinic with the help of a guard. Forsythe (1993:533) also recounts a situation in Britain where a pregnant woman gave birth to a child who died before any assistance was rendered because the woman was unable to reach the bell to call for help. Thus, the situation reported by Dorothy is not peculiar to Cameroon since two developed countries have also experienced similar problems.

In another case at PB, Cameroon:

*When I was to give birth they took me to the Kumba district hospital closest to the prison. After I gave birth the baby died. They took the dead baby from the hospital and buried it behind the prison. The prisoners accompanied the corpse of my baby. They told me to stay in the hospital but I refused, saying the person who brought me to the hospital is gone and I must follow and see where it is buried (Justine).*



It is possible that Justine's baby may have survived had it been born out of prison. Justine is a Nigerian in Cameroon and, therefore, it is probable that she had not had all she needed for a healthy pregnancy since her family members were not around and she was not able to provide for herself. Being a foreigner in a Cameroonian prison meant that she would never have had a visitor to supplement her diet - a requirement of a healthy pregnancy. As I indicated earlier in Chapter 5.14 female inmates are provided with raw food, mainly starch, to cook for themselves. Justine testified that there had been days when she had gone to sleep hungry because she could not afford food and she had never gone for ante-natal checkups until she gave birth.

*I am a foreigner and I don't have a relative here. The boyfriend who caused me to be here has also escaped and left me here. I was ready to go and report the wardresses to the regisseur (superintendent) and so the lady in the kitchen called all of us and gave to us our usual quantity after I had slept hungry for some days. I was ready to be punished if the oil was not given to us. You know, I only depend on what is provided in prison but the other prisoners have visitors who support them.*

*As a pregnant woman I was not given any special treatment. I didn't have any money to go for ante-natal. The doctor asked me to give him money so that he can take me to the hospital and get some medications to be injecting me. But I couldn't afford. That is why I only went to the hospital when I was under labour (Justine).*

In some cases, women bring their babies so as to be able to breast feed the babies, especially if there is nobody to take care of the child. In PB baby Abigail was imprisoned with her mother and her requirements were provided for by external organisations, individuals, staff members and inmates. According to Abigail's mother, the other children had been left in the custody of their father and she had brought Abigail to prison only because she was breastfeeding her and her husband was not able to afford breast milk substitutes, especially as he also had to save money to pay the fine demanded by the court or she would serve another six months. She lamented that she had hoped the judges would grant her a suspended sentence but to no avail:

*It was for the situation of my children and the one I am breastfeeding that I pleaded in court that I should be given a suspended sentence but they refused. They saw truly that I was breastfeeding and was not supposed to be imprisoned with the child but they refused to consider me. I never had a legal representation (Mercy).*

It is in this regard that I support the argument of Tibatemwa-Ekirikubinza (1999) that the state should recognise its duty to provide proper natal and post-natal care and treatment for pregnant and nursing mothers in prison. Mercy had committed a simple offence (petty theft) and, under international standards, she should have been granted a suspended sentence or alternative sentencing as a first offender. However, because of a lack of funds, this is not usually applied in Cameroon. According to Ngassa (1998:20), the immediate incarceration of Mercy was an abrogation of policy because, even when a woman has been tried and found guilty by a court, section 27 of the CPC forbids her immediate incarceration when it provides:

27(2) no woman with a child or who has been recently delivered may begin to serve her sentence until six weeks after delivery.

27(3) a woman with child already in custody pending trial shall continue [in the more lenient conditions] until the expiry of the said period to be in custody as if awaiting trial.

Section 27(3) provides for the possibility of women and children being held in custody in Cameroon but does not indicate any provisions regarding meeting their unique needs, thus abrogating both the Standard Minimum Rule for the treatment of prisoners and the African Charter on the Rights and Welfare of the Child, 1999. Article 30 of this charter deals with the children of imprisoned mothers:

State parties to the present Charter shall undertake to provide special treatment to expectant mothers and to mothers of infants and young children who have been accused or found guilty of infringing the penal law and shall in particular: a) ensure that a non-custodial sentence will always be first considered when sentencing such mothers... d) ensure that a mother shall not be imprisoned with a child...

According to UN (2008), in view of the fact that prisons are not designed for women with small children, all efforts have to be made to keep such women out of prison, taking into account the gravity of the offence committed and the risk posed by the offender to the public. That explains why the UN recognised the good practice in South Africa, where the constitutional court suspends the imprisonment of a mother, taking into account the best interest of her children. Good practice was also acknowledged in Russia, where the execution of a sentence maybe postponed and then reduced or cancelled in the cases of pregnant women or women who have children under 14 years of age, with the exception of those “sentenced to imprisonment for terms longer than five years for grave and specially grave crimes” (Criminal Code of the Russian Federation, Article 82).

### **8.3 BABIES AND CHILDREN**

From the abovementioned, it is evident that Mercy, who had been sentenced to six months imprisonment and a fine of FCFA 100,000 (\$200), did not constitute a threat to society and, in fact, she qualified to receive a suspended sentence and to keep her seven month old baby from the pains of imprisonment. It is possible that she have received a suspended sentence if she had a lawyer. However, Angela’s case referred to above (see also Photograph 4 in Chapter 5) was different as she had been sentenced to 8 years 9 months for murder which is a felony. On the other hand, Dorothy’s case in PF is complex one because she had been arrested when she was one month pregnant, she had delivered the baby while awaiting trial in prison for 23 months and had finally been discharged and acquitted having suffered imprisonment without any compensation.

From the above, it is clear that laws laid down must be weighed up against the severity of the crime, if a pregnant, nursing mother or woman with child is to receive a reduced, cancelled or suspended sentence. Nevertheless, after incarceration, Mercy adapted to prison life and acknowledged the support she had received both in prison and from outside:

*It is true some well wishers have been supporting us with something for the baby but that is not regular and so there are days the baby lives only on breast milk and disturbs me all day long. How I wish the government had provisions for children in prison, especially now that they could not suspend my sentence (Mercy).*

The rights of a child, as described by an NGO research participant working with female inmates at PB, as a 'prisoner with an unknown crime' were not respected and there were even occasions when the baby had been given dirty water:

*It is true we have a tap in prison but water is always dirty. That is why, when I carry the water, I leave it to settle before giving the baby. But this woman gave the dirty water to my baby without letting it to settle. When I tried to prevent the prisoner from giving dirty water to my baby, the prisoner told me she would leave me with a mark<sup>24</sup> so that I will know I was in prison and the baby must consume anything (Mercy).*

It is evident from the narrative that fellow inmates try to help mothers with babies in prison but not necessarily always to the benefit of the child.

On the other hand, female inmates bring children into prison in order to attract sympathy so that they may be discharged. When it does not happen as planned, the children often suffer the consequences. In an interview with a lady working with the inmates at PB, I was told a woman had come to prison heavily pregnant and with a child and this had been a cause for concern. The lady working with the inmates had asked for her address so she could seek for assistance from her family. When she had arrived at the home of this inmate, the mother had said:

*I tried to hold the child, the infant, but the neighbours said let her go with the child because maybe when they see the child they will not incarcerate her but only to their surprise she was incarcerated with the pregnancy and with the infant...(NGO research participant PB).*

This narrative is particularly significant because, contrary to the general claim that female inmates leave their children with their grandparents, this inmate had preferred to bring her two year-old baby to prison against the will of the child's grandmother. It may be argued that being arrested while pregnant was no fault of hers but bringing an innocent child into prison constituted punishing the child on purpose in order to fulfil her own selfish intentions. Based on the fact that all the inmates receive prior knowledge about the hardships of imprisonment

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<sup>24</sup> A scar which would always remind the inmate of this incident even after imprisonment.

from the community before being imprisoned (see chapter 5.18). The issue of female inmates bringing children to prison to attract preferential treatment was also reiterated by a prison staff member:

*There are cases where some will prefer to come with the child, thinking that it will be as a guarantee for her to have some set of preferential treatment. She will deliberately want to come with the child, punishing that child unknowingly because they want to benefit from preferential treatment but it is not correct (Prison administrator PC).*

According to Ehonwa (1993:165), a prison official had reported that a number of women came to prison with their children in Nigeria and they had no choice but to allow these women into the prison:

Many women come in with their kids, small, small children. And they stay there for months. Some even stay for years. They stay there in the cell with their children...I don't think it is correct to do that but, what can we do? When they say they want to come in with their children you have to let them. So many of them come in like that, some with pregnancy, some with children who are still sucking breast, some bigger.

Similarly, in Cameroon, some of the prison staff members, despite being hesitant about the fact that children were in prison with their mothers, had this to say:

*You are not supposed to come with a child in prison, but if the mother comes, first of all, what do we do? We inform the Ministry of Social Welfare that there is a child here. When we inform them they are supposed to do their work. If they don't come, we inform the State Counsel and, if they don't take any action, we stay quiet (Prison Administrator PA).*

*Those are women who don't want to separate with their children and they have no fixed address and then there is nobody to take care of the child and, you know, most of these type of women come from broken families or the fathers of the children not known. So the mother remains with the child while the relatives give them assistance (Prison administrator PC).*

Another prison staff member believed that, if a superintendent in charge admitted a woman with a child to prison, the superintendent should be admired:

*Yah, if they allowed that child, the woman to bring her baby in the prison, I think we really have to thank the superintendent in charge because some wicked person will certainly just say no, I cannot admit that child in the prison, because normally the penal code says that when you are pregnant, you should give birth to your child. They leave you out when the child is six weeks old, then you come back and serve your term of imprisonment... (General Administrator ENAP).*

It is equally important to note that some of the female inmates understood that children were not allowed in prison and, thus, that a superintendent would be in breach of prison regulations if he/she allowed a mother and baby in prison:

*However, it was the good heart of the superintendent who has increasingly favoured me that I was allowed to come to prison with a 7 months old baby. My husband is not working and so could not afford buying artificial milk for the baby. That is the reason why the baby was admitted in prison to be taken care off. If the superintendent was a wicked man this baby would not have been allowed in prison. The prison officials do not offer anything for the baby because she has not been sentenced (Mercy).*

*They said the baby does not have the right to stay in prison. Even the one year I stayed was just a favour because the baby was still very young. Yes, so they allowed me for one year saying the prison milieu is not good for the baby (Angela).*

Although Cameroon prisons do not legally admit children into prison and, therefore, have no provisions in this regard, it would not be fair to generalise about prisons. Individual prisons are sometimes sympathetic to the special circumstances of these women and improvise for the babies and mothers. For example, a female inmate in PA narrated her experience thus:

*Well, while I was pregnant and awaiting trial they treated all prisoners the same way, not considering whether I was pregnant or not, there was nothing different. If they gave one cup of rice they gave me the same, there was nothing like saying because I am pregnant I should be given more. Well, it was when I gave birth that they started*

*doubling my ration, when they gave one cup of rice to everybody they gave me two. They said because of the baby it is good I eat much. On that note they gave me double ration. That is how the baby participated. For the baby the prison gave maize (corn) which I did grind to make pap (porridge) for the baby. So what the prison gave to the baby was only the corn (Angela).*

In South Africa, pregnant inmates receive no special treatment but, from the seventh month of pregnancy, they were transferred to and housed in the prison hospital area (LHR 2006). On the other hand, pregnant women, nursing mothers and the children of inmates receive a special diet at Luzira prison in Uganda. In the words of the inmates “when a new woman is brought to prison and we notice that she is either visibly pregnant or has a child with her, we say that she has come with a lawyer” (Tibatemwa-Ekirikubinza 1999:216). In Luzira prison, the children of inmates were given milk while breastfeeding and pregnant mothers were served with a mid-morning meal which came from the dairy farm under the care of prisoners. The female inmates in Cameroon also noted that, despite the fact that some prisons never offered them anything when they delivered, some of the inmates did.

*...something that really touched me. The prisoners, even those who did not know me, I had many gifts, because when people bring things like soap to prison when those guards have already taken their own, the rest they can even take one soap like this and share it in four and give one quarter to a prisoner, so when I gave birth there is one prisoner, I don't know him, he sent me one quarter of that soap to wash the baby's things, but the prison itself did not give me anything (Dorothy).*

This shows that traces of caring do exist among some of the inmates in prison. This act of human kindness on the part of the inmates was confirmed by the NGO research participant in PF and who worked closely with prisoners:

*There was one there, she was pregnant and she was lucky, there was a rich woman in the prison and she did a good shopping for her. The prisoners are very sympathetic with any pregnant or sick women.*

However, the inmates' sympathy is also limited because the same inmate who had testified that she had received gifts from some inmates also testified that the inmates were extremely

noisy and they had never considered that she had given birth and returned thirty minutes afterwards and so she was tired and needed to rest.

*Even when I gave birth, for me to sleep, it was not an easy thing. Because I think that what they should have done, maybe they should have taken a room for the pregnant and for those who have children. But, I was inside a room with people that I cannot know how to describe and this particular mama, I was not sleeping with my baby, no way, no way. She was constantly making noise. There, there is no time to sleep since you are mixed up; you are there with your baby. You have just given birth, you need to rest and so I ended up having violent headaches for more than a month, no way to sleep (Dorothy).*

The notion of a female inmate resting after delivery should be reinforced by the prison administration as this would imply that the special needs of female inmates are being taken into consideration in Cameroon prisons.

This section illuminates the dynamics of incarcerating pregnant, nursing and mothers with children in Cameroon prisons which have no services in terms of which to cater for this group of persons. It further reveals that, not only does the criminal justice system breach prison regulations, but that sometimes the system is forced by this vulnerable category to do what they would normally not have done. Thus, prison authorities are forced to use their discretion as regards accepting mothers with children although this may not be in the best interests of the children. This is the reason why good practice is necessary in the criminal justice system to ensure checks and balances. The next section examines another complex issue, namely, children of imprisoned mothers left outside of prison.

#### **8.4 CHILDREN OF IMPRISONED MOTHERS LEFT OUTSIDE OF PRISON**

Having examined the situation of pregnant women and women with children inside of prison, it is important to look at the imprisonment of women who are the primary caretakers of children who are out there in the society. This is a common situation in most African societies and it is likely to cause considerable disruption and hardship to those children left outside of prison (Vetten 2008 & Tibatemwa-Ekirikubinza 1999). More than half of the women I interviewed had indicated that their young children were in custody of their mothers



and they felt secure about that although their major challenge was that grandmothers pampered children and, in the end, they became ‘spoiled children’. It also sometimes happened that these ‘spoiled’ children preferred living with their grandparents rather than their biological parents upon the mother’s release. This was the experience of Dorothy after her release from PF:

*When I was in prison my children were no more with their father, they were with their grandmother and that really cost me because, when I was leaving, my second child was one year 8 months, so when he went I spent 23 months in prison. When I came out of prison, the child could not recognise me, he was now attached to the grandmother, even now he is a different child if you enter my house he is different, he feels we don’t love him because when he was with my mother in law it was a different education, the grandmother will just pamper him and give him anything he wants, so he came back now when you want to correct him, he doesn’t want it, he feels the grandmother, at a point when I came out he even refused to stay with us, he cried for, maybe, one week, when they brought him back he wants to go back...he started feeling like even now when you ask him...he will tell you that we don’t love him. That we love but the other children but I think that it is because I did not stay with him from the beginning. He is a different child (Dorothy).*

The attitude of this inmate’s son is not unique given the long term damage that may arise from a disruption of the mother - child bond. Taylor (2004) indicates that these absences are particularly detrimental between the ages of six months and four years. Like Dorothy’s son, children may suffer when the emotional bond they have formed with a substitute carer is then broken. Dorothy further testified that this same child, at age two, had requested the elder brother to look for a gun so that they could come to prison and shoot the guards “*so that they can take me away*”. According to this inmate, these are the consequences of imprisoning a young child’s mother.

The problems of this mother were aggravated when she realised that even her first child had a problem. He had been traumatised by the mother’s imprisonment and this had affected his education.

