

Reports of a struggle

Prison, gender, and activism in an association of prisoners' relatives

Natália Lago

Universidade Estadual de Campinas (Unicamp), Núcleo de Estudos de Gênero Pagu,
Campinas, SP, Brasil

Abstract

The article explores the connections between gender, prison, and activism in AMPARAR, an association that works with *prisoners' families* in São Paulo, Brazil. The ethnography is developed in the activities of the association and in the monitoring of the connections mobilised by these activities. AMPARAR's work is located in an institutional web that includes non-governmental organisations and public institutions that produce both a violating state and a state that claims rights and guarantees. AMPARAR and the *family members* articulated by the association put a human face and body to complaints, and identify *violence* and *humiliation* perpetrated not only on their bodies, but on their husbands and children deprived of their freedom. Gender and sexuality are languages that allow such evocation and contribute to women producing a place of mediators and rapporteurs for the abuses that occur within prisons.

Keywords: gender, prison, activism, family, state.

Relatos de uma luta

Prisão, gênero e ativismo em uma associação de familiares de pessoas presas

Resumo

O artigo explora as articulações entre gênero, prisão e ativismo nas atividades da Amparar, associação que atua junto a *familiares de presos* em São Paulo, Brasil. A etnografia se desenvolve nas atividades da associação e no acompanhamento das articulações mobilizadas por essas atividades. O trabalho da Amparar se localiza em um emaranhado institucional que inclui organizações não-governamentais e instituições públicas que produzem tanto um Estado violador quanto um Estado a quem se reivindica direitos e garantias. A Amparar e as familiares articuladas pela associação dão rosto e corpo a denúncias e identificam violências e humilhações perpetradas não só em seus corpos, mas no de seus maridos e filhos privados de liberdade. Gênero e sexualidade são linguagens que permitem essa evocação e que contribuem para que as mulheres produzam um lugar de mediadoras e relatoras de eventos ocorridos no interior das prisões.

Palavras-chave: gênero; prisão; ativismo; família; estado.

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This article presents some reflections on the involvement of *family members*¹ in prison activism and in defending the rights of people whose freedom has been denied². The text forms part of my doctoral research, where I followed the movements of women recognised as *prisoners' relatives* in three different, yet connected, ethnographic contexts regarding prisons in São Paulo, Brazil (Lago, 2019)³. Within my research, the three major axes of ethnographic observation encompassed: i) the traffic of visitation lines in a prison unit located in the state of São Paulo; ii) the controversies surrounding *intimate body searches* (or *vexatious body searches*) and the banning of this practice⁴; and iii) the activism by families of incarcerated persons who organise themselves through the *Associação de Amigos e Familiares de Presos/as* (AMPARAR) [Association of Prisoners' Family Members and Friends], located on the east side of the city of São Paulo. In this article, I aim to present part of the research that discusses the work done by AMPARAR and its role in the activism against human rights violations in prisons.

The name of the association, AMPARAR, is a verb in Portuguese (*amparar*) that means to protect, to offer support or refuge. The work of the association mostly involves *welcoming* and *supporting prisoners' families*. The *welcoming* is materialised through listening and providing orientations regarding several issues, such as how to apply for a prison visit, or how to get legal advice from the *Defensoria Pública* [Public Defender Service Offices]. The ability to *support prisoners' families* through *welcoming* them is emphasised by AMPARAR's founders as its unique contribution among the myriad of organisations working in the prison field. Moreover, the fact that *prisoners' families* are persons directly affected by the prison is part of AMPARAR's contribution in the networks of movements within which the association is located.

Therefore, I discuss AMPARAR's host of activities in the light of two main topics: first, the association's relation with different institutions framed as part of the *state*; and second, AMPARAR's work on the political coordination of *prisoners' families*. These two aspects will be analysed within the ethnographic observation of a single event: a public hearing that discussed human rights violations inside a prison unit, in which there was expressive participation of the *prisoners' families*. The presence of prisoners' family members, activists, legal practitioners and political representatives allows the public hearing to function as a key event in which certain

1 The words, expressions, and phrases in italics are original terms voiced by the people I have spoken to in field research.

2 I would like to thank the anonymous reviewers who read and provided valuable comments for the development of the arguments I present in the article. I am also grateful for the generous reading of Isadora Lins França.

