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Voices Unheard: Women and Their Children in Nepal's Incarceration System



(Photo taken from outside of a prison in the Kathmandu Valley)

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Abstract

This research project focused on women in Nepal's incarceration system. Our goal was to hear and share their stories with the hopes of humanize and de-stigmatize perceptions of female prisoners in and outside of Nepal. A central component to these stories, as we learned, was also the story of prisoner's children and the NGOs who provide assistance to this vulnerable group of women and their children. The researchers travelled to the east and west of Kathmandu to visit rural and urban prisons in Nepal, and visited various children homes, however the research was based out of Kathmandu, where many of the key NGO headquarters are located. Key findings include reasons for incarceration, stories of life in prison, reintegration as an ex-prisoner and the stigma that continues to impact the lives of the women even after release. The stories obtained and findings from our research are significant in understanding the blurred line between a "criminal" and a civilian. Lastly, this research highlights the larger framework of injustice that requires a systematic legal and societal shift towards a more inclusive future.

The research results can be found here: <https://mikaylarosetufts.wixsite.com/voicesunheard>

Acknowledgements

Firstly, our sincerest gratitude goes to all the prisoners who shared their hardships and experiences with Nepal's incarceration system. In addition, the prison staff including all the jailors, prison guards and police officers provided us with insightful perspectives and information. We acknowledge that without the approval of the Department of Prison Management, this research would not have been possible. Thanks to all of the foundations, including Kamala foundation, PA Nepal, Relief Trust, ECDC, SETU Nepal staff, and especially the housemothers who took the time to guide us in our research and provide us with such special opportunities. We would also like to acknowledge the support and encouragement of Alisha Dahal, who played a key role in the unfolding of our research. Thank you to the SIT staff for their endless support and guidance. Lastly, thank you to Pati Hernandez who's outstanding work inspired us to continue a previous students, Mira Guth's research in female prisoners in Nepal's incarceration system.

Surprising Encounters (an excerpt of our research project)

Two students, a woman with a baby, and a taxi driver walk into a prison: sounds like the beginning of a bad joke, but this is just one scenario among a series of surprising encounters in the Nepali prison system.

Sitting in the Director General's office in the Department of Prison Management, we weren't offered tea until my nervous sweat had inched its way down the entire distance of my spine. We were told we'd never be sitting here. We were told that even if we did sit here, on this posh couch shared with two ex-prisoners, in this uncomfortably large office, that we wouldn't get what we came for. Each question we answer is followed by silence and scribbling. A man walks in... two others follow; they look us up and down, exchange some words in Nepali, a language we don't understand.

We're told to go downstairs. After two failed attempts into rooms full of men pointing us back to the door, we're handed a stack of sealed envelopes with a stamp and some Nepali script we only hope indicates the official documentation we think we've just received. Soon, I'd get used to these silent meetings where hopeful eyes were met with suspicion. This was the first step to each and every visit to prison.

I'm not quite sure precisely what I had imagined prisons in Nepal to be like; but I can certainly tell you what I didn't expect.

I didn't expect babies in prison. I didn't expect to see them brought in, and I didn't expect to see them taken out. If someone told me that within this short month of research, we'd sit in a taxi with five children aged two to twelve on our laps with their heads out the windows as they saw the world beyond the walls of their mothers' prison for the first time; that I'd have to come to terms with the fact that there were still six more children left inside;¹ that I'd see a three year old boy transferred back to prison to spend the night with his mom after his daily 5-hour glimpse of a pseudo-typical childhood, in a daycare that consisted of only himself; that for nearly every visit, we'd be accompanied by a 3-month-old who has seen the inside of more prisons than you could count on her tiny fingers and toes, and whose adoptive mother would pass her around without the slightest hesitation to meet nearly every guard or prisoner we interacted with; if you had told me these things, I wouldn't have believed you.

¹ Children living inside prisons with their incarcerated mothers and children growing up in children's homes on the outside both face unique challenges. It is important to consider the benefits and limitations of both solutions in terms of the child's development, and in terms of the impact of said decision on the future of the child (including, but not limited to their mental health, physical health, familial relations, employment opportunities, and education)

I didn't expect sunlight and gardens inside the walls guarded by expressionless men with guns half their size. Bunnies as pets, as companions, as creatures to bless and protect, smile and laugh with, never crossed my mind as something the prisoners would have. Interviews interrupted by a meowing cat, calling our attention to the man made barrier of steel that made them different from us as it slipped through the bars. Who'd anticipate that? To be greeted with song and dance in one prison, after the stares and silence of another. Those very stares and that very silence were unexpected, too -- they told the stories of promises unkept.²

I didn't expect the line between the innocent and the guilty to be so blurry and hard to define. I didn't imagine the words to be so hard to find when confronted with the reality of the circumstances these women were born into; of which held them captive long before they were put behind bars. I didn't expect their stories to be so consistently rooted in the fact that they were born female.