*I think that the fact that I went to prison...had a very bad impact on my children. My first child went to school and couldn't make it. He was always the last in class or he will not even want to go... He was, like he came one day and asked me and said mama, why did you go to prison? Is it true that you really stole that money? I told him no, I did not steal the money...they did not take time to really see whether I have taken the money or not. Then he was disturbed, he went to school one month, two months, we had to withdraw him because he was already going to class 3. When I carried him to school here, they say no, he could not write anything. He started now in class 2, so when he started first month it was not easy, second month, by the third month he started picking up, he was already the fifth and then he became the first, now he is always the first. And then I asked him one day that but what happened, why is it that when I was not there you could not make it, you are very intelligent. Then he said do you think it is easy, if you are the one that every day you go to school your classmates said go there, your mother stole money and she is in prison, will you study that was the end of the story (Dorothy).*

A number of elements emerged from Dorothy's narrative, the first being the relationship between Dorothy and her children. The narrative points to the fact that the imprisonment of a mother may affect various aspects of a child's life, including the child's relationship with the mother. The attitude of these inmates' children is in line with scholarly writings that report that the children of imprisoned parents have the tendency to exhibit aggressive and anti-social behaviour as compared to the general population. These children may experience a range of psychosocial problems manifesting in depression, hyperactivity, aggression, withdrawal, regression, clinging behaviour, sleep disturbances, eating problems, running away, truancy, poor school performance and delinquency (Luyt 2008:321). In the context of this study, the female inmate's eldest son suffered from poor performance which improved immediately the mother was released from prison. However, this may affect his entire life and possibly the life of the community. Secondly, the younger son was no longer able to recognise and adapt to the ways of the parents.

Finally, there is stigma attached to being a child of a prisoner. According to Taylor (2004:32), the children of imprisoned mothers maybe "sensitive to the stigma of their parent's crime and imprisonment and feel embarrassed or resentful around their peers and other adults. Their

classmates may deride them, making them feel further alienated". As is evident in the narrative this was exactly what happened to Dorothy's son.

Such a case helps to explain why some female inmates indicated they had never told their children they were in prison. Their hope was that their children would continue with their lives and view them as a mother figure in the same way as they had before their imprisonment. This is similar to Wogaing and Abissi's (2011) findings in the Douala and Bafoussam prisons in Cameroon. The mothers in their study had lied to the children about the reason for their prolonged absences to preserve and protect their images. It is clear the female inmates have internalised feelings of shame, helplessness and inadequacy which they do not want to expose to their children. To Sloth-Nielsen (2005) and Du Preez (2006) in the South African case studies, the female inmate is likely to be ashamed and stigmatise herself as an inadequate mother.

## **8.5 CONCLUSION**

It is evident from the findings of this study that living in prison when there are no facilities either for pregnant women or for mothers and their children in and outside of prison is not an easy task. Imprisonment often means that the pregnant women do not receive any sort of vitamin supplement and, in the case of Cameroon; there is a lack of prenatal and postnatal care, nutrition, inadequate education regarding childbirth and parenting and inadequate preparation for the mother's separation from the infant after delivery. Accordingly, it is essential that the government of Cameroon either ensure that the social welfare services take over these women and their children or that they impose alternative sentences on pregnant women and on women with children in and outside of prison. Otherwise, the children of imprisoned mothers may become involved in anti-social behaviours as a result of the absence of their mothers and this may be destructive both to their mothers and to society at large.

The next chapter deals with health, NGOs, religion and faith based organisations. It highlights the fact that, without the assistance of these role players, prison conditions in Cameroon would be a nightmare.

## **CHAPTER NINE**

### **HEALTH, NON GOVERNMENTAL ORGANISATIONS, RELIGION AND FAITH BASED ORGANISATIONS**

#### **9.1 INTRODUCTION**

Cameroon prisons are governed by subventions from the government allocated every six months. Irrespective of the amount the superintendents in charge of the various prisons receive, they are expected to manage the budgets allocated to their respective prisons for the year. However, the funding the government allocates to the management of prisons is often insufficient to meet the demands of the growing prison population. This, in turn, has serious repercussions for the basic needs of prisoners, especially in terms of the dietary and health requirements of prisoners. Bureaucracy and corrupt prison staff further limit the budget and aggravate the already deplorable prison conditions, thus forcing the prisoners to look for help in other ways, sometimes by stealing from the prison or from other prisoners if they have chosen not to turn to some form of entrepreneurship. However, in view of the fact that the government of Cameroon finds it difficult to provide for the basic needs of prisoners, it welcomes the assistance of NGOs and FBOs in providing for the needs of prisoners. The section discusses this aspect and also highlights the inconsistency between policy and practice in Cameroon prisons in this regard.

#### **9.2 SUBVENTIONS**

Table 4 presents the amount each prison receives from the government as subventions. The budget allocated to each prison is dependent on the inmate population. The table is a summary of the available data obtained from the minutes of various meetings by penitentiary staff in 2008.

**Table 4: Nutritional subventions for four central prisons in Cameroon**

Central prison	Yearly subvention	Daily expenditure per prisoner
Douala	218,000,000	171.08 FCFA (Approx. R3.50)
Bamenda	46,000,000	268.72 FCFA (Approx. R5.30)
Bafoussam	62,466,000	147,41 FCFA (Approx. R2.98)
Buea	31,548,000	247.68 FCFA (Approx. R 4.98)

**Source: PACDET<sup>25</sup> 11 2008**

Table 4 above presents details of the amounts each prison receives from the government as subventions on an annual basis to cater for the health of prisoners.

**Table 4: Health subventions for 10 central prisons in Cameroon in 2008**

Prison	Annual health budget
Maroua	2.000.000 FCFA (\$4000)
Garoua	1.000.000 FCFA
Ngaoundere	1.500.000 FCFA
Bafoussam	2.618.000 FCFA
Bamenda	1.500.000 FCFA
Buea	2.000.000 FCFA
Douala	4.800.000 FCFA
Bertoua	2.000.000 FCFA
Ebolowa	1.500.000 FCFA
Yaounde	4.800.000 FCFA

**Source: PACDET 11 2008**

<sup>25</sup> Improvement of Detention Conditions and Respect for Human Rights (PACDET 11). A 36-month joint programme signed on 19 December 2006 between Cameroon and the European Union (EU) that was to cost 10 million euros, just over 6.5 billion FCFA on completion. EU was to donate 8 million euros and Cameroon 1.83 million euros.

The amounts reflected in tables four and five are not all used for the nutritional and/or health needs of the prisoners because approximately 30 to 40% of the above subventions allocated to each of the prisons are curtailed as credit. There is considerable bureaucracy involved before this money reaches the superintendents of the prisons. The fact that improving prison conditions remains a challenge for the Cameroon government gives credence to the view that prison conditions is not always a priority for certain African governments (Sarkin 2008).

In support of the above, a research participant from PC mentioned that, when the budget for medication is disbursed to each prison, when buying medication, the prisons take into account the illnesses that are recurrent in prisons with GTZ (North West Special Fund for Health) as their regular supplier. However, this budget is never enough and, in order to supplement the meagre budget received from the government, the Catholic chaplaincy, human rights NGOs and FBOs provide enormous assistance to the prisons in diverse ways. Some of these groups help the prisoners with additional food, medication, free consultations, detergents to disinfect the toilets and clothing while they also sometimes implement programmes in prison to teach the prisoners to be self-reliant.

### **9.3 RELIGION, NON-GOVERNMENTAL ORGANISATIONS AND FAITH BASED ORGANISATIONS**

Rules 41 and 42 of the UN SMR stipulate that prisoners shall have access to the religious practitioners of their choice, that they should be able to attend services, and that they should be able to practise their religious lives. Religious workers play a significant role in the spiritual and moral support of prisoners while sometimes providing a link between the family and the prisoner. According to Sarkin (2008), the prison authorities' acceptance of these religious ministries and bodies in Africa indicates greater faith in rehabilitation as effected by religious conversion rather than by addressing the many risk factors associated with offending.

The work of NGOs and FBOs is evident in some prisons in Cameroon through rehabilitative programmes. There were no rehabilitative programmes available in Cameroon at the inception of prisons and, without the intervention of NGOs and FBOs; most prisoners would leave prison having learnt nothing. This is evident in the fact that, in most of the prisons, prisoners laze around without anything to do with just a few of them testifying that there are a

smattering of workshops dotted around here and there and were set up by NGOs and FBOs. This, in turn, indicates that the availability of training programmes varies from prison to prison, depending on whether such programmes have been designed by NGOs or FBOs. A female prisoner in Bafoussam central prison (in Wogaing & Abissi 2011: 6) confirmed this by saying:

Since I came here, I have learnt many things from Centre for the Promotion of Artist in Bafousam (Centre de Promotion des Artisans de Bafoussam [CEPAB]). The [Catholic] diocese helps us very well, more than the Cameroon government. It is from the diocese that we get all our activities.

According to Wogaing and Abissi (2011), what happens in Bafoussam prison is in sharp contrast to the Douala central prison where there are no organised activities for the female prisoners and days are spent mainly sleeping, taking care of themselves and watching television in their cell rooms. A female prisoner in Douala central prison (in Wogaing & Abissi 2011: 6) confirmed this by saying:

The real prison is to sit and do nothing. It is really difficult to live like that. There is nothing to do. When you are here you are lost. It is women who are in the prison. The male prisoners have something to occupy themselves. They have activities. The real prisoners are women (Wogaing & Abissi 2011: 6)

Similar to what happens in Cameroon prisons the inmates in some South African prisons also reported that:

We only ate and slept. That's all. We did nothing to pass time. We did no work...The quad was small, only one meter wide and three meters long. We only walk and, after a while, you were tired of walking and played casino (a card game) or marabaraba (a board game) (Niehaus 2002:88; see also Hesselink & Dastile 2010:76).

In the South African case, however, it was the male inmates who were complaining of a lack of rehabilitative work and not the female inmates, as was the case in Cameroon, even though it is evident that the male prisoners in Cameroon are also bored as well as the rehabilitative

programmes in most prisons are disappearing irrespective of whether in the male or female wings.

However, in Bafoussam central prison another female inmate said: “The state does nothing for us. It is the diocese that takes charge of all. When the woman falls ill or sick, it is the diocese that takes care”, while in Douala central prison a prisoner said “when you are sick they don’t take you to the infirmary” (Wogaing & Abissi 2011:6).

Another female inmate cited by Wogaing and Abissi (2011: 6) stated that “I don’t know what the other prisoners in Cameroon look like. But I can tell you that here, ‘on meurt a petit feu’ (translated we are dying slowly). Penitentiary institutions often receive gifts from humanitarian and voluntary organizations, including bed covers and kitchen utensils and, thus, these organisations help the prisons in various ways - material, sanitation, spiritual and so on.

One of the NGO research participants commented on the prison conditions for female inmates as follows:

*The conditions of women was worse before the European Union built another section for the women which was a little bit more spacious and comfortable and the Bishop of the diocese of Douala offered beds... and so the women moved to that area which is a little bit more comfortable now for them and still through the church and the sisters of saint Therese and the diocese of Douala we just completed building a workshop for female inmates...a workshop for sewing; a skilled lady will be employed to teach them sewing. We have a computer centre...a hairdressing centre. I did that project because I saw that most of the women are lazy but they are interested in make-up and I thought that learning how to do make-up, pedicure, hairdressing and jewellery will be of interest to them (NGO research participant PE).*

However, workshops were opened for the female inmates without asking their opinion on the matter. It would, perhaps, have been better if the women’s voices were heard as to what they wanted to do in prison as that would allow them to speak for themselves – a major concern of the first phase of feminist criminology (see section 2.4.2.1). As mentioned earlier (see section 3.7.6) the traditional conceptualisation of imprisonment for female inmates was based on



domesticisation, feminisation and therapeutic models which manifested in gender-specific programmes for the females. This approach advocates that women's prisons should be benevolent, caring, therapeutic and supportive (Hannah-Moffat 2002). However, this approach is problematic because it ignores the fact that prison contributes to the lack of power and autonomy of the female inmates. The assertion of Hannah-Moffat (2002) is still relevant to Cameroon prisons today where even some NGOs believe they understand which programmes would be suitable for women but without seeking their opinions. Labelling those female inmates who are not interested in predefined programmes as lazy is a subjective viewpoint, particularly in view of the fact that the underlying assumption in the gender-specific approach is that prisons are suitable for women as long as they are based on a feminist vision of justice, punishment and care. This assumption is based on the fact that an approach targeting women will improve the situation of the female inmates. However, this is not necessarily true because it reinforces the normative standards of femininity in the correctional discourse, thus reinforcing social control over the female inmates. The female inmates were not interested in this stereotype programming unless the programmes created an avenue for them to mix with the men, which supposedly was their own choice. However, as may be seen from the following quote, their choice was rejected until they had conformed and could explain their resistance to learning:

*Because that section was so tight and there was a lot more communication with the men, so they were going to be moved to a section where it will be very difficult to communicate with the men and they did not want to go there at all. They resisted for so long but they are happy now... So they want to use other opportunities like computer classes and choir and sewing and things like that. But the problem is that the women are not willing to. I have tried everything for them to learn and that is why I have started and looked for something that will be of interest to them because they want to sit and cook nice food and then take care of themselves but they don't want to do anything (NGO research participant PE).*

On the other hand, the Business and Professional Women Kumba Club (BPW) sought the opinion of female inmates as to what they wanted to do, hence giving them a voice despite the fact that the programmes introduced were still traditional. The BPW carried out a social intervention programme with the female inmates twice a week in the form of sewing/needlework and lectures/discussions on social and moral topics. The programme was

deemed successful because of the high participation rates with the female inmates suggesting the topics while the topics were sometimes changed in accordance with the expressed interest of the inmates. This is particularly important because the prison context is a distinct example of the ways in which discourses frame and define women's experiences, their lawbreaking and their programme needs. Therefore, allowing women to articulate and define their own needs and experiences may be particularly transformative (Pollack 2005:82).

The work of NGOs and FBOs has been commended by the prison staff:

*For churches, they give assistance and, once in a while, they organise church services and pray with the inmates. They organise social gatherings whereby the inmates are encouraged to come out with what they can do best for handwork, craft and so on and it helps the inmates to fetch in some money for whatever they produce. When those things are produced they are being sold. We have NGOs which come to do some renovations for the toilets and the juvenile section (Prison nurse PC).*

A research participant also acknowledged that it was the same organisations that had made arrangements for pregnant women in prison:

*Well, the women who come to prison pregnant...philanthropic organisations take care of them. When I was pregnant and awaiting trial there were groups always visiting the prison. When they came and saw us in our conditions, they went and some came back ...It is thanks to that I was able to make preparation before giving birth. They brought necessary things for the baby and offered it to me... (Angela).*

Many other research participants expressed their appreciation for the work of international bodies, NGOs, FBOs and individuals although they indicated that they thought the European Union could do more in other areas:

*We are now hoping that the European Union will give us some help... Presently they are out only to create farms, making poultry...whereas the real thing is changing the roof of the prison, changing some of their beds which is very fundamental for the inmates...not for the prison. And you cannot impose it on any donor who is coming to help the prison...they have programme on poultry farming and we are doing it*

*already out of the prison<sup>26</sup>. The poultry in the female cell was started by the Catholic Chaplaincy. I think the first NGO I will talk about is the Catholic Chaplaincy. They have been doing a wonderful job...most of the toilet facilities inside the cells were provided by them. The awaiting trial was reconstructed to make it modern...The kitchen, the prison infirmary ...Apart from the Catholic Chaplaincy all the various denominations interact in the prison like the Baptist, the Presbyterian, the Full Gospel Mission, and the Redeemed Christian Church. Apart from that you also have some NGOs like CRAT. The CRAT is a community, it is an NGO that deals with counselling and they also have nurses who also provide drugs for the prisoners. Even the Catholic Chaplaincy also provides drugs. At times they even take care of some inmates. They take some sick inmates to the hospital...apart from these denominations there are some other sub-groups... they come once in a while with food and at times with dresses to give to the inmates (Prison administrator, PC).*

The work of the Catholic chaplaincy was commended by a research participant thus:

*The Catholic father brought a doctor [dentist] and remove teeth from many inmates that were sick. Sometime when they give money to the warders to take the sick person to the hospital, they will eat the money. Sometime when the Catholic father comes and give money I will tell him to give to me directly because it is very easy for warders to eat the money (Bih).*

Still in line with the Catholic Church and their rehabilitative programmes a research participant stated:

*All workshops that are being carried here are financed by the Catholic. Like the computer, dress making and carpentry... Even now they have built two wells and there is one that is being connected with a meter. The Catholic Church in Italy is the one sponsoring the workshop through the Catholic Church Bamenda. It is the Catholic Church that writes to them. The donors have come to supervise the workshop while I was there. They came to visit us (Sheila).*

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<sup>26</sup> Farms located outside of the prison environment. Sometimes these farms are donated to the prison by the traditional rulers of some villages.

