



EMERALD STUDIES IN ACTIVIST CRIMINOLOGY

**GENDER,
CRIMINALIZATION,
IMPRISONMENT AND
HUMAN RIGHTS IN
SOUTHEAST ASIA**

EDITED BY
ANDREW M. JEFFERSON • SAMANTHA JEFFRIES



Gender, Criminalization, Imprisonment and Human Rights in Southeast Asia

This exciting new collection reinvigorates prison studies and feminist criminology, by widening the analytical and geographical lens of both. It also offers a critical analysis of the reach and limits of international human rights law. Integrating activist voices with early career and more established scholars, these essays offer a sobering glimpse into the lived reality of prisons in Southeast Asia, while also mapping out possible routes for challenge. In so doing, it reminds us of the salience of gender in understanding incarceration and the urgent need for action.

Mary Bosworth, Centre for Criminology, University of Oxford

As a criminologist and social activist, someone who toils to decolonize both criminal justice and criminology, it is always pleasing to encounter work that privileges the experiences of individuals and communities that are too often silenced within the “wall of noise” that surrounds crime control policy and practice throughout the world. *Gender, Criminalization, Imprisonment and Human Rights in Southeast Asia*, edited by Andrew Jefferson and Samantha Jeffries, is one such book. The collection of essays included in the book cover an impressive range of issues facing cisgender women, transgender persons and sexual minorities, as they encounter criminal justice systems and practice in Southeast Asia. The breadth of issues covered, along with the expressed intent of the editors to give voice to “activist, critical and feminist theorizing and research on gender, intersectionality, criminalization and carceral experiences,” makes this contribution an invaluable resource for criminologists, social activists, jurists and policymakers working to enhance the efficacy of criminal justice policy and practice in Southeast Asia and elsewhere.

Juan Marcellus Tauri, The University of Waikato, and the
Centre for Global Indigeniety

In this collection, Jefferson and Jeffries draw together a range of important, expert voices to shed light on gender-based experiences, gendered harms and human rights considerations in the contexts of criminal justice in Southeast Asia. It provides data, analyses, theorizations and experiences of populations that much of the Western world has ignored or overlooked. The chapters aim to juxtapose the personal against the structural in a way that is enlightening for both. In so doing, the book as a whole argues that for transformation to take place, researchers, reformers and activists should consider not just individual need but also the legal, political and cultural constraints and conventions that create structural and gendered inequalities in the first place. The book also reminds us that there are aspects of human experience that are universal, such as the desire for freedom, to be seen as we really are and to be valued for the life that we each breathe into the spaces and societies we occupy. Shifting criminology’s gaze toward such issues from a Southeast Asian perspective is a most welcome and much needed adjustment of perspective.

Deborah H. Drake, Senior Lecturer, Criminology, The Open University

EMERALD STUDIES IN ACTIVIST CRIMINOLOGY

Series Editors:

Vicky Canning (University of Bristol), Greg Martin (University of Sydney) and Steve Tombs (The Open University)

Emerald Studies in Activist Criminology is a platform working to identify and address the harms of criminalization and expansive social controls. It draws together academics, activists, progressive policy-makers and practitioners to encourage cutting edge engagement on topics to effect positive social change.

The historical relationships between criminology and activism are contentious. Since criminology in its administrative forms can facilitate increases in state and cultural controls, and was formed within this nexus of social order, the discipline is often complicit in acting on behalf of states and state-corporate collaborators. Critical criminology and zemiology, by contrast, have nurtured conditions under which power and hierarchy can be more fully addressed from radical perspectives, specifically in challenging state-centric focuses on crimes of the powerless. It is from these positions that *Emerald Studies in Activist Criminology* encourages engagement with those working against negative impacts of crime controls on the lives of intersectionally disadvantaged groups in society.

Emerald Studies in Activist Criminology seeks to examine the history of both recent and more established justice campaigns and interventions. It extends across a range of pre-existing sub-fields of criminology that engage in questions of effecting progressive change through activism, such as feminist criminology, juvenile justice, migrant rights, corporate and state crime, green/environmental criminology, sentencing and wrongful conviction, prisons, corrections and abolitionism, and justice for victim/survivors of harm and crime. Campaigns and movements – defensive and progressive – around these issues define what we mean by “activist,” while we view “criminology” in its broadest, inter-disciplinary and social science inflected version.

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Gender, Criminalization, Imprisonment and Human Rights in Southeast Asia

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About the Contributors

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Samantha Jeffries, PhD, is a Senior Lecturer in the School of Criminology and Criminal Justice/Griffith Criminology Institute, Griffith University. Her research focuses on marginalized social statuses, criminalization, victimization, and justice. She has conducted research on LGBTIQ+ domestic violence, the sex industry, problem-solving courts, sentencing, gender, and Indigeneity. In focus more recently, has been the needs and experiences of domestic violence victims in the family law system and restorative justice processes. Since 2015, she has been collaborating with the Thailand Institute of Justice undertaking studies in Southeast Asia and Kenya on gendered pathways to criminalization, women's experiences of imprisonment, as well as re-integration and human rights. She has co-authored a book on domestic violence (*Romantic Terrorism: An Autoethnography of Domestic Violence, Victimization and Survival*, with Sharon Hayes), published articles in high impact journals including *Criminology* and the *British Journal of Criminology*, and conducted training on the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) with prison personnel in Thailand, Kenya and Indonesia for the Thailand Institute of Justice and United Nations Office on Drugs and Crime.

Myanmar Research Team

For reasons of safety and security, and given the circumstances in Myanmar following the February 2021 military coup, and with much regret, we are unable to reveal the names, affiliations, or any identifying information for this research team. We are deeply thankful for their contributions to this book, their unwavering dedication to the human rights of Myanmar's people, and stand with them as they continue to fight for democratic freedom.

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Min Jee Yamada Park joined the International Detention Coalition as the Asia-Pacific Programme Officer in 2019. Prior to that, she worked in the areas of detention monitoring, research, policy advocacy, and capacity building, particularly for government actors in Southeast Asia and Africa. Her previous role as a Policy and Research Coordinator with the Thailand Institute of Justice focused on advocating for the humane treatment of marginalized groups including migrants, stateless persons, and ethnic minorities in criminal detention, and promoting the implementation of the relevant international human rights standards into national laws and policies in Southeast Asia. She has also published and spoken at various international and regional platforms on the experiences and challenges of vulnerable groups deprived of liberty, particularly women and their accompanying children, based on her extensive field research in detention facilities in

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