I didn't know what overcrowded would look like, smell like, or feel like. I didn't expect to see so many people. People whose identities were more than the orange jumpsuits I had seen on tv. Personalities expressed not only in faces, but in jewelry, makeup, painted nails, colorful saris, salwar and kurta. I didn't expect these prisoners to call me "didi"³ or to offer me coffee.

I didn't know what corruption and a lack of infrastructure looked like until I stepped foot into my first prison.

² The researchers encountered many stories from the prisoners and NGOs alike of researchers and foreign iNGO groups coming in to prisons to collect data, who made promises to use the data to make changes, provide more resources or opportunities, but instead simply took the data and left, never to be seen again.

³ Definition: "sister" in Nepali

Methodology

This research includes information gathered from interviews, observations, and prior research. The researchers were able to interview a total of 45 people; 11 female prisoners in group interviews and 7 female prisoners in individual interviews from one prison in Kathmandu, and one prison in Western Nepal, 4 Jailors from prisons in Western, Eastern, and Central Nepal, 2 prison Guards from one prison in Kathmandu, one Police Officer in Kathmandu, 4 former prisoners from urban and rural Nepal, 4 civilians now living in Kathmandu, 11 NGO founders and staff and 1 journalist.

When interviewing particularly vulnerable subjects such as prisoners and former prisoners, the researchers attempted to minimize any increased stress as a result of participating in the study by first getting help with editing, and approval from subject matter experts who have spent their careers working with these women. The researchers recognize the potentially emotional subject matter of sharing experiences while in prison, and at times made decisions to not ask each prepared question at each interview accordingly.

The researchers chose to also interview individuals who did not have a direct relationship to prisoners to provide insight into the general public's perception of prisoners in Nepal. These interviews aided in our understanding of the multiple levels of social stigma that many prisoners face, even years after release. These interviewees were individuals whom we met in public spaces such as cafes. The researchers have kept the names of prisoners, jailors and guards, as well as their associated prisons in a separate document, and in many cases have decided to keep them confidential in order to avoid revealing any identifying information that would put the aforementioned parties or the researchers themselves at risk.

When entering prisons, we had two main sets of questions; one for the prisoners and the other for the prison staff. These were formulated with the help of the NGO's experienced staff members and additionally, pre-approved by the Department of Prison Management. These interviews were conducted with both researchers present.

The unique opportunity to produce a joint ISP came with many advantages. For every interview conducted, the researchers would individually write down quotes, notes and key takeaways. Only after individually digesting and analyzing each interview, would the researchers consult one another. Similarities and differences in interpretations from each interview were discussed until both researchers reached mutual agreement. In this process, it was eye opening to recognize the differences in details each researcher paid attention to of things mentioned in an interview, or noted down of environmental observations from the different research locations. In this way, the researchers were uniquely enabled to constantly assess the influence of their own positionalities

on their perceptions of the research findings at hand. The goal of this collaboration was to create a more balanced perspective, and to aid in remaining accurate and true to the interviewee's word as possible.

Consent

Due to the vulnerable nature of the research subjects, additional measures were taken to ensure full and informed verbal consent of the participants. It was thoroughly explained to each participant that their participation in the study would be strictly beneficial for academic purposes, informed of the objectives of the study, and the fact that their participation and will have no direct influence on their resources or opportunities in prison. The researchers made a conscious decision not to record any identifying information of the prisoners, in order to eliminate any negative implications of sharing sensitive information. The researchers utilized a translator for each interview conducted in prisons to ensure their full understanding of the study. Participants were asked twice for their consent; once at the beginning of each interview, and once at the end, in order to provide an opportunity for participants to withdraw their participation. In our interviews with NGO staff, government officials, police officers, guards, and civilians, the researchers gave an opportunity for information provided by participants to remain anonymous. At times, the researchers had to use their own judgement on the benefits and costs of revealing identifying information of some of the other stakeholders involved.

Positionality

When pondering the conclusions and findings of this research, it is important to consider the context from which it was derived. Due to the fact that this paper was co-researched, the positionality of the researchers has significant impact on the methodology utilized to conduct research, from framing the research questions to interpreting information told and observed. The co-researchers are of different nationalities and have different backgrounds influencing their individual approach to the topic at hand.

Aune Nuyttens is Finnish-Belgian Global Studies Major at St. Lawrence University, in upstate New York. Global Studies is an interdisciplinary field of study that seeks to understand global processes, political economy, and the intersectionality of our identities with close attention to student's own positionality in the subject matter. In her previous course work, Aune has investigated gender disparities in Costa Rica, Senegal and Nepal which provided an understanding of the cultural, regional and religious differences that influence the status of women. In addition, research methods and ethics have been a central element to not only to

Global Studies but also to SIT's Tibetan and Himalayan Peoples Program which both of the students participated in. Although, vulnerable female populations, such as the Dalit women have been a central component in Aune's academic work, this was the first time the researcher took a close look at the incarceration system.