Some of the international and national bodies visiting the prison play a monitoring role. This was an element the Special Rapporteur recommended in her 2002 visit to Cameroon. She emphasised the value of external monitors and urged the prison authorities to encourage such mechanisms to ensure the humane treatment of the inmates in prisons. In this regard a research participant observed the following:

*They come very often in PC... They can never be a quarter without a human rights organisation coming...they are many of them coming and about five of them have authorisation to come to prison. First of all, the European Union is also there and I think the European Union has been very regular... to try to see how cases of awaiting trials can quickly be handled by the court and they are even paying lawyers to follow some of the cases. Even the NCHRF usually comes. Often, they come here like spies. They don't tell you they are from that service. You don't know what they are out for but still we know some of them and they pretend as if they are coming to visit to see what is going on. It is cooperation between Cameroon and the European Union. It is the second phase of the PACDET programme so they are out to do some assistance in many aspects. They assisted in providing some books last year and then they assisted during the cultural week by giving inmates some gifts. Then now we are going on with a farm, they want to help us to open a farm, about two acres cassava and bananas which we are planting and in front of the prison they are constructing some poultry to rare fowls. They are the ones who are doing the technical aspect of the work. We are being assisted by IRAD<sup>27</sup> and some of the staff (Prison administrator PC).*

The above narrative depicts the inability of the state to meet the needs of prisoners and it is this reality that has resulted in international observers, NGOs and FBOs constantly monitoring the conditions of prisoners in order to ascertain how they may help ameliorate prison conditions and enhance the respect for human rights.

Despite the relentless efforts of international organisations, NGOs, FBOs, and individuals, it still appears from the prison conditions of the inmates that nothing is being done to address the administrative puzzle. These issues have been partially addressed by Civil Liberties

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<sup>27</sup> The Institute of Agricultural Research for Development (IRAD).

Organisations in Nigeria. However, according to Ehonwa (1993:145), gifts designed for the female inmates from organisations unfortunately do not reach them. Ehonwa (1993:145) alleged that:

The warder...I mean the wardress, they steal these things. When the good people bring them and say they should give them to the prisoners, the wardress will just keep the things for themselves. They will say, 'how can common prisoner have these fine things, soap, toothpaste, clothes, when they who are guarding them do not enjoy them?' They will just keep most of the things for themselves.

In Cameroon, the situation is no different with the research participants confirming that what happens in Nigeria also happens in Cameroon:

*When they bring things it never gets to the inmates in their full quantity. For example, I was told Presbyterian women brought drugs and so I should go and consult but when I got there I was told there was nothing. The cloths, drugs brought to prison are, first of all, selected by the authorities and the rejects given to inmates. My advice is that these groups should do their distribution themselves, not that it should be given to a middle person who does selection for their relatives. I like this visits because this women do not know us yet they have a human heart towards us (Ethel).*

In a similar vein a research participant also observed:

*When these groups bring things for us the wardress will collect and give us just the rejects or a little from it. On women's day we were given four bags of oil and groundnut oil. But only half bag came to us. When the superintendent came we reported but they had already shared it and taking the stuff to their houses... (Sheila).*

The narratives of the female inmates reminded me of a day when one of the research participants pointed at a wardress who was carrying their firewood away:

*See for yourself how that wardress is dragging the firewood meant for the female inmate home. They do same for food stuff when their boss is away. Each time they see your visitor come and give you money, they expect you to give them part of the money*

*and, if you don't give, they start hating you and create a situation to maltreat you (Justine).*

This narrative shows how desperate the wardresses have become to benefit both financially and materially, even from the 'have nots' and they are often seen taking advantage of the female inmates' vulnerabilities to achieve their own goals. The overriding goal is money which has become a symbol of prestige, no matter how it is acquired, whether fraudulently or institutionally, but it may be used to purchase the same goods and services.

Apart from meeting the physical needs of female inmates, as discussed below, religious organisations, NGOs and FBOs are also involved in the bio-psychosocial as well as the spiritual care of the inmates.

#### **9.4 RELIGIOUS BELIEFS OF FEMALE INMATES**

Religion in Cameroon plays a significant role in the rehabilitation of female offenders. Atabong (2007) refers to this as "prison pastoral care" because it involves not only religious support but also the integral and holistic care of the actual person. Consequently, the wider community also has a role to play in the pastoral care of prisoners as they are part of this community.

Some of the female inmates defined their criminal actions as sinful and indicated that they hoped to change through prayer and listening to the word of God. According to Du Preez (2008:193), religion teaches a person to live a better life and to avoid the paths of sin. It also teaches a person to 'do unto others as you would have them do unto you' and not to seek vengeance. In addition, it offers people hope. Female inmates, in particular, need hope in order to remain optimistic in their situation and feel positive about the future. The female inmates often have to deal with intense feelings of personal failure, guilt, rejection and fear. Religion may also help a female inmate to deal with the hardships of her imprisonment and to accept what has happened to her (Du Preez: 2008). Most female inmates in this study were managing to survive the hardships of imprisonment through a strong faith in God. A research participant said:

*My philosophy was just that this is the place where God wants me to be for the moment because if you don't go about it that way some die...you need to be strong... so I really felt bad but I said God allowed it to be so. I accepted my situation and knew at the appointed time I will quit prison (Dorothy).*

A research participant on appeal for embezzlement also said:

*I am here because me and my family cannot pay the money the criminal justice officials require, otherwise I would be a free woman, I put my trust in God for there will be a day God will visit the poor and the corrupt practices in this country will die from the fabrics of the society (Ethel).*

Another female research participant expressed her hope in God in the following words:

*At the beginning when I just came, I was really troubled about my problem but now I have left everything in the hands of God. It is only Him who understands why all of these happened to me. So I cannot focus on this problem again... Now I have given my life to God and I do my prayers and I say okay it has happened... what I need is a solution because there is no problem without a solution. They can give me 8 years, I don't serve the 8 years. A miracle can happen and I am released. That is what I am praying for (Angela).*

In other settings, such as South Africa, it is also reported that religion provided support to prisoners during their incarceration. Du Preez (2008) pointed out that sister Ncube, an anti-apartheid activist, had survived detention and suffering in prison through the strength of her faith which had enabled her spiritual growth. Sister Ncube described her dependence on the Bible as follows: "The Bible meant a lot to me. It was an answer to my situation in a very realistic way. The Bible spoke for itself in detention. I had never had so much time to study it" (Du Preez 2008:195). In her article "Born to suffer", Manyapeló (2005) suggested that spiritual healing was the only thing that had kept her positive about her circumstances in prison.

It is clear from this account that religion plays a supportive role in the lives of female inmates, both inside and outside of Cameroon. One research participant in Cameroon narrated her experience in prison as follows:

*Truly, when I was outside I never knew God because I was not even going to church. I did not even know how to pray but when I arrived in the prison I discovered the other inmates praying. They said you have to pray and meditate on God's word... they told me to pray and commit my problems to God. But I asked them do you think God can take me out of this prison? But they insisted that I must pray. There was one mother in prison who gave me the courage to trust in God and surrender my problems to Him. She said God alone knows why it happened if God left it then there is a reason, pray. Don't over blame yourself... that is when I decided to start praying. I didn't even have a Bible and there was a visitor, a mother, who came that I complained to her that I don't have a Bible. The next time... she brought me a Bible. So I started learning how to read and meditate on the Bible gradually and now I am improving on it little by little (Angela).*

The above narrative also links religion to literacy with Angela testifying that it was from the Bible that she had started learning how to read and meditate and, through this process, she had improved her reading capacity. It is important to note that in prison the inmate has the time in which to concentrate in order to grasp what he/she is reading. Unlike outside prison where people may not find time for meditation.

Apart from the religious beliefs of the female inmates which had helped them adapt to prison life, as discussed in the next section, religion was also used by the prison administration as an instrument of reformation. This, in turn, is closely tied to the belief that God takes hold of people and completely changes and transforms them. Offenders have to be reformed morally, spiritually, socially and economically so that, on discharge from prison, they may become law abiding citizens.



## 9.5 RELIGION AS AN INSTRUMENT OF REFORMATION IN THE LIVES OF FEMALE INMATES

Some prisons use religion as an instrument of reformation and this falls directly under spiritual rehabilitation. Prayer in prison is a powerful instrument of reformation because it helps the inmates to express their psychological, spiritual and physical needs to God. This was the situation in Nigerian prisons and also in Cameroon and South African prisons. Ozo-Eson (2004:71) argues that evangelists, Christians and Muslims welcomed visitors to preach the word of God in prison. This was a daily occurrence in Kirikiri female prison while, in Oko prison, the female prisoners spend a significant amount of time with the preachers. According to Ozo-Eson (2004:71), hearing the word of God will soften the hearts of the prisoners, make them repent and change for good. The prison officials agreed that, without religion, it would have been difficult to control the prisoners. Here again religion is used as a surveillance mechanism. This is important because when, providing services within the prison context, one is doing so in an institution which is premised upon particular notions of citizenry and social life and in which power and control are the predominant features of the environment (Pollack 2004:701).

In support of the above argument, a research participant expressed her concern as follows:

*When I was in prison about a year I was not feeling fine. When I got into the prison, what was really helping me was the word of God that Christians come and shared...I will request that the church groups come every day so that it will help the prisoners to change. For example, a prisoner may tell another I will kill you but when she hears God's word she will change (Mercy).*

It emerged from the narratives of the research participants that not only Christians are welcomed in prison but also the various other religious groupings. In addition, the inmates are allowed to observe the dictates of their religions, for example, the Muslims fast at some point in the year:

*Muslims don't go to church, they have their places where they pray every morning. Even that time for Ramadan they give their food and they only eat when the other Muslims are eating outside. And, when the Ramadan is over, they come and give their own Ramadan in prison (Alvine).*

This same situation was observed by the DCS in South Africa. The DCS not only promotes the spiritual care of female offenders but it also tries to assist, wherever possible, to ensure that the religious practices and customs of the various denominations are upheld (Du Preez 2008:6). However, those prisoners who do not adhere to any religious group or who do not wish to practise a religion are not obliged to do so (Coyle 2002).

The situation in the Cameroon prisons selected shows clearly that government has failed to meet its obligations regarding female inmates and that, without the assistance of individuals, NGOs, FBO and international bodies, the conditions of the female inmates would have been even worse than what these narratives seem to suggest. There is, therefore, a great need for collaboration between the government, legal practitioners, FBOs, human rights groups, and the entire criminal justice system in order to improve prison conditions.

## **9.6 HEALTH**

As will be demonstrated in this section the limited budget provided for the health of inmates has huge repercussions on the management of health in prisons.

The prisoners' right to health is a fundamental human right and is recognised by numerous international instruments Cameroon has ratified and incorporated this right into the CPR articles 32, 33 and 34. The right to health encompasses the right to proper healthcare, equivalent to that in the community outside of prison, as well as the underlying right to live in an environment which does not generate or contribute to disease and mental disabilities (United Nations Commission on Human Rights 2005). Based on this, prison health policies should ensure that prison conditions and services are such that they protect the health of all prisoners. According to Noeske, Kuaban, Amougou, Piubello and Pouillot (2006), prison health in Cameroon may be considered as substandard and completely underfunded. In general, those prisoners who are not able to afford either to pay or to find a family to help pay for their healthcare are not taken care of and, hence, the need for individuals, religious organisations, NGOs and FBOs to supplement this deficiency. Prison healthcare personnel are also scarce and this, in turn, makes it even more difficult to provide the underlying determinants of health. This section examines healthcare under two major headings, namely, medicine and menstruation.

### 9.6.1 MEDICINE

An NGO research participant who is also a nurse testified how, as a result of the deplorable prison conditions, prisoners do not eat well and hence this, in turn, it results in diverse ailments. However, the inmates themselves often have a solidarity fund which they use in dire need:

*...the food prisoners eat is so poor, so many of them are developing blindness, sensation of their feet, become paralysed or their feet just get too heavy and I think it is because of their poor diet. Apart from this they have anaemia, malnutrition, nerve problem. When they are sick, they themselves organise themselves and make contributions, like one of them needed an eye operation...she was going blind and, when I met her, she had been operated upon and she said the female prisoners all contributed to help her get this operation. So they have a solidarity fund. When we don't have the drugs, we take them to the hospital... we have made a small amount for emergency to buy the drugs. When the case is serious we inform their families through radio communiqué. If you are very keen at times you would have heard radio communiqué sent by the prison administrator to their parents to come and give help. At times the prison administration helps but I will say 70% is their families, but the missionaries also help (NGO research participant PE).*

From the above narrative it is evident that, when a prisoner falls ill, there are four groups of persons who may intervene, the female inmates themselves, the inmate's family, NGOs and FBOs and the government (prison authorities). A prison administrator from PA also acknowledged that the prison authorities sometimes assist the prisoners out of their own pockets or send them to the social service at the government hospital.

During extreme situations inmates often die when both their families and the prison authorities are not able to provide the required medication. Nevertheless, the death rate is not that high and a prison nurse at PA attested that two deaths only had been recorded during her four years of service at PA. One inmate had died of cancer of the intestine and the other one had complicated gastric problems which the hospital was not able to handle. The prison nurse further confirmed that, when a situation becomes too complicated and a surgical operation is required, the prison authorities usually appeal to the family and the family pays the greater part of the bills while the prison authorities may assist with medicines from the prison fund.

One of the superintendents interviewed indicated that, in cases where there is no medication, he usually turns to the Fiango pharmacy<sup>28</sup> to obtain medication on credit to administer to the sick prisoners and then refunds the pharmacy afterwards or whenever he receives money. It would, thus, appear that this superintendent is prepared to do all in his power to try to help sick inmates:

*...if a prisoner died...it is beyond our circumstances, not as a matter of poverty. Imagine an awaiting trial that had a bullet shot on him, he comes to prison today and the following day he dies. Even when he was being admitted we decried that fact that he was not in good health and that he should be taken to the hospital before coming to prison. We have had a case of somebody who had fainting fit and, out of a sudden, we just heard that he was no more. Those are the few cases that you hear that people have died in prison...we call sudden death (Superintendent PB).*

Although the superintendent makes every effort to help the inmates, it is, nevertheless, their right to receive treatment in prison. This issue was raised by a research participant:

*When a prisoner is sick and taken to the hospital the government is supposed to be responsible for the bills, but this is just in theory. If you go there practically and you have to consult the medical doctor, you have to pay consultation fees. We don't have all of the medications and it is true that a budget is provided for their medication but it is very insignificant. It is a right and a priority but, because of the economic situation, the government has streamlined the budget... (Superintendent PA).*

Another research participant stated:

*...the drugs are so expensive and we give first aid and we cannot continue...to spend about 500 thousand francs for treatment. If you get that kind of money and you treat one person the other people will all die... we expect that the family should come to their help but, unfortunately, what happens is that most of these prisoners who have complicated illnesses their relatives don't come for them... their relatives have totally*

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<sup>28</sup> A recognised government pharmacy located near the prison.

*rejected them and they don't even want to see them...they prefer that they should die (Prison administrator PC).*

It is clear from the narratives cited above that the government of Cameroon does not adhere to international standards due to a lack of money. However, Article 24: Body of Principles for the Protection of all Persons under any Form of Detention or Imprisonment states that:

A proper medical examination shall be offered to a detained or imprisoned person as promptly as possible after his admission to the place of detention or imprisonment, and, thereafter, medical care and treatment shall be provided whenever necessary. This care and treatment shall be provided free of charge.

Nevertheless, the female inmates have to pay consultation fees in hospital and they sometimes have to pay for the drugs they are supposed to receive free of charge. This explains why the female inmates believe that drugs and other medical facilities are embezzled by corrupt prison authorities and medical personnel at the expense of the inmates (ACHPR 2002). However, it is not possible to deny that there is shortage of the relevant drugs with which to treat prisoners. One research participant expressed that some of the inmates may fall ill and recover by the special grace of God in the following words:

*Except for God who usually saves them. There are many of them who lie down for a week or two and get up. Except the philanthropic groups comes in, if your disease is curable by the little medication provided in the prison, then you will be well but if it is above or it needs anything else to more than what is provided in the prison... there was a psychotic case that needed a drug which cost 20,000 FCFA. ...this guy came from Germany and this drug, if he had it, he brought the prescription and he cried, "Please give me this drug and I will be normal" and we took the drug in the hospital and the psychiatrist in the hospital said if he had that drug he will behave normally but the prison couldn't remove 20,000 FCFA[\$10] a month for one prisoner... the boy was there destroying himself and property and harassing everybody until the time he was sent out and I'm sure he will soon come back because he will still do the same thing in town (Prison administrator PA).*

Here again there is evidence of a breach of policy versus practice. Rule 22 (1) of the SMR states:

At every institution there shall be available at least a qualified medical officer who should have some knowledge of psychiatry. The medical services should be organised in close relationship to the general health administration of the community or nation. They shall include a psychiatry service for the diagnosis and, in proper cases, the treatment of states of mental abnormality.

In addition, Article 25 of the SMR also states:

The medical officer shall have the care of the physical and mental health of the prisoners and should daily see all sick prisoners, all who complain of illness and any prisoner to whom his attention is especially drawn.

The regulation further states that prison administrations will need to ensure that they make suitable arrangements which are based on the needs of the prisoners and that the required treatment is not restricted on the grounds that it is deemed to be too expensive merely because the patient is a prisoner. The situation of those inmates who have prescriptions but who are not able to obtain the drugs in prison is not limited to Cameroon. For example, in Egypt, doctors simply prescribed medicines for prisoners and asked them to buy the medicines at their own expense. Thus, the lives of these inmates were endangered unless their families paid for the drugs (MEW 1993).

Although the budget for nutrition in Cameroon was doubled in 2010 (see USDS 2011), according to one research participant the health deficit tripled. The research participant felt mismanagement had contributed to the limited amount of money available for medication for the prisoners:

*The problem is that when you take this money you have to also call a contractor. The contractor takes 30% of that money. I remember when I was working I would buy medicines for all of the money, I went to a government pharmacy and bought medicines for all of the money then got a contractor who was a Christian who accepted to get the money from the Ministry of Finance and only get a little bit, not up to 30%, so we could get enough medication but the auditors who came were very angry because they said the contractor was supposed to take the 30% off and, if we*

*did, that we had to go to Finance and give more money there and at the end you might buy medicines for 400,000 FCFA only (Prison superintendent PA).*

Despite the constraints on prisons, the superintendents buy medications according to pathologies while antiretroviral medications are given free of charge to the prisoners. One of the research participants said:

*They do buy drugs according to the pathologies...most of the illnesses that are frequent within the prison, like malaria, gastro enteritis; gastric...TB drugs are given free by the delegation of health. For the antiretroviral drugs, when we have a case here, it is being taken up by the district hospital. We go with their books, they supply the medicine through me and I will just keep on giving to them. If you enter that cupboard you will see that we have anti epilepsy, hypertensive, asthmatic drugs, injections, not just paracetamol as the inmates tell you (Prison nurse PA).*



**Photograph10: Drugs stored in the cupboard of the prison Infirmary PA(FP March 2011)**

It is significant that the research participant is confident that the medication in the prison cupboard (prison pharmacy) will be suitable for diverse ailments. However, it is uncertain, given the level of overcrowding in Cameroon prisons, that the medications in the pharmacy would be sufficient to take care of the needs of the prisoners. According to international standards the prison pharmacy must be suitably equipped for consultation with and the

treatment of prisoners. In addition, there must be adequate and appropriate supplies of medicines dispensed by qualified pharmacists. According to Rule 22 of the SMR:

Sick prisoners who require specialist treatment shall be transferred to the specialist institutions or to civil hospitals. Where hospital facilities are provided in an institution, their equipment, furnishing and pharmaceutical supplies shall be proper for the medical care and treatment of sick prisoners and there shall be a staff of suitable trained officers.

Photograph 10 contains a visual picture of the quality and quantity of the medications available in Cameroonian prisons. However, it is clear that the government may provide medication but that the budget allocated to each prison is too small to ensure that the infirmaries are suitably equipped to meet the international standards for prison healthcare. Photograph 10 is an example of the healthcare provided in Cameroon prisons. The budget allocated to each prison is presented in table 5 above. There is no doubt, therefore, that the complaints which the female inmates voiced regarding the insufficient medication in prison and the fact that for, every single ailment, the inmates are usually given paracetamol are true. Consequently, one may safely conclude from the photograph alone that little or no medication is provided in Cameroon prisons and that it falls short of international standards. According to one research participant, in Cameroon, even when the medications are available, it is difficult to hand them out according to the prescriptions:

*...if you have to dispense drugs according to prescription you will run out of stock before the next day so we try to ration the drugs and follow up the treatment as close as possible, at least to make sure that we don't lack. But the drugs are not enough for everyday. We have a good supply of some drugs from one organisation known as the Global Fund to Fight HIV and AIDS, TB and Malaria. They have given us a good chunk of drugs with a protocol list for the treatment of syndromes like urethral flues and vagina flues for first intentions, lower abdominal pain for females. With those drugs. when we have any patients that come and gives a complaint that falls within this range, we treat her with this line of drugs (Prison nurse PC).*

The role played by NGOs in supplementing prison medication is of vital importance in this context as consulting for a prison population of approximately 450 prisoners is no easy task.



A prison nurse at PA indicated that to attend to 20 persons a day is exhausting as you have to deal with issues such as the consultation, dress the wounds of the inmates and listen to their psychological problems. There are days in which they attend to 20 inmates and more, especially on Mondays and Fridays when more inmates require attention. The number of consultations is usually low on Tuesdays and that is the main reason why drugs are distributed on that day for those inmates who were attended to on Monday.

Inmates sometimes make things difficult for the medical staff and, as a result, the medical staff members are extra careful that they give medication to individual who are really sick and not just pretending that they have certain symptoms in order to get hold of drugs they can sell. This was the experience of one prison nurse who stated that inmates sometimes fabricated fictitious illnesses in order to obtain medicine which they would then sell to other inmates for 10 FCFA [20 cents] because they were not sick. This explained why, when they complained of fever and their temperatures were taken, there was usually no fever. In such circumstances the inmates are given aspirin to convince them that they have, in fact, been treated although it is merely psychological. Thus, this is the reason why they often complain that they are always given paracetamol instead of being given anti malarial drugs.

In confirmation of the above, Grace maintained she had been sick of fever but, when she had visited the prison infirmary, she had been given only paracetamol and chloroquine. She further confirmed that *“when you are sick without money you will die...I was sick for two weeks. The prison staff took no action about my health since they always believe prisoners are pretenders”*.

Justine, on her part, said *“I have always been sick but all I get is paracetamol. Mami Mukete, Lobe and Sally [referring to NGOs and well wishers] always bring us medicines. The nurse is not always willing to give us drugs”*.

Nevertheless, there are moments, however scarce, that the prison administration does assist the inmates, although the research participant below reiterated the fact that inmates are always given paracetamol:

*...but the prison administration helped me to do the echography and asked me to call my family to give money for the operation. The growth has been worrying me all this*

*while. Since I came I have not been given any medicine for treatment except one day when I had such severe pain that one wardress gave me some tablets which I used for two days and which calmed the pain. Here the person consulting is a nurse, not a doctor. He gives every sick person paracetamol. I was sick and it was the commissioner in Tiko who bought me drugs (Therese).*

There may, however, be consequences to waiting to be sure that an inmate is really sick before being sent to the hospital. Delays in providing medical care may result in death or a worsening of the condition while the prison authorities are still making sure of the status quo. A research participant said:

*In PC you can have the money and be sick in there, at the point of death, before they carry you to the hospital. I have witness a case like that, that someone carried at the point of death and she dies in the hospital (Alvine).*

As regards the role played by NGOs, an NGO research participant commented on the health situation of female inmates as follows:

*I don't think in PB enough attention is paid to the health conditions of the prisoners in general. I remember there was a time they had somebody... versed in health care... but I was told that that person has gone out for a course... so, if they have an infirmary as such, I am not sure they have a qualified person there, even a nurse. I am not sure they have adequate drugs for basic ailments... Because I do carry antibiotics to the inmates. I have carried paracetamol and malaria drugs because they don't have those things, I don't know if the prison is really stocking drugs for the prisoners because, I myself, I have carried drugs for the women and when I carry them for women, I don't carry them to the prison authorities. I give to one female prisoner... if somebody has a headache you can help them with these drugs or if it is malaria you help them with the drugs.*

It may be discerned from the narrative of the NGO research participant that there is a dire need for medical staff in the prisons. Noeske et al. (2006) also confirmed this assertion, indicating that eight medical doctors only were responsible for the country's entire prison population, including the guards. It is, therefore, not surprising that the NGO research

participant had never seen a nurse in the prison in question. Furthermore, the research participant had also indicated that she preferred giving the medications she had for the female inmates to one of them to manage rather than to a prison staff member. This, in turn reveals a lack of confidence in the prison authorities with both the external staff and the inmates believing the prison authorities to be corrupt.

The same research participant recounts how the prison authorities used the skills of a female prisoner. According to this research participant Justine was skilled in traditional medicines so the prison authorities used her to heal the wounds of the other inmates who had developed wounds and abscesses from beatings and chaining. This emphasises the fact that it is not only the prison authorities, families, NGOs and FBOs who help to provide healthcare for the prisoners. The prisoners themselves make efforts to help themselves, either through their solidarity funds, as seen earlier, or through traditional healing before they could receive assistance from other sources:

*There were cases that I could see that maybe somebody had little infection – I went and bought antibiotics. I don't really know what kind of infirmary they are having even if they don't have a resident doctor... a qualified nurse could have been hired and a doctor could come, maybe two times a week, to examine patients who had particular ailments at least... Getting back to the conditions of the prisoners, like during the time when there was that uprising...prisoners were beaten, they had lots of wounds...it was one of the female prisoners, the lady who had been awaiting trial for more than 4 years, she knows herbs, can you imagine that they will send her...I call her 'medicine woman' because they send her to find traditional leaves because they know that she knows traditional medicines. She treated a lot of the wounds of prisoners and abscesses (NGO research participant PB).*

Bih was rescued with the help of a clergyman, thus confirming the findings of Noeske et al (2006) that the care of tuberculosis cases in prisons is sometimes provided by representatives of the various churches or by lay persons for humanitarian reasons. Bih was suffering from internal abscess that required an operation and a religious authority from the Catholic chaplaincy took the responsibility to finance her operation. This study does not reveal whether this inmate had received help because she was a member of the Catholic Church.

According to Bih, prison life was a time for reflection on the trajectory of her life. She maintained that coming to prison had been the best thing that had ever happened to her because, in the community, there was nobody who would have helped her obtain medical treatment. She indicated to me she would have been dead if she had not come to prison.

In short, the health provision for female inmates in Cameroon prisons is substandard nor is it aligned with either international or national policy. However, it may be argued that the health provision in prison is not always worse than that amongst the general Cameroonian population. Nevertheless, Coyle (2002) argues that this not a reason for a country to breach international standards. The issue of healthcare was of a major concern to the following research participant:

*I hear that there is a room here where the patients sleep on the floor. How can that be? Let there be a room for consultation with a medical doctor. When they are creating hospitals...they should think of the prisons because many prisoners die... I saw one, that was the first time of seeing somebody dying, that boy was sick...he was crying pains, saying mama, papa in agony and then passed away. So they should really create a hospital in prison with nurses, doctors, laboratory technicians... doctors from different specialisation...a real hospital located inside the prison...a hospital like any other hospital...the state should take its responsibility (Dorothy).*

It is not entirely correct to say that there are no beds for the patients in prison although there may be an insufficient number of beds. For example, Photograph 11 below from PA depicts an insufficient number of beds and very few patients would be able to benefit from this facility in PA.



**Photograph11:** Beds in the outpatient ward in the prison infirmary (FPMarch 2011)

The subsection on menstruation below discusses another facet of healthcare. The non provision of sanitary towels to female inmates may jeopardise their sanitary and health needs.

### **9.6.2 MENSTRUATION**

Menstruation is an aspect of their lives with which women live throughout their fertile years and it is usually regarded as a private matter that does not involve other parties. However, managing menstruation within a prison context presents a new set of problems in view of the fact that it is no longer a private issue because it also involves the prison administration. The personal control which the prisoner exercised over her body is taken away as her body becomes subordinate to the prison system with the everyday bodily routines of the female inmate becoming subject to high levels of control and surveillance. The female inmate's body is experienced both as a site of disciplinary power and a vital resource for survival (Smith 2009). The question that needs to be answered in this section is whether the female inmates are provided with adequate resources to enable them to manage their menstrual requirements or periods. It is essential that this topic be addressed as the prisons were originally built with men in mind and, thus, the male prisoners' needs determined what was provided to the women. The Cameroonian legislation's disregard of menstruation has several implications for policy and explains why Carlen (1985:13) argues the following:

Greater recognition by prison authorities of women's...needs during menstruation...should result in the enforcement of minimum standards of sanitation

and more sophisticated woman-oriented system of health provision in the women's prisons.

According to Vetten (2008), women imprisoned in Zimbabwe, Ethiopia, Malawi, Mozambique, Nigeria and Uganda do not have access to sanitary towels and must either depend on others for these basic needs or else improvise. Similarly, in Nigeria, the female inmates were not supplied with either sanitary pads or toilet paper. However, an ex-female inmate of the Kirikiri Women's Prison indicated that they had been given sanitary towels and toiletries once or twice a year but, since this was not enough, those who could not afford to buy sanitary pads used pieces of clothes or mattress foam which they washed for re-use each day of their menstrual cycle (Ehonwa 1993). In Zimbabwe the female inmates resorted to using blankets, prison uniforms and the woollen hats which were meant for the babies who were with their mothers in prison (Samakaya-Makarati 2003; Makarati 2003). In Uganda, despite the fact that sanitary towels were regularly supplied to the prison authorities for the female inmates, the inmates were left to use old pieces of blankets to which they resorted for convenience (Neudek 2002).

Likewise, in Cameroon, dealing with menstruation is not included in the prison budget with the prison staff members who were interviewed assuming that the various NGOs and FBOs and the families and individuals visiting female inmates would provide the female inmates with toilet paper and sanitary pads. This assumption is true to an extent, but there are also periods when inmates are forced to improvise. The narrative of the research participant below includes mention of the various persons who assist the inmates during menstruation:

*...we don't have the means for providing sanitary towels for everybody for every month. There is no budget...if you are a woman and you happen to have your menstrual cycle, they take care of themselves individually. The prison doesn't have any facility for that but the problem we have is that, as a wardress, if I discover you have your menstruation I can buy pad for a woman out of my willingness because I consider her a woman like myself. When visitors come they know that women are in the prison and so they bring toilet roll in bulk because they know that women use toilet roll for their menstruation while some may be lucky if church groups sometimes decide to bring pad (Prison Administrator PA).*

In Zimbabwe, the prison authorities openly declared that the government did not have the money to cater adequately for all the needs of prisoners when the country was experiencing economic hardship. The relatives of female inmates who were able to afford to provide the prisoners with cotton wool were, therefore, encouraged to do so (Makarati 2003).

Another research participant stated that the prison authorities do not provide sanitary towels to the female inmates because they have neither complained nor requested it:

*We don't provide that for them but they have never also requested because I think they have visits and their family members take care of that because they have never come to complain and it is also true that there are some NGOs who come here and their target is the women. I have often seen some of those things being removed from their bags and offered... Like, just of recent, the students of Our Lady of Lords Secondary School came with their principal...they kept for the female offenders sanitary towels (Superintendent PC).*

While some prison authorities expected the female inmates to request sanitary pads or toilet paper during their monthly periods, the female inmates believed this should be provided automatically. The words of the research participant cited below support Makarati's (2003) finding of gender insensitivity in the Zimbabwean prisons because of the link between menstrual requirements and medical provisioning. Makarati (2003) argues that, while medical supplies are necessary in order to deal with illnesses that are not predetermined, menstruation is a normal and predetermined female function that occurs regularly and, hence, sanitary towels should be supplied without question to female inmates on a monthly basis:

*I thought every month automatically they would have been giving us pad or toilet roll but you have to be smart to reason that my cycle is coming this month and you look for 250 FCFA and buy your toilet roll for the menstruation (Patience).*

In view of the fact that the government of Cameroon does not provide sanitary towels for the female inmates, the female inmates have various methods for dealing with the problems of menstruation, including the following:

- *I use hygienic pad when my menstrual period is around the corner. I struggle to raise the money to buy the pad (Angela).*
- *I send the wardress to buy me pad when I know my period is coming but the person who doesn't have money can tear a piece of cloth and wash it and use it (Grace).*
- *I don't use pad. But the government doesn't provide it or I would have seen it. I see the female offenders using pieces of cloth (Ethel).*
- *If you cannot buy pad for yourself you can beg your fellow prisoner and, if she does not have you, can tear and cut any of your dresses and use (Mercy).*
- *We don't use pads in prison. I use my torn loin. I use and wash it from time to time (Justine).*
- *Some church groups sometimes help us by giving toilet tissue or give us the money to buy (Research participants PB).*
- *We sometimes cut the materials and dresses given to us by church groups to use as pads (Research participants PA).*
- *They sell toilet roll or pad in prison...we buy (Research participants PC).*
- 

In extreme cases the female inmates steal tissues, napkins and panties from the other female inmates to pad themselves. The research participant from PF had this to say:

*I started selling pad, those who have money will buy but those who don't have use tissues and I remember that when I gave birth, because the first two days I was using napkins since I was bleeding too much. The inmates knew... what I was using...when I dried it outside with my pant they stole everything. They stole 12 of my pants there in prison, even with these napkins that I was using as pad... So another woman will steal it and use it. So they will just use maybe pieces of clothes as their pad. Even if your pant is old they steal it to use (Dorothy).*

The issue of stealing which was raised by the research participant also occurred in Zimbabwe. Makarati (2003) argued that, because of the lack of sanitary wear, inmates resorted to unsafe alternative such as stealing babies' woollen hats which were being dried on washing lines.