Mikayla Rose is a university student from the United States, studying Human Factors Engineering with a minor in Entrepreneurship at Tufts University in Boston. It is important to note that Mikayla distinctly has no background in sociology, anthropology, ethnography, or any other humanities-based education. Central to best practices in Human Factors Engineering however, are interviews utilized to determine user-needs, as well as iterative usability testing. This type of research unexpectedly prepared Mikayla for field research on female prisoners and their children, by giving her experience conducting observational research and in preparing non-leading interview questions. Having no strong roots in academia, the researcher was especially motivated to disperse the knowledge gathered from this research to make it more widely accessible to the general public. Mikayla has no previous experience studying systems of incarceration or vulnerable peoples beyond the SIT course content on Tibetan Peoples in exile in the months leading up to this month-long research project.

Equally important to contextualizing our findings is an understanding of the potential impact of our status as outsiders in Nepal. This status likely played a role in influencing the types of interactions and types of responses received. Our research exists in Nepal with a greater context of foreign involvement in the form of NGOs, Non-Profits, and missionaries with varying perceptions on their positive vs. negative impact. For the white color of our skin and our status as foreigners, we were denied entrance from one out of the five prisons we attempted to conduct research at. The Jailor at this prison revealed his distrust in foreigners due to his past experience with missionaries coming in and trying to convert his prisoners. Knowing this context of foreigner involvement in prison systems in Nepal is significant in contextualizing interactions with Jailors, Guards and Prisoners alike.

Additionally, it is worth noting that while conducting research, two prisoners asked if the researchers were members of an NGO, and if we were bringing in any supplies. This is an important context of foreigner interaction to consider. Perhaps the prisoners were more reluctant to interact with the researchers for this reason. Our co-researcher, and NGO founder herself, who accompanied us to many of the prisons we entered, noted a history of disappointment with foreigners and NGOs. She recounted that throughout her 30 years working with prisoners, she has seen many NGOs come in to prisons, collect data and make promises for change without following through, leaving the prisoners with a bad taste in their mouth. One of the Jailors we interviewed echoed this sentiment, stating that he's seen more than 10 NGOs and researchers enter his prison just this year who didn't follow through with their promises.

Likewise, it is important to note the conditions under which the researchers entered the three out of four prisons we were permitted entrance into. For three entries into prisons, we were accompanied by a woman who has established unique relationships with the Jailors, Guards and Prisoners alike over the course of the past 30 years due to her work at an NGO which provides services and directs programs to prisoners and their children. Utilizing this woman as our co-researcher (and translator) could have influenced many things including; the prisoners who came forward as willing to participate in group or individual interviews, the type of responses received from prisoners, potentially skewed responses due to the translator's intentional or unintentional interjection of her own personal experience, perceptions, and value hierarchy on the content of the prisoners' responses.

In addition to our own positionality as we entered prisons to conduct interviews, we must also consider the settings in which these interviews took place in. For every interview conducted in the prisons, one or more of the following were present; a prison Guard, Jailor, NGO representative, Naïke and 4+ fellow prisoners in nearby proximity. Methodologically speaking, this does not represent best research practices, as the prisoners were clearly not entirely free to express controversial opinions and might not have felt comfortable sharing some stories or experiences in this setting. This was unfortunately unavoidable, however, due to the regulations of the prisons we entered.



Aune Nuyttens (left) and Mikayla Rose (right).

Future research

- The cost-benefit assessment of children living with their parents in prisons in contrast to children living in children's homes
- Legislation vs. lived realities of health conditions and access to treatment in prisons
- In-depth analysis of mentally disabled detainees
- Comparative study of regional differences of menstruation practices in prisons
- Resources for male vs. female prisoners (education, employment, and facilities)
- Investigative research on the relationships between guards and prisoners
- Analysis on the effectiveness of Nepal's internal prison management (Naikes and Chaukiards)

Interview questions

Inmates:

How old are you?

Do you have children?

What is a skill you have here?

Do you sell anything you make here?

Is there an opportunity to attend school here?

What books or articles do they have here?

Can you tell us about your daily life?

What part of the day do you look most forward to?

Do you have visitors? What are your interactions with them like?

What's your status? Has your case been settled or are you under trial?

When do you feel sad?

If you were born into a different gender, how would that change your experience?

What do you wish that people knew about you?

What is your dream?

Prison staff:

What is your role?

Do you interact with female

inmates? If so, could you share what your interactions are usually like?

What does your day-to-day life look like?

When you started, what surprised you the most about working in prisons?

Was there something that surprised you about working with female prisoners specifically?

Can you tell us about a time a prisoner made you smile?

Is there a time they made you sad?

What challenges do you face in your work?

Can you tell us about a time where there was conflict in the prison? How was it resolved?

Has working in a prison changed your perception about prisoners? How?

How does your work impact your personal life?

What are your hopes for the future?

NGO staff:

How did you first get involved?

Can you tell us about some of the mothers you know through the organization?

What challenges do these women face?

What type of economic opportunities do they have?

What were the living conditions of the children before you took them?

How often do the children get to interact with their parents?

Do the children ever mention something about their parents in prison?

What type of emotions do the children and parents show when they see each other?

What type of future do you hope for these children?

Interviews

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