If menstruation is an issue discussed in public and not a hidden phenomenon in the prison setting, then the theory of ‘masking’ or ‘hidden’ offences, as propagated by Otto Pollak (1950), must not be supported in Cameroon. Although Pollak’s observations are dated, the basic premise of concealing crime is important. According to Pollak, women commit more crimes than are recorded (see Chapter 2; Section 2.4.1.3). However, the reason why they conceal their crimes is the fact that they have been taught to conceal issues such as menstruation and this, in turn, makes it easier for them to hide crimes.

Menstruation is a gender-specific need of women and yet this fundamental aspect of the female experience has not widely been recognised in the literature of women’s imprisonment. Meeting the female inmates’ menstrual needs would imply that the Cameroon legislator was practising the equality it espouses as menstruation is a biological reality for women. However, omitting the female inmates’ unique needs from legislation, as is the case in Cameroon, amounts to discrimination against the female gender. Article 24 of the Protocol of the Rights of the Women in Africa states:

If failure to mention menstruation has disadvantaged the female prisoner, then according it specific recognition will not be discriminatory to her male counterpart.

Rule 12 of the SMR also states:

The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

Nevertheless, these articles do not categorically address the provision of menstrual requirements as they should. However, Recommendation 24 of CEDAW, under article 12 of the Convention adopted the recommendation based on the interpretation of specific provisions in order to enhance their application. The fact that Article 12 is related to healthcare and to menstruation, which is a normal occurrence in women, has health implications only if it is mismanaged although the specific mention of menstruation in the article is a milestone (Makarati 2003:13). It is important to note that Cameroon has ratified this convention and yet it has denied some of its provision to the vulnerable category of female inmates. This is, therefore, a violation of a specific need and also of the human rights of female inmates, thus demonstrating a breach of policy.

It is clear from the arguments raised above that the government of Cameroon is ignoring the sanitary needs of the female inmates.

Other issues related to the female prisoners were raised by one of the prison nurses in this study who suggested that the female inmates come to the infirmary from time to time, not when they are sick, but rather when they have psychological problems. A range of factors, including boredom, loneliness, uncertainty, lack of recreational facilities, children at home, fighting among inmates and fear, may cause female inmates to report sick.

The next section examines corruption and the role it plays in further destroying prison conditions.

## **9.7 CORRUPTION**

This section presents corruption as the fundamental cause of the deplorable prison conditions, despite all the efforts made by both international and national bodies to rescue the situation. Corruption is rooted in all the branches of the criminal justice system – the police, courts and the prisons, including the inmates themselves. This is further aggravated by a lack of accountability and transparency. On the subject of accountability and transparency in prison a research participant had this to say:

*The prison used to have training programmes, but corruption crept in gradually from the 70s and highlighted in the 80s and 90s. It is because of this corruption the people who were running these workshops used up the monies. Monies for raw materials, like in Upper Farms cows, chickens, milk and sell meat. You know, somebody comes and uses up all the products and doesn't buy more chickens and the poultry goes off. We used to have top government officials who came, who have occasions in their homes in the head quarters, and order for cows to be put in large vehicles and they go away with them...the guy goes away with ten cows and so, whoever is on the spot as head of department, sends ten to Yaounde and then takes 5 and then writes in the book that 15 cows went. Even if the report comes the man in Yaounde cannot oppose to say it was only ten because he took ten and cannot oppose the other 5 because this*

*man is going to expose him. This kind of corruption dwindled all these things, even those machines that you saw; the machines in Buea were many. There was a good tailoring workshop going on, thread; everything with more than a hundred machines going on this is how they went. Corruption...no accountability you know in the English system, we used to have auditors, there used to be an inventory in the prisons and in every service but now you can hardly find an inventory. You can very easily have 10 machines today and tomorrow you find 5. There is nobody who comes to ask for the 10 missing machines. No auditing, no accountability (Prison administrator PA).*

However, it is important to note that not only the prison staff members are corrupt. The inmates are also often corrupt while it must be borne that they are usually in prison as a result of various criminal activities. A research participant had observed the following:

*The workshop closed down because the prisoners steal parts of the materials. For example, out of the prison we had a machine to plain plank... the prisoner in charge of the machine removed all the parts of the machine and carried it to Bamenda where they caught him. Before they could arrest him he had already sold all the parts which he removed without the warder knowing (Yard mistress PA).*

There is also corruption in the healthcare in Cameroon. The SR had witnessed this during his 2002 visit to Cameroon. He acknowledged in his report that there were an acute shortage of drugs with which to treat the prisoners and the inmates were sometimes forced to pay for the medical services which they should have received free of charge. The inmates informed the SR during his visit that drugs and other medical implements were stolen by corrupt wardens and medical personnel at the expense of the inmates (ACHPR 2002). What the SR had observed in 2002 still continues today, indicating that his healthcare recommendations have not been implemented. The current situation was reported by a research participant as follows:

*If the medicines could be provided it would be good but still there is corruption inside the prison with whoever is in charge of the medication at all levels in prison. It begins from when it enters, not all of it enters the prison, not all of it goes into the infirmary. Even when it gets into the infirmary it can still find its way out into the open market.*

*Even when you get prisoners who are helping there the prisoners sometimes break the infirmary and steal the drugs, so it is a corrupt system. If we could handle corruption, help the people to come out of it, to see that it is ruining themselves... but until the problem of corruption is properly handled if you like you buy the drugs. There is no way you who bought the drugs can go and administer them. You can't be the doctor, you can't be the nurse... the prisoners have to come in and clean the room. In this way the medication disappears so the money needs to be increased first...the way to obtain the drugs has to be changed...more accountability...more responsibility in terms of the prison personnel and the prisoners who work in the infirmary (Prison administrator PA).*

Corruption is a factor which plagues the efforts made by both international and national institutions at all levels - police, judiciary and prison (ACHPR 2002). A research participant explained her experience with the judiciary:

*They now called us one day so that they should listen to our story and that woman even for them to call us; I think my husband gave like 100,000 or 150,000 FCFA to that woman just to listen to us. She cannot do anything for you but she will pretend that she will help you. We went there and then she listened to us and we went back to the prison. And we started going to prison every month...we made 23 months so we started going to court maybe after 6 months. And we went to court 13 times. Every day you go they just read your name and say the case is postponed to next month. There was constant adjournment of cases every day you go. My husband and the others had to go and see the judge and do this and do that, it was complicated so that they should call up our case (Dorothy).*

The research participant also remarked that there was no transparency in the judiciary:

*...things are not straight or transparent and you can even do what they are accusing you if you have the cash you will just be free. The rich are set free while the poor languish in jail. There is no justice; there is one prisoner who told me... This is a boy who was implicated in something he did not know. He told me I am telling you as a sister in Christ and God hear me I don't have anything to do with this story, it was about somebody...my sister, our justice is just like a theatre hall which the entry is*

*free but when you want to go out you must pay... with the law money is what speaks. You can commit crimes if you pay you are set free (Dorothy).*

The lack of money to follow up a court case and the non-payment of fines was another theme that surfaced in the narratives of the female inmates. A research participant accused of murder observed:

*When I was given up to 8 years imprisonment that really surprised me. It was not something that I planned to kill somebody. It was only an accident, just as it could happen to anybody. Just as it could have been my husband who was beating me and I died in the course of the beating. Ahhh!!! That is Cameroon, maybe my sentence was very hard because my family did not have money to follow up my case, I don't really know what to say [cries] (Angela).*

Another research participant incarcerated for abortion said:

*I would not have been here if I had money because many other women who aborted pregnancies older than four months are free people, but I am here, languishing in hell. As if it was not enough, I completed my six months imprisonment in March, but I am still serving another six months because I could not pay the fine levied on me (Christie).*

Corruption and the lack of transparency in governance is a general phenomenon affecting many African countries and, as a result, they are suffering from a crisis of integrity within their states and criminal justice systems (Sarkin 2008). It is important to note that corruption in the criminal justice system takes place in Nigeria as well as in Cameroon. According to Ozo-Eson (2004:76), the respondents in her study claimed that the affluent buy their way out of any criminal indictment and also use their power and wealth to manipulate the laws and the entire criminal justice system. One of the female prisoners in Kirikiri female prison pointed out that “criminal justice officials in Nigeria do not judge the truth, they judge money”, thus implying that the poor and the powerless are made the scapegoats and are also vastly over represented in the official statistics.

The practice of requesting inmates to pay fines in prison still persists in the Cameroon criminal justice system although this situation is not unique to Cameroon. Even in developed countries such as the United States of America, injustice is found in their jurisdictions. For example, an inmate in a California, institution for women had this to say:

Money talks, bullshit walks. If you are a Kennedy and you get busted for dope, you never do no time. If you are the president of the United States, you can murder millions of people in Asia, you never do no time. If you are a politician, you can cheat and conspire and steal money, you never do no time. I've watched about seventeen women go out of here after serving time for snuffing their babies, while hypes [drug addicts] still sit here. Society condones guns, but not addicts. I'm here for selling two nickel bags, yet the government is giving GIs whites to keep 'em up and reds to put 'em to sleep and getting 'em addicted so they can keep fighting. And the army and the government ain't never taken to court or locked up... I sold two nickel bags and I'm doing life, baby, a day at a time. I have already been here for three years. And, you know, that's like three life times of psychological warfare. They call me a criminal. I ain't no corporation, so I'm a criminal! I'd like to ask, just where are the real criminals? (Watterson 1996:19).

In addition to the corruption in the judiciary, corruption among prison personnel is also widespread with prisoners bribing wardens for special favours, temporary freedom and permission to stay in an office instead of in a cell (USDS 2009). Such behaviour in the part of the personnel was observed by Atabong (2008) who noted that there was a sick bay to which about 8 to 10 patients could be admitted for close observation at the New Bell Prison. However, most of the beds in the sick bay were permanently occupied by prisoners who were not sick, while those who were sick did not have a bed. The implication is that the prisoners occupying the sick bay had paid for their beds. A research participant confirmed the USDS report when she narrated her experience in the prison post and police stations as follows:

*If you don't meet a good man at the gate who can help, you will be wasting your time. You must offer something so that you can find favour in their eyes to communicate with your visitor for long. The judicial police took our money, cell phones. I had 7,500 FCFA and my friend had 4,500 FCFA and the other girl had 4500 FCFA with a cell phone. Camera phone and the other boy had double sim with 8500 FCFA. They*

*took the money and did not show their commissioner. They took our money and ate. We were in the cell for a week plus 4 days. We were there in the cell for the first 4 days without any water. No water, no food. It was the guys in the other cell who sympathised with us and gave us dry bread. When we asked them to buy us something with our money they were keeping they refused (Dorothy).*

The inmates are sometimes forced to spend extra time in prison because they have no money as they were forced to pay the prison authorities, otherwise they would have lost their cellular telephones and identity papers. This was the observation of one of the research participants:

*What I have experienced in prison is that, when prisoners are released, the authorities ask the prisoners to pay 7,000 FCFA without a receipt for their own use. Imagine that one girl didn't have the money and was left in the cell for three days and, when she was going finally, she left her identity card and phone [her identity document and cellular phone were confiscated by the prison authorities in place of the money she was to pay] (Therese).*

In addition, the research participants complained of the prison staff taking away what belonged to them. This was the reason why they always requested that well-wishers should give what they had for the inmates directly to the inmates themselves and not the authorities. This general observation from the research participants was in accordance with the following narrative of one research participant:

*The warders will take everything to their various houses. Even TB Joshua<sup>29</sup> (Emmanuel TV) brought a cow, fifteen bags of rice, four tin of oil, seven carton magi, five bags of salt to the inmates but it was the warders that killed the cow and shared amongst them and just a small quantity was given to us. As it happened that way, inmates bought... chicken from one sister that had poultry. This was on a Christmas Day. Even when they give soap to us the warders will take it to their homes. Even if you bring four cartons of savon,<sup>30</sup> they don't give it to prisoners; they will keep it for the four months I was there. Every week cartons of soap enters the prison but it has*

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<sup>29</sup> A religious authority in Nigeria with a popular television channel called "Emmanuel TV". He is a world famous prophet and greatly loved for his charitable deeds.

<sup>30</sup> Washing soap.

*never been shared to the prisoners. The staff says it is being kept at the superintendent's office. They are telling lies...There is a woman who goes out as a domestic servant who sells in a store out of the prison... she saw once when the warders and wardresses came into that store and began sharing the soap amongst them. They didn't see her and she said to herself, this is what happens with the soap. When the wardress noticed she had seen them they gave her 4 savon to keep her mouth shut (Alvine).*

The behaviour of the prison staff in taking what belongs to the inmates suggests either that they are not well paid or that the government does not motivate them. The staff member research participants expressed their bitterness about the fact that this study focused on the female inmates with the following words:

*If I were you and were to ask any questions I would want to know about the state of the personnel. The government needs to do a lot as far as the personnel are concerned. Each time people want to talk about the prison, it is only the inmates, but what about those who are taking care of them. Well, perhaps you could have gone inquiring one or two things about the personnel because not only can a child be living well if the father or mother too is not living well. I will recommend that you take care of the personnel in this questionnaire (Superintendent PA).*

The prison authorities were also disgusted with the comments made by some organisations and individuals who visit the prisons and defended their actions in the following words:

*If the organisation that is bringing the clothes bring in a more organised way...the things are handed to the administration and then the administration supervises it either in their presence or later on because, if you look at behind me, you will find boxes. Those are boxes in which things were brought to the inmates and the inmates will testify. Sometimes some organisations or some people make noise. Somebody coming to visit the prison comes with a bucket of garri and announces to the whole prison that I have brought garri. Each prisoner is expecting to receive a bucket of garri, not a spoon or a cup, when you go away and then we take and we are distributing and it comes down to small quantities and the people will only say we didn't see the garri. It depends on the quantity... if you bring cooked food that can be*



*served to the people directly why do I, as the superintendent, need to refuse (Superintendent PA).*

The narrative above suggests that, although prison officials maybe corrupt, they are sometimes misinterpreted by organisations and individuals visiting the prison. Thus, a better understanding between the prison staff members and the organisations visiting the prison would help to rectify this problem.

The comments of the prison staff member cited below also suggest that they work under difficult circumstances and, thus, they require motivation. They may also struggle to work with the inmates and, therefore, motivation is of prime importance. The narrative below depicts the plight of prison personnel:

*We are willing to work but the conditions are difficult. It makes us as if we too are prisoners because even the means of carrying these people to the courts are not there, so you have to be walking behind them as if you are driving cows. It makes us look like the prisoners themselves. So, all these facilities, if they are given to us the work will be better and lighter and people will not be looking at the prison as if it is the last institution in the country. Even the law makers, the way they look at the prison service (Prison guard PA).*

The job of the prison staff is, no doubt, dangerous and demanding and, thus, deserving of motivation and a good pay packet commensurate with that of other civil servants. It is also essential that the main members of the prison administration educate the public to understand what happens in prison so that the work of the prison personnel is not underrated. In addition, the government must recognise that the prison staff are entitled to proper remuneration given that, if they are not well paid they may be open to corruption of either a direct or an indirect nature (Coyle 2002). The situation of the prison staff in Cameroon is made worse by the fact that, apart from their poor salaries, some of them are underemployed. It emerged from my field data were three research participants serving as warders or prison guards had bachelor degrees. Clearly, their skills were being underutilised. In the course of the interviews they lamented the fact that their peers with the same qualifications as they had were serving as prison administrators.

It is clear that ethical behaviour should guide an employee, even where the person is underemployed. Nevertheless, a prison staff member in such a position is free either to accept the situation or to jettison his/her ethics and indulge in corrupt practices in order to make ends meet and catch up with his/her peers. Under such circumstances such dissatisfied prison staff members may resort to other means fraud, corruption, vice or crime with the entire catalogue of proscribed behaviour becoming increasingly common.

The various ranks in the penitentiary are competitive and applicants receive what they apply for in the different ranks. Consequently, these warders received the posts for which they had applied because of the high rate of unemployment in Cameroon. They had applied for a position reserved for individuals with First School Leaving Certificate<sup>31</sup> in order to secure a job and hoping that, in the future, they would be promoted because of their bachelor qualifications, but this had never happened. As a result, seeing some of their colleagues serving in positions to which they aspired left them feeling traumatised and this may have affected their relationship with the inmates.

## **9.8 CONCLUSION**

The narratives of both the prison staff members and the female inmates reveal that the policies in place were not effectively addressing the problems and needs of the female inmates in selected prisons in Cameroon. Imprisonment imposes a heavy burden on the female inmates, especially as regards their unique needs and they are forced to deal with the situation themselves, despite their disdain and displeasure, except in cases in which there are third parties who support them. In effect, if the suggestions of the female inmates are taken into consideration, together with the assistance and donations of NGOs, FBOs and other bodies, and corruption is eradicated from the criminal justice system, the prisons in Cameroon would resemble places suitable for human habitation.

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<sup>31</sup> A document certifying that you have completed primary school.

## CHAPTER TEN

### CONCLUSIONS, POLICY RECOMMENDATIONS AND NEW DIRECTIONS

#### 10.1 INTRODUCTION

This thesis set out to examine the national policies and laws pertaining to prison conditions in Cameroon and how these relate to the lived and narrated experiences of female inmates. The thesis specifically addressed the following questions: 1) What are the existing policies relating to female inmates? 2) How effective are these policies in addressing the problems and needs of female inmates? 3) What are the narratives of female inmates and how does imprisonment impact on these women's lives? 4) What is the relationship between prison conditions as perceived by the prison staff and the narratives of certain female inmates in selected prisons in Cameroon?

As these research questions indicate, this thesis aimed to bring female inmates' voices to the fore and to enable their narratives to communicate their own lived experiences, traumas, struggles and triumphs in selected prisons in Cameroon. The thesis also attempted to investigate whether policy translates into practice in selected prisons in Cameroon. Do the policies adequately address the needs of female inmates or are they gender blind in ignoring the needs of female inmates? Are there specific policies relating to the imprisonment of female inmates that effectively address the various categories of women? Thus, this thesis therefore rectifies the invisibility of female inmates in prison by analysing their subjective experiences of imprisonment.

The data analysis in the thesis suggests that both ratified international and national policies are, to a large extent, nothing more than 'paperwork', in other words, lacking effective implementation in the prisons addressed in this study. Furthermore, the Cameroon Prison Regulation fails to address the specific needs of female inmates. The findings of this study support the argument of Stern (1998:141, see also Samakaya-Makarati 2003) that, in every country, "there is a prison system for men, and women are everywhere tacked on in an

awkward after-thought” unless this changes, the female inmates will remain in the shadows of prison life.

The study also showed that both the infrastructure and general provision for pregnant and nursing mothers are inadequate. The participants reported how they had to rely on their own personal efforts, elderly female inmates, ‘boyfriends’ in the male wings of the prisons, kind-hearted prison staff members, relatives, religious organisations, NGOs and FBOs in order to meet their special needs.

## **10.2 THE EXPERIENCES OF FEMALE INMATES IN PRISON: A SUMMARY OF THE FINDINGS**

Despite the fact that prison conditions in Cameroon are, in the main, similar to the prison conditions in other African and developing countries, there are certain factors arising from the data results that need to be highlighted. Prison conditions vary from country to country and this may be related, amongst other things, to geographic diversity, different levels of economic development and socio-historic conditions. The following are the main findings of the study:

### **10.2.1 LIVING CONDITIONS IN CAMEROON PRISONS**

The findings of this study revealed that there are very few policies which address the specific needs of female inmates in prison and that the policies are mainly gender-neutral. However, this gender-neutrality of Cameroon policies has policy implications because gender-neutral policies, as earlier seen, are usually tied to male bodies. The arguments raised in courts suggest that, if women want equality with men, they must receive it in full. Smart (2003:496) argues, therefore, that feminists advocating for such equality want women to be sent in their droves to dirty, violent and overcrowded prisons for longer periods - “equality with a vengeance”.

One of the policies that addressed both genders related to the separation of categories of prisoners. The findings revealed that there is a general lack of infrastructure in the prisons which makes the classification of prisoners, as suggested by the CPR 1992 and ratified international instruments, difficult, if not impossible. The only form of separation found

amongst the prisoners was the fact that the female inmates were separated from the male inmates in the same prison by either a block wall and an iron gate or a plank wall and a small gate. The various categories of prisoners, including the children of female inmates, lived together in the same cell. This has significant implications because it is argued that it is not possible for safe and progressive prisons to exist without proper classification and assessment systems (Du Preez in Herbig & Hesselink 2012:33).

As regards hygiene and sanitation, the research participants complained of the water supply being dirty. As a result some of the research participants lived on mineral water throughout their stay in prison if they could afford it. However, other research participants with children were forced to carry the dirty water, allow it to settle and then give it to their babies. There had been times when some of the research participants had given dirty water directly to the babies. This has significant implications because a lack of good sanitation and access to clean drinking water have been found to be associated with a higher incidence of disease and higher levels of malnutrition when it comes to children (Pongou, Majid & Salom 2004).

It emerged that the research participants cooked their own food, even though policy prescribes that all prisoners' food should be provided already cooked. This practice of cooking one's own food is unique in Cameroonian prisons. It may be interpreted as a form of agency in terms of which the 'gender ratio problem' propounded by feminist criminology as a disadvantage for female prisoners was used by the Cameroonian female inmates to their own advantage. They had secured the right to cook and this, in turn, often meant that the male inmates, who had not been given the same opportunity by the prison authority, were forced to ask the female inmates to cook food for them. This had significant implications because it reinforced the discourse on sexuality in prison - boyfriend and girlfriend relationships which sometimes required an informal display of female body parts, telephone sex or overt sexual relationships.

However, this empowered position of the female inmates had significant repercussions because they were given raw food only, with very few accompanying ingredients and fuel. If they were to eat throughout the month, they could either cook together or else they cook individually, as was the case in some prisons, but they then needed food supplements from family members and/or their boyfriends in prison. Otherwise they would have gone hungry as did some of the research participants who did not have regular visitors. According to

Foucault (1977), these are the subtle ways in which imprisonment impinges on the inmates since modern penalty has moved from punishing the physical body to punishing the mind of the condemned.

In general there was a lack of educational and other training facilities in all the prisons visited. The few educational or training facilities available were those supported by NGOs and FBOs while the library in PA had been opened by the European Union. According to Article 50 of the CPR, the female inmates are not allowed to go out and work as they may go out and become pregnant. However, the older research participants were allowed to go out to work as domestic workers. The argument for allowing them to work was based on the fact that they could not fall pregnant. Accordingly, in general, the male inmates only went out to work and, thus, the female inmates were denied employment opportunities in terms of which they could have increased their earnings through skills development and this could, in turn, have helped these prisoners upon release. This policy had significant implications for the lives of female prisoners since, in mainstream society in Cameroon, men and women have the right to work as stipulated in the labour code and the CEDAW which Cameroon has ratified. The above procedures are, thus, discriminatory in nature.

The discrimination between the younger inmates and older inmates in terms of going out to work symbolised power relations between the research participants with the age factor playing a major role. The research participants also revealed that they could also be allowed to go out for work within a short period before their release but this was subjected to the payment of a certain amount of money to the prison authorities and, thus, the participants who were not able to afford the money were not given this opportunity. The abovementioned is linked to Foucault's assertion that power is widely dispersed and operates intimately and diffusely. This power operates closely and impacts directly on people's bodies as 'discipline' as well as on their identities and their sense of their place in the world (as was shown in chapter 6). This study revealed the existence of power relationships between inmates and the prison authorities as well as power relationships based on age amongst the female inmates. The problem of corruption also emerged as the prison authorities took advantage of the vulnerable position of the female inmates and extorted the little money they had.

The lack of facilities catering for individual needs exacerbates the difficulties experienced in prison with the prisons focusing their resources and facilities on the male inmates and on

certain of the female inmates on the basis of age, money and connection. There was a feeling of despondency about the inadequacy and inappropriateness of the employment and education opportunities provided in prison with the vital roles played by work and education in mitigating the effects of isolation, frustration and despair being ignored. Not being able to go out to work like their male counterparts may account for the female inmates' dependence on the male inmates in prison - a replication of a patriarchal society. Some of the prison staff members even viewed the female prisoners as an economic liability and, yet, they are not given the opportunity to generate an income. These female inmates are, thus, regarded as dependents and are often described as a non-productive burden upon the economy.

The above arguments relate to two of the research questions, namely, what are the existing policies relating to female inmates and how effective are these policies in addressing the problems and needs of the female inmates? There are policies which address the various aspects of prison conditions but, at times, their gender-neutrality renders inappropriate to apply to female inmates who have different needs from the male inmates. The research findings further revealed that the prison authorities sometimes use their own discretion in addressing prison conditions and this, in turn, explains why the female inmates cook in prison. However, in other circumstances the prison authorities find it difficult to eradicate the norms and values instituted by the inmates, such as 'new man tax' and, thus, they abide by it and sometimes benefit from it when the older inmates extort money from the newcomers.

### **10.2.2 POWER AND CONTROL: THE RELATIONSHIP BETWEEN STAFF AND INMATES IN CAMEROON PRISONS**

It emerged that torture and corporal punishment were meted out to the research participants, irrespective of the regular visits by human rights organisations to the prison. Certain of the prison staff members interviewed termed these punishments a form of rehabilitation. In addition, vicarious punishment caused untold psychological harm to the research participants even in situations in which the punishment was administered to the male inmates together with the individual punishment directly inflicted on their bodies. The prison authorities further breach prison regulations in order to exercise control over the female inmates by appointing cell leaders to act as 'their eyes' in their absence. This is no different from Bentham's panopticon, the plan for a 'new model prison' that had significant influence on Foucault's *Discipline and Punish* (McLaughlin et al 2003). Apart from the prison authorities

leaving 'their eyes' behind, there was always a prison guard on the control (watch) tower (see photograph 2), monitoring what the inmates were doing without their knowledge. These were practices propounded by Foucault (as was explained in chapter 2). It is clear that the punishments meted out to the research participants were impacting on their lived experiences in prison. Thus, in relation to research question three, the study found an abrogation of policy in relation to torture, suggesting that certain policies exist in theory but are not necessarily implemented or observed.

### **10.2.3 SEXUALITY IN CAMEROONIAN PRISONS**

Conjugal rights are not permitted in Cameroonian prisons. This is contrary to what happens in other parts of the world where prisoners may be visited by either their spouse or a long term partner for a period of up to three hours. The couple are given privacy in a small unit which contains a bed, shower and other sanitary facilities.

The CPC criminalises same-sex relationships (see chapter 7). Nevertheless, same-sex relationships do exist in Cameroonian prisons despite all the measures taken by both the prison authorities and the inmates to eliminate this practice. It is not clear whether the male inmates engage in such practices as a sexual preference or as a form of substitution for their girlfriends and wives. This finding is strongly in correlation to the works of Gillombardo (1966) and Ward and Kassebaum (1965) who were the first to recognise and theorise homosexuality as a part of prison culture. This argument is important because certain same-sex acts may be a substitute for the heterosexual opportunities which are denied to inmates (Sykes 1958).

### **10.2.4 PARENTING IN CAMEROON PRISONS: PREGNANCY, CHILDBEARING, BREASTFEEDING AND BABIES IN AND OUTOF PRISON**

The relationship between female inmates (especially pregnant and nursing mothers) power, punishment and prison is complex and merits further investigation. The question of female inmates entering prison already pregnant or as nursing mothers places a question mark over the implementation of policy, particularly in view of the fact that section 27 of the penal code does not permit this group of persons in prison. In addition, they are there with no provisions



being made to meet their special needs. Nursing mothers were even incarcerated by the courts for petty offences that did not pose a serious risk to the public.

It is worth noting that some of the research participants had never gone for anti-natal check-ups during their pregnancies and so they had lost their babies during childbirth. Chimarbagwala et al (2004) found that the infants and children of mothers who had received anti-natal care, either by a medical doctor or a nurse, and who had received professional assistance during delivery, had a higher chance of survival.

### **10.2.5 RELIGION, NGOS AND FBOs**

The specific needs pertaining to the menstruation of the female inmates are completely ignored in Cameroonian prisons. The female inmates either provide for themselves, rely on NGOs and FBOs or improvise sanitary towels. This, in turn, has significant implications in view of the fact that, even though menstruation is a natural phenomenon, it may adversely affect the health of female inmates if not properly handled.

Foucault argues that “power relations are ubiquitous and are exercised from infinite points” (in Bomela 2007: 98). In this study it was seen that, despite the government provision and the assistance of NGOs and FBOs who did so benevolently and without support from the government, the prison conditions remained deplorable and appalling, often as a result of the corrupt practices of the prison staff. A common thread in such practices is the meeting of one party’s needs at the expense of the needs of others. Thus, corruption entails the abuse of power.

The findings reveal that, without the presence of religious institutions, NGOs and FBOs, the living conditions in Cameroonian prisons would be extremely inhumane. Accordingly, the only way in which policy may match practice would be to address corruption at a political level. In addition, the issue of the prison staff remuneration must be taken into consideration so that there is no conflict of interest between what is provided for the inmates and the staff.

In answer to the last research question, it is significant to note that the prison staff members and the female inmates viewed the prison conditions in terms of the ‘blaming syndrome’. Whilst the female inmates blamed the prison staff for their deplorable prison conditions, the prison staff members, on the other hand, blamed the government or the state for the

inadequate infrastructures and rehabilitation facilities. Thus, three actors come into play when discussing prison conditions. This is very similar to Foucault's suggestion that the forms of modern power may be viewed as a "triangle of sovereignty-discipline-government" (Garland 2003:460). The value of Foucault's analysis, according to Garland, is that it allows for the analysis of the crime control field as a field of power relations and subjectifications, thus drawing attention to the impact of new knowledges and technologies upon the power relations between governmental actors as well as between the rulers and the ruled. To Garland, government is extended and enhanced by the creation of 'governors' in the space between the state and the offender.

### **10.3 THEORETICAL UNDERPINNINGS**

Foucault's analysis of modern penitentiary represented a possible adaptable model for prison conditions in Cameroon because it demonstrates how punishment has moved from attacking the physical body of the prisoners to attacking their minds. It would appear that, in the context of Cameroon, the issue of capital punishment is in abeyance despite the fact that the courts still place people on death row. However, death sentence is often commuted to life imprisonment after a presidential clemency, thus confirming the fact that the old system (carried out before a crowd of spectators in front of whom the body of the condemned person was destroyed) of punishment has given way to a new system which was not ceremonial and which does not require an audience. The new system of punishment is silent or, even better, private and within the prison setting.

Foucault's view of penal relations being power relations are demonstrated in the structure of the penitentiary in Cameroon. In terms of this structure the prison authorities are powerful while the female inmates' bodies remained powerless – a notion that has been criticised by Garland as it appeared that inmates had no agency. Nevertheless, the concept of surveillance is a central tenet in prison governance and includes the control tower (from where prisoners are controlled without their knowledge) and the appointment of cell heads who report any irregularities happening in the cells in the absence of the authorities. Prisoners are also controlled by means of another surveillance instrument, namely, religion. It was shown how religion may be used, even unwittingly by those involved, to transform the mind of the prisoner to conform to the instituted norms of society. This notion helps to explain why the only training or rehabilitation available to female inmates is in terms of their traditional roles

to make them conform to societal expectations of normal behaviour. This, in turn, suggests that rehabilitation is not motivated by a concern of the welfare of prisoners only but is also intended to ensure that power operates efficiently.

Foucault's tenet that power is relational was also expressed in Cameroonian prisons not only via prison authorities to inmates but also amongst the inmates. The inmates who had spent a longer time in prison expressed their power over the 'newcomers'. The age factor also dictated power as the younger inmates served and respected the older inmates and this was sometimes influenced by the experience and financial power of the older inmates.

However, the old system of punishment as projected by Foucault has not completely disappeared in the Cameroonian prisons, particularly in the light of incidences during which the prisoners are subjected either to bodily torture or else they are threatened with torture - despite the regular visits by international bodies, NCHRF, NGOs and FBOs. Based on international and national policies that were cited in the study, it is clear that, in terms of the modern system of imprisonment, inmates lose both their wealth and their rights but their bodies are not subjected to further punishments as their loss of liberty is the punishment they have incurred. However, in Cameroon, the inmates endure severe torture which is inflicted by both the prison staff, sometimes resulting in death during attempted escape, and the inmates themselves. The abuse of human rights which Cameroon is fighting to eradicate is evident in the prisons where prison staff members sometimes force female inmates as a group to throw water on another inmate and beat her mercilessly in the presence of other staff members and inmates. Such incidences resonate with the public spectacle of the old system although this modern-day practice involves a smaller crowd.

The feminist criminological analysis was deemed an appropriate model to address the problems around the needs of the female inmates in prison and how female inmates adapt to prison life. Empirical research on female inmates as lawbreakers has given the female inmates a voice with which to express their experiences of prison conditions. See sections 10.4 and 10.6 below for further explanations on the feminist analytical framework and also the shortcomings of the model.

#### **10.4 METHODOLOGY: STRENGTHS AND LIMITATIONS**

The research design for this study was qualitatively geared towards obtaining the authentic narratives of the research participants. This approach encompassed a variety of designs and methods with common characteristics, including focusing on human experiences, sustained contact with people in their natural settings, a high level of researcher involvement and the generating of narrative data (Rolfe 2006:306-307). The approach also focused on what people say and do in specific places and institutions, including the details of their interactions with others overtime which correlated specifically with the objective of this study, particularly in view of the fact that the rich descriptions and narratives of specific cases constitute the bridge that links qualitative sociological studies (Goodwin & Horowitz 2002:35-36). This approach was critical as it elicited the subjective experiences of women while also possessing the potential to harness and extend the power of the ordinary voices in order to understand the social world in which these women live (Terre Blanche & Kelly 2006:274).

In-depth interviews were conducted with prison staff, NGO representatives and female inmates with their consent. Using tape recordings the female inmates were able to tell their stories and relate how they experienced prison conditions together with the other actors within the prison walls. Standpoint feminism was clearly demonstrated as the women spoke for themselves with their stories conveying messages of what goes on beyond the walls of their cells. Their narratives also described the situation of the male inmates and the attitude of the prison authorities, vividly revealing the gendered setting of the prison complex. Standpoint feminism emerged as an all encompassing methodological tool as compared to the criminological theories in terms of which men were projected as the only gender in prison. There was, therefore, a blend between the feminist analytical framework and qualitative research.

The narratives were organised around plots and themes and analysed, thus bringing out the stories of whom these women were. Both the narrative form and the narrative content informed this research study while the measuring instrument used was an unstructured, open-ended interview guide which was used to conduct in-depth narrative interviews with penitentiary staff members who had been purposively selected. The method was particularly significant because the opinions of people about a certain phenomenon and who were informed about a specific research topic were investigated voluntarily with their informed

consent. Purposive sampling is typical of qualitative research (Sandelowski 1995). The sample size of a total of 38 research participants was more than adequate in light of Sandelowski's (1995:179) assertions that "small is beautiful" and that a small sample size may either be adequate for homogenous or critical case sampling or too large for certain types of narrative analyses.

However, the study does have certain shortcomings. As mentioned earlier in Chapter four (section 4.10), the one limitation was the small sample size comprising a total of 38 research participants (18 prison staff members, 2 NGO representatives, and 18 female inmates). In addition, this group did not represent any particular population and, thus, all the conclusions drawn in the study are limited to the sample and cannot be generalised to all prisoners countrywide. Nevertheless, it may be argued that the female inmates in Cameroonian prisons all experience similar prison conditions and are governed by the same laws or policies. However, another study with a wider demographic base and a probable sample may help to address this limitation.

## **10.5 PRISON CONDITIONS AND FEMALE INMATES: POLICY RECOMMENDATIONS**

A central theme throughout this thesis was the fact that there are women with specific needs in prison, including pregnant women nursing mothers, and women with children in and outside of the prison and, despite the fact that certain policies prevent this, there are no special provisions made to address their differential needs. The Cameroonian legislation is still bound by twentieth century policies - the 1967 penal code and the 1992 CPR - which take into account isolated segments of women's lives only.

There is, thus, a need to reform and/or amend the Cameroon Prison Regulation 1992 and the Cameroon Penal Code 1967, which are 21 and 46 years old respectively, and which have not undergone any major reforms. This, in turn, should take into consideration the specific needs of the female inmates as well as the current debates on the imprisonment of women. In addition, section 27 of the Penal Code that deals specifically with pregnant and nursing mothers should be upheld and enforced so that it does not appear to be mere window-dressing. In addition, the policy should not be based on gender neutrality because gender neutral policies in a totalitarian institution such as a prison will breed discrimination. These

standards of neutrality and sameness as regards the treatment for men and women and which were propagated by the first wave of the feminist movement were later criticised by Chesney-Lind (2006) as vengeful equity.

It is, thus, clear that the progress in the discourses on redressing gender discrimination, including the various forms of differences, have not yet been effectively incorporated into law in Cameroon. The prison service denies the gender specific needs of female prisoners, even as does section 27 of the penal code, although these gender specific needs of female prisoners are taken into account in some prisons in the world. There are no provisions made for menstruation in the CPR, whereas other African countries do provide in limited quantity while some countries, such as Zimbabwe, have even progressed as far as discussing the issues of menstruation of female inmates in parliament, with positive results (Makarati 2003). It is, therefore, clear that the Cameroon government, in common with the governments in most African countries, does not consider imprisonment as a priority and, thus, it is not possible to compare Cameroon with the developed countries where funding is available for the building of new confinement facilities and other running cost items.

Professionals in the fields of gynaecology, paediatrics and criminology could provide a greater awareness as regards understanding the problems facing female inmates who are confronting the criminal justice system with their specific needs. It is essential that policymakers address the special needs of female prisoners, in order to fulfil the social mission of the prison statement of purpose. The needs of the female inmates are substantial and may include physical, mental and preventive health care, custody classification, special housing considerations, educational, vocational, recreational and physical exercise and rehabilitation programmes as well as dietary considerations and pregnancy and nursing care. The following initiatives, although by no means an exhaustive list, may enhance best practice, namely; 1) A pregnant or nursing female inmate with no previous criminal conviction should be given special consideration by the courts; 2) Pregnant women and those who have just given birth should be segregated from the other female inmates and should not be incarcerated with the other female inmates who barely give them the opportunity to rest when they are brought back to prison immediately after delivery; 3) The prison service should institute both a clean water service and a constant water supply in the prisons to meet the needs of both the female inmates and their children who are incarcerated with them and 4)

Research is needed if the prison authorities are to respond more effectively to the needs of the female inmates and prison conditions in general.

There should be a concerted effort on the part of the government and the prison authorities to ensure better coordination and more efficient use of water, desalination of water, and a reduction in the pollution of the water sources. Although the shortage of water is a general crisis in Cameroon, it is more dangerous in the prisons where the inmates are overcrowded in one cell. Threats to the health of the children in prison would be addressed and reduced. The Catholic chaplaincy in PC has built about four big tanks for the storage of water to assist the prisoners when they experience water shortages and, as a first step, this should also be done in the other prisons.

In order to understand the complex issues facing female inmates, a national study should be undertaken to investigate the informal practices currently in use as regards this population of female prisoners. Further research in this area would inform best practice policies, from the moment the females criminals first encounter the criminal justice system at the point of arrest to their release from prison.

There is a need to envisage a future in which the imprisonment of pregnant women, nursing mothers and mothers with children will be a rarity and reserved for those who have committed serious crimes, repeat offenders and those who pose a threat to the community. In addition, it is essential that the prison administration not always consider male and female inmates in an equal light and the prison authorities must understand that male and female inmates have different criminal profiles, both in terms of the offences committed and previous offending history as well as different adjustment patterns to imprisonment. It is argued that a gender-specific policy, based on substantive equality, would improve the plight of women in prison across the life course (NACRO 1994).

Like Wahidin (2004), I ended up sharing in the pains of the female inmates and also being placed under the prison gaze. I recall an incident when I once received a punch on my head from a male prisoner when I was on my way to the female wing. I also observed, heard and experienced things that I would, otherwise, not have done. My emotional response was indignant and there were sights, voices and phrases engraved on my heart that I will never forget. My sincere desire is to instil in the reader a greater concern for the female inmates

who are forced to endure the appalling prison conditions while having to improvise in order to meet their needs through odious means. A full understanding of the way in which prisoners evaluate their experiences of imprisonment is impossible without knowing whom the prisoners are in a sociological or socio-cultural context (see also Ward 1993).

## **10.6 NEW CRIMINOLOGICAL IMAGINATIONS AND DIRECTIONS: THE CONTRIBUTION OF IMPRISONMENT TO THE LIVES OF FEMALE INMATES**

Women in prison are both victims and victimisers. They have special needs and, yet, defining them solely in terms of these needs may be disempowering. The proponents of the first phase of feminist criminology maintained that, in overemphasising women as victims, there is the risk of depriving women of their moral agency because being a victim is embedded in passivity and blamelessness (see Chapter 2). This, as demonstrated in the preceding paragraphs, ties in closely with the findings of this study. It may be that women draw strength from similar ideals of femininity to those who oppress them. However, it would appear that their ability to be agents and, thus, to negotiate power rests on qualities other than those manifested within the prison and, in fact, despite their restricted choices and opportunities in prison, women sometimes mount resistance.

The experiences of the imprisoned women in Cameroon are completely different to the experiences of women in other parts of Africa and the world at large with these differences also manifest in the prison setting. In most countries in the West, despite the fact that there are mixed prisons for men and women, there are also often a few women only prisons. This is also the case in some African and developing countries. However, there are no such prisons in Cameroon where male and female inmates are housed in the same institution with a small gate only separating them. This, in turn, gives rise to other peculiarities which contribute to women 'becoming prisonised'. In addition, this situation allows the male and female inmates to negotiate sex, a phenomenon not found in single sex prisons.

This study also revealed that the feminisation of poverty (see Chapter 3, section 3.3.4), rather than women's liberation theory, leads women to commit crime, thus leading to a rejection of the theories of emancipation and an embracing of the chivalry hypothesis. The fact that it may be argued that some of the women in Cameroonian prisons would not have become



involved in crimes such as embezzlement if their status had not changed confirms Freda Adler and Rita Simon's premise that, as the social status of women becomes equivalent to that of men, the crime patterns of females will come to resemble those of their male counterparts. However, this premise of Adler and Simon was contradicted by Steffenmeier and Belknap (2004) who supported the argument advanced by the prison authorities in Cameroon that it is the feminisation of poverty and not the effects of the women's movement that has induced women to commit crime.

It is important to note that the prison only inflicts pain on the female inmates' sense of self but also provides opportunities for the prisoners to review their outside identities. A number of female inmates claimed that being in prison had enabled them to question their lives and roles on the outside. For example, some of the research participants queried their roles as women who did nothing to support their husbands and maintained that prison had taught them to be self-reliant - something they would continue once released. They intended to do this by asking their husbands for some capital to enable them start to support themselves. In addition, some of the research participants asserted that it was in prison, with the assistance of the NGOs, that they had learnt to keep themselves clean and that they would continue with this practice once they had left prison. Other research participants swore that they would never do anything wrong that would result in their returning to prison. In addition, some of the research participants believed that if they never came to prison they would have died since they had been able to restore their health in prison with the assistance of the religious authorities which had taken pity on them and sponsored their surgeries. Thus, some of the women not only praised the prison environment for the benefits it had brought into their lives but that they had sometimes resisted the prison system and this had contributed to their identities.

The following assertion of Worrall (1996) supports the resistance of the female inmates in Cameroon:

Although women offenders are subject to a Matrix of controlling and oppressive mechanisms, they do not respond totally passively. They do find ways of eluding control and of challenging professionals (Worrall 1996:74).

Thus, despite the rigour of the prison and the overwhelming power of the institution, most of the women interviewed had not been completely incapacitated. They had found ways in which to express their religious beliefs, their sexuality and their creativity. They had even been able to fight and win disputes with the prison administration. This, in turn, shows that, in order to challenge both the understanding and the treatment of women in prison, it is essential that the criminologists listen and to respond to the prisoners.

For, as some of the research participants pointed out, women themselves have much to offer if they unite to fight their common enemy - the prison authorities. They sometimes went on strike if they had an issue with the treatment they received in prison. For example, the female inmates would decide to lock up their gate from the inside and refuse to allow any prison staff to enter. During these strikes the guards are unable to do their rounds as nobody was able to go out of or come into the female wing. The female inmates would beat the containers in their cells as a form of provocation to attract the attention of the staff. In one instance there had been a strike because two inmates had been beaten for no just cause. This had angered the female inmates and they had requested to speak to the superintendent in charge. The female inmates had stood their ground as they continued their strike until the head of the prison had listened to them. The power of the female inmates was incontestable because the superintendent in charge had been summoned to listen to the complaints of all the women. The superintendent in charge had only calmed the situation by promising to treat the women properly. This situation supports the feminist criminological theories which advocate for a female voice at any given point. However, I differ slightly with the first phase of feminist criminological theory which stated that women's voices were not heard as this study found that there were moments when the voices of women could be heard if they acted as a group. This takes us to the second phase of feminist criminologists who portrayed the female criminal as a rational being capable of making her own choices (Pollack 2005). In the context of this study the female inmates had requested from the prison administration that they be allowed to cook for themselves. They had also resisted the prison administration and invoking the concept of subversion by having both formal and informal sexual relationships with the male inmates.

In another instance the female inmates had gone on strike because of the unscrupulous nature of a prison guard whom they termed arrogant, abusive and 'insultive' and who was friendly if he was given money. He had even gone as far as preventing the female inmates from seeing

their visitors. This time, when the female inmates had summoned the superintendent in charge, they had unanimously asked him to remove the guard from their gate. The fact that the superintendant acceded to their demand, demonstrates the agency which the female inmates may wield in prison. In other words, the powerlessness which the female inmates sometimes manifested disappeared when they acted in a group.

In yet another case of resistance, a female inmate had died in prison. She had had HIV and AIDs and had refused to be placed on anti-retroviral drugs as proposed by the prison doctor. However, the state of her health was known only to her and the prison doctor and the other female inmates had been ignorant as to what was actually going on. All they had seen was that their fellow inmate was sick and the prison was doing nothing to save her life. The female inmates had formed a delegation to confront the doctor so that she could explain her seeming indifferent attitude. It is only when the female inmates had confronted the doctor that she had called the inmate concerned to explain to her friends what was happening. The doctor had finally come in to say "*It is three years they told her she is HIV positive and she refused the drugs offered to her*". It was then that the female inmates had understood the medical doctor and they had set her free. They had also desisted from their strike action, even when the sick inmate had finally died.

Yet, if their resistance is, ultimately, to "go anywhere in particular" (Brown cited in Bosworth 1999:163), it is essential that they be recognised and heard. However, for this to occur, criminologists must speak out, both on practical and conceptual issues.

Criminologists and the prison administration acknowledge that prisoners are both human beings and are agents in themselves, although the inmates are perceived in psychological terms only. Although there have been studies into the effect of imprisonment on women since the time that Elizabeth Fry transformed the prisoners in Newgate by a combination of prayer and education, most of the discussions on imprisonment and punishment have rarely considered women. Similarly, despite the fact that female prisoners have been a topic of sociological analysis since the 1960s, contemporary criminologists routinely exclude a detailed appraisal of gender from mainstream prison studies (Bosworth 1999). It is, thus, essential to look beyond criminology for an account for the relationship between prison conditions and the narratives of female inmates. In addition, the problem of generalisation

and the gender ratio problem embedded in feminist criminological theories also accounts for the diminished focus on female inmates.

The issue of class also surfaced in the narratives of the female inmates with one of the research participant soliciting that there should have been a separation between little children, prostitutes who disturb the environment and civil servants (a research participant who had been incarcerated for embezzlement). The issue of class in prison has significant implications where there are insufficient cells in which to incarcerate all the inmates. Bosworth (1999) argues that class and offence intersect to forge specific identities. Bosworth (1999) further describes how, at HMP/YOI Drake Hall in the United Kingdom, the women who had stolen money from their employers formed a separate group (in the case of the research participant cited above she had been discharged and acquitted after 23 months so she cannot be accused of stealing). The research participant, however, had isolated herself and had set up a small business. As may be seen in her narrative the other female inmates had become critical of her and an elderly female inmate had even accused her of practising witchcraft in order to prosper in her small business.

## **10.7 CONCLUSION**

It emerged from the research findings that policy does not always match practice as regards prison conditions in Cameroon. In order to address this issue, it is essential that policy first address all human rights issues as well as issues specific to female prisoners. Secondly, these policies must then be adhered to. However, it is reasonable to assume that government's efforts and the work of NGOs, FBOs and international bodies in Cameroonian prisons will be effective only if the corruption, which remains a cankerworm within the Cameroon penitentiaries, is eradicated. Thus, best practice to improve the conditions of prisoners entails eradicating the bureaucratic system of governance and addressing the problems of corruption.

Many women have to go back to being mothers and wives in societies that may not want to accept them as they are former prisoners. However, certain of the women had found new abilities, skills and knowledge as well as an inner strength, thus demonstrating an aspect of agency and lending credence to the fact that women are able to act as agents - a goal of standpoint feminism.

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## APPENDICES

### APPENDIX A: DRAFT INTERVIEW SCHEDULE FOR INTERVIEWS WITH PRISON STAFF

#### Introduction:

- Thank participant(s) for willingness to be involved
  - Introduce informed consent form
  - Explain process of interviewing
  - Conclude formalities and technicalities
1. How are prison conditions currently measured in Cameroon? Is it a government priority?
  2. In your opinion what is the state of the prisons in Cameroon?
  3. Broadly speaking on what kind of principles do you run prisons in Cameroon?
  4. Do you have a say in penal policy?
  5. What kind of values do you hope to impart to the women in prison?
  6. Do inmates have a say in the running of the prison?
  7. What do you think are the experiences of female inmates?
  8. While in prison what kind of contact do women have with the outside world?
  9. How many inmates are detained in this prison? Probe for specifics for male and female inmates.
  10. Has the female prison population from post 1990 changed compared to before 1990?
  11. How do you cope with the estimated number of female inmates in terms of dressing and sleeping facilities?
  12. What do you have to say about the sanitation and other health conditions in prisons?
  13. What special problems do female inmates face? What in your experience are the main worries of women while they are in prison? How can these worries be reduced?
  14. Does the gender of an offender influence what treatment he or she would receive?
  15. Are male and female inmates treated the same or differently?
  16. What can you say about the number of inmates awaiting trial?
  17. Are female and male inmates kept in separate cells? Have there been any reasons for mixing at certain periods?
  18. What recreational facilities are provided for male and female inmates?

19. Does the prison administration provide enough food for male and female inmates? Is the same quantity of food given to pregnant inmates? How many meals is an inmate entitled to for a day? In the case of a female inmate with a child in prison does the child eat the same food provided for the mother or something different?
20. I am particularly interested in what happens to the children of women in prison. When a woman with children is incarcerated, what kind of arrangements are made for her children? How often can they visit her in prison?
21. Are you aware of cases of sexual harassment with female and male inmates and sometimes female offenders and prison staff?
22. Please describe the conditions under which this harassment occurs?
23. Are you aware of same-sex harassment (homosexuality) in female cells?
24. If yes, how are the cases of sexual harassment dealt with and what do the women say motivated them?
25. Are male and female inmates sent to different prison institutions?
26. How are pregnant female inmates handled in prison?
27. If a female inmate gives birth in prison, who takes care of the baby?
28. Are provisions made in prisons for caring for the children of inmates?
29. What work do inmates perform for a living?
30. Do they have in-door or outdoor activities that they do for remuneration?
31. Have you experienced any male or female inmates who developed mental breakdown in prison? Why did it happen?
32. Are there differences in the offences male and female inmates commit? If yes, why do you think male and female inmates commit crimes differently?
33. Is there differential handling in the type of offence an inmate commits?
34. Why do you think male and female inmates commit crime? Are their crimes influenced by passion/emotion, prestige, poverty, environment, abandonment/neglect or emancipation?
35. Does class (income) play a role in the type of treatment an inmate gets in prison?
36. Do you have any rehabilitation programmes for female inmates so that they get out of prison having learnt something useful?
37. Do you think there should be separate training programmes for male and female inmates?
38. Do you have independent community organisations that advocate for the human rights of women in prison?

39. What are the gaps in the policy for improving prison conditions for inmates particularly women?
40. Is there anything else that you think should be known about the situation of female inmates either in or out of prison?
41. What measures do you propose should be put in place to improve prison conditions?

#### SECTION B: DEMOGRAPHICS

42. Please state the age group to which you belong?
  - a.) 15-25
  - b.) 26-36
  - c.) 37-47
  - d.) 47 and above.
43. Please state your marital status.
  - a.) Married
  - b.) Single
  - c.) Separated
  - d.) Divorced
  - e.) Widowed
44. Please state your level of education.
  - a.) Primary education
  - b.) Secondary education
  - c.) High school education
  - d.) University education
  - e.) Other, please specify
45. Please state your occupation in prison.
  - a.) Delegate
  - b.) Medical officer
  - c.) Social worker
  - d.) Prison superintendent
  - e.) Prison administrator
46. Gender?
47. How long have you been in service?

## **APPENDIX B: DRAFT INTERVIEW SCHEDULE FOR FEMALE INMATES IN PRISON**

### **Introduction:**

- Thank participant(s) for willingness to be involved
- Introduce informed consent form
- Explain process of interviewing and stress that interview will be strictly confidential
- Conclude formalities and technicalities

### **Prison Interview 1**

First of all I want to ask you some factual questions and thereafter I will ask you to talk more generally. If you agree, I would like to tape-record your answers so that you can make your answers as long as you like.

### **Factual information**

1. Age
2. Education qualifications
3. Married, single, separated, divorced, widowed, cohabiting (prior to being incarcerated)
4. Number of children and dependents
5. Who is looking after your children and dependants now?
6. How often do you get news of them? How well do you think they are being looked after?  
What advice did you get on, and who helped you to make arrangements for, your children after you had been sentenced?
7. Reason for conviction and when were you sentenced
8. Length of term of imprisonment (if known)
9. Number of times in prison
10. Health: Do you think of yourself as usually being a healthy person? How has your health been since you came to prison? Have you been given any medicine since you came to prison? What was that for? When you are sick what do prison staff do?

### **Prison Interview 2**

Last time we talked mainly about your life in general. Today I would like to ask you some questions about your experience of the court and the prison.

#### **A. The court**

1. When and how was it that you first came to the attention of the police?

2. How much did you understand about your first court appearance?
3. Were you represented by a lawyer (if not, why not?)
4. Have you learned much about the law since that time?

B. The prison

5. Sexual relations: Have you witnessed any degree of sexual or physical abuse in your life, be it during childhood or adulthood? At what age did it happen? Who was the perpetrator of this offence? Are there sexual harassments by inmates in prison? Have you been sexually harassed by the prison staff?
6. Do you share beds or sleep individually?
7. Are you provided with enough food?
8. Now that you are here, do you think much about your life outside prison? What do you think about? Do you think that someone like yourself should be sent to prison? Why do you say that?
9. How has being in prison affected you? Your relationships with people outside? Other aspects of your life outside?
10. Have you ever been sad, depressed or lonely since you were convicted?
11. What problems do you face as an inmate in prison?
12. What recreational facilities are offered to you?
13. Do you have adequate toilet facilities, ventilated cells, regular supply of uniforms and a functional clinic in prison?
14. Are pregnant female inmates treated differently?
15. Have you ever been pregnant whilst in prison? If yes, do you receive special protection?
16. What kind of jobs are female inmates doing in prison?
17. Were you employed prior to incarceration?
18. What has been your personal experience as an inmate? Do you think the prison staff treat you well?
19. Are you provided with toiletries and sanitary towels during menstruation?
20. Are there people or organisations that visit you? What do you think about these visits?
21. Are your family members and friends aware that you are in prison? What did they say when you were imprisoned? Do they visit you and how often? Are they supportive?
22. Would you be happy to live with your family and friends after you are released?

23. What do you hear people in the community say about prisoners?
24. Do you receive sufficient training in prison, which could enable you to start a new life upon release? How do you see your future when you leave prison?  
Prompt: Job? Accommodation? Family? Other (past) problems?
25. What do you miss most here in prison?
26. Do the moods of the prison staff change when you receive expensive and quality items from relatives and friends?
27. If you were given the opportunity to make changes in prison what would you change?
29. Is there anything else you would like to add about women being sent to prison?

Concluding questions:

1. We have been talking about the different experiences you face as female inmates in prison. What would you say are the most important things that we have just discussed? Summarise/ paraphrase important points mentioned by participant(s) - also probe things you picked up in the course of the interview that participant(s) does not put forward at this stage. Have we missed anything?
2. How did you experience this interview? Any suggestions to improve on the procedure as a whole in future interviews?
3. Where feasible, check out participant's willingness to be contacted again in future, either for further discussion or to read through bits of a report to see if her views are reported accurately or for giving comments on materials that will be developed.

Thank participant (s) for participation.

## **APPENDIX C: LETTER OF INFORMED CONSENT (FEMALE INMATES)**

Dear research participant,

My name is Helen Namondo Linonge epse Fontebo. I am a doctoral student in the Department of Sociology at the University of South Africa, South Africa.

My research is on **Prison Conditions in Cameroon: The Narratives of Female Inmates.**

This research is designed to find out how you feel, what you think and your responses to living in a correctional institution. The same interview guide will be administered to women in other institutions. In attempting to understand the experiences of female inmates in prison, part of the information in the study will be collected through in-depth interviews with female offenders in prison. Your name will not be mentioned at all in the report. I am not asking the female offenders to sign the consent form for very specific reasons. This is particularly due to their vulnerability. The interviews are therefore confidential and the information you provide will be treated with confidentiality as no one will be able to link you to the answers you give.

I am asking permission to tape the interview. The tape recording will be transcribed by me and will be only available to my supervisor and myself. Your voluntary response to this request constitutes your informed consent to participate in this social research. You are not being coerced to participate in this study and therefore you may withdraw from the interview process at any time without penalty and ask to see the interview results in order to verify the content. The information resulting from the interviews is only for the purpose of social scientific research and your identity and that of others will be held in confidence, unless you specify otherwise. Also, data will be stored for fifteen years according to the policy of University of South Africa and would be used for research and archiving. Finally, the results will be handed to correctional policy makers in Cameroon for possible prison reforms and published in academic journals.

This research has been approved by the Department of Sociology of the University of South Africa and by the Research Proposal and Ethical Committee of the College of Humanities of the same University.

I wish to thank you for your time.

Sincerely

Helen Namondo Linonge Epse Fontebo

Department of Sociology, UNISA



**APPENDIX D: LETTER OF INFORMED CONSENT (PRISON STAFF)**

Dear Sir/Madam

My name is Helen Namondo Linonge epse Fontebo. I am a doctoral student in the Department of Sociology at the University of South Africa, South Africa. As part of the requirements for my doctoral degree I have to complete a research thesis.

My research is on **Prison Conditions in Cameroon: The Narratives of female inmates**. In attempting to understand the experiences of female offenders in prison, part of the information in the study will be collected through in-depth interviews with prison staff. Your name will not be asked or recorded. The interviews are therefore confidential and the information you provide will be treated with confidentiality.

You were purposefully selected for participation in this study due to your expertise in the field of prison conditions. I am asking permission to tape the interview which will last approximately 60 to 90 minutes. The tape recording will be transcribed by me and will be only available to my supervisor and myself. Your voluntary response to this request constitutes your informed consent to participate in this social research. You are not being coerced to participate in this study and therefore you may withdraw from the interview process at any time without penalty and ask to see the interview results in order to verify the content. The information resulting from the interviews is only for the purpose of social scientific research and your identity and that of others will be held in confidence, unless you specify otherwise. Also, data will be stored for fifteen years according to the policy of University of South Africa and would be used for research and archiving. Finally, the results will be handed to correctional policy makers in Cameroon for possible prison reforms and published in academic journals.

This research has been approved by the Department of Sociology of the University of South Africa and by the Research Proposal and Ethical Committee of the College of Humanities of the same University. My promoter for this study is Professor Marlize Rabe and can be reached during office hours at +27 12 429 6698 or [rabeme@unisa.ac.za](mailto:rabeme@unisa.ac.za) or faxed at +27 12 429 6491.

Do you consent to participate?

Please sign here..... If you consent to the interview and agree to the audio-taping of the interview, you will be given a copy of this form. I shall also ask you to confirm your consent on tape when we start with the interview.

I wish to thank you for your time.

Regards,

Full Names: Helen Namondo Linonge Epse Fontebo.

Student no: 4777799-0, Date: 11 March 2011.

## APPENDIX E

**Table 6: Demographic characteristics of female inmates in selected prisons in Cameroon**

No.	Pseudonym	Prison	Offence	Imprisonment	Age	Education	Marital Status	children
1	Dorothy	PF	Embezzlement	23 months A.T.	37	University drop out	Married	4
2	Ethel	PB	Embezzlement	20 years	58	A'Level	Married	6
3	Justine	PB	Murder	15	43	None	Single	None
4	Grace	PB	Unlawful authorisation	4	28	A' level	Married	6
5	Mercy	PB	Theft	6months	26	O' level	Married	4
6	Vera	PB	Murder	12	21	Secondary	Single	None
7	Hedwig	PB	Theft	7	29	None	Single	1
8	Therese	PB	Theft	6	19	None	Single	None
9	Christie	PA	Abortion	1	28	Primary	Single	3
10	Mary	PA	Drug trafficking	1	19	Secondary	Single	None
11	Regina	PA	Drug trafficking	1	19	Secondary	Single	1
12	Sheila	PC	Murder	7	37	O' level	Single	1
13	Brandine	PA	Theft	2	37	Primary	Married	1
14	Angela	PA	Murder	8	25	Primary	Married	2
15	Patience	PD	Murder	12	40	Primary	Single	3
16	Alvine	PD	Murder	12	43	None	Married	8
17	Bih	PC	Theft	1	18	Secondary	Single	None
18	Gladys	PD	Murder	12	36	None	Single	1

**A.T. = Awaiting Trial**

## APPENDIX F

**Table 7: Demographic characteristics of prison staff and NGO resource persons in selected prisons in Cameroon**

Staff	Prison	Occupation	Length of Service	Age	Education	Marital Status	Sex
1	PA	Stores Accountant	35	60	O' level	Married	Male
2	PC	Superintendent	26	48	A' Level	Married	Male
3	PC	Prison Administrator	23	50	Bachelors degree	Married	Male
4	PA	Prison Administrator	26	52	Bachelors degree	Married	Female
5	PD	Superintendent	27	49	A' Level	widower	Male
6	PC	Prison Administrator	24	49	Postgraduate Diploma	Married	Male
7	PA	Prison Administrator	22	60	Bachelors degree	Separated	Female
8	PA	Administrator General	35	60	Postgraduate	Married	Female
9	PA	Prison Nurse	7	35	A' Level	Married	Female
10	PC	Prison Nurse	32	55	A' Level	Married	Male
11	PA	Superintendent	31	53	A' Level	Married	Male
12	PB	Senior yard mistress	28	50	First school	Married	Female
13	PB	Warder	5	32	Bachelors degree	Married	Female
14	PB	Warder	9	36	Bachelors degree	Married	Male
15	PA	Yard Mistress	23	45	First school	Single	Female
16	PB	warder	5	33	Bachelors degree	Married	Male
17	PA	Prison Administrator	35	60	Bachelors degree	Married	Male
18	PA	Prison guard	5	32	First School	Married	Male
19	NGO PE	Reverend Sister Catholic church	N/A	45	Professional	Single	Female
20	NGO PB	Business & professional Women's representative	N/A	52	Masters degree	Married	Female