3 The research was developed under the supervision of Júlio Simões at the University of São Paulo (USP) and was financed through a scholarship granted by the Coordination for the Improvement of Higher Education Personnel (CAPES), Brazil.

4 The *vexatious body search* (called an *intimate body search* by the prison administration) consists in checking the bodies of people that enter the penitentiary establishments and occurs based on the argument that they may be hiding illegal/banned objects (like mobile phones and drugs). This strip cavity search requires that people remove their clothes and have their genitals, buttocks, anus, undergarments and breasts (in the case of women) inspected. It may also include squats combined with some physical effort (e.g., coughing). Moreover, a part of the search includes going through a metal detector that indicates whether the naked body of the visitor is suspected of carrying anything. The controversy over the *intimate/vexatious body search* that has recently developed in Brazil, specifically in São Paulo, involves governments, national and international human rights organisations and agents from the justice system.

types of violence are categorised, where the ideas of ‘torture’ and ‘humiliation’ act as limits. I argue that the activists, by evoking languages permeated by gender and sexuality, on numerous occasions throughout their *testimony*, give meaning to the violence that is experienced by themselves and by their loved ones in prison, multiplying their voices beyond the walls of the institution.

Before we arrive at the daily life of AMPARAR and the aforementioned public hearing, a brief presentation of the theoretical-methodological references supporting this work is required.

Theoretical-methodological frameworks

Prisons are the subject of my research particularly considering the permeability and flux of people, goods and information inside and outside of their walls. From a wider perspective, I assume the stance that gender is central to understanding these movements and that the regulations at play between the prison administration, inmates, and their family members. I contribute to this discussion in particular by broaching the ways in which the *inside* and *outside* of prison are created not only within prison walls, but also in ‘outside’ relationships, in other words, by the relatives, mostly women, who maintain family or affective bonds with persons behind bars.

I take the view that the prison goes beyond its physical-institutional spaces and is also present in the neighbourhoods where it is part of the formation and rearrangement of relational bonds and trajectories. Many other works within the field approach prisons through their permeabilities. These pieces of research may not have a single framework, but their different contributions point towards some shared perspectives, as seen in Cunha (2003; 2002), Godoi (2015; 2016; 2017), Mallart (2014; 2019), and Padovani (2015; 2017; 2018). The incarceration of a family member implies not only the absence of this relative, but also the presence of prison, which restructures relationships and pervades everyday dynamics, as observed in the works of Comfort (2008) and Ricordeau (2012). Thus, I understand the prison as a wide field that comprises the physical limits of the institution, but also involves the negotiations that happen around it. The transit of people through the institutional walls, family arrangements to carry out visits, preparations for long journeys to the towns where prisons are located, activism produced by the recognition of the individual as a ‘prisoner’s relative’, agreements and disagreements between relatives that end up involving those deprived of their freedom and vice-versa.

The broad theoretical-methodological approach that sustains the research encompasses the relationships between the inside and outside of prison from the perspective of gender and family. I reiterate my understanding of gender in its relational dimension, in the production of femininities and masculinities and the regulations, humiliations and negotiations resulting thereof (Scott, 1986; Butler, 1990). Thus, the perspective that guides my work is marked by feminist theory and discussions concerning the production of categories of differentiation (Simões, França & Macedo, 2010), projecting difference as an analytical category (Brah, 1996). In other words, my perspective confers a central role to the production of differences, inequalities, and agency – as well as their limits – among women and men marked by imprisonment. These differences, produced in certain social and historical contexts, are perceived in terms of gender, sexuality, race, class, and generation⁵. In the approach I propose, not only are gender and sexuality languages that cross the relationships between women and men among each other, but also in relation to the prison institution. I argue that in this movement, both gender and sexuality, as well as the prison institution itself, are mutually produced⁶.

⁵ I acknowledge that these categories of differentiation are mutually constituted, hence it is not possible that their productions occur separately from each other (McClintock, 1995). The article’s focus on the dimensions of gender and sexuality, therefore, does not disregard this reciprocal constitution, rather it is the analytical approach that is possible for this specific work.

⁶ Some researchers explore the mutual production between prison and gender through the prism of sexuality, gender identity, and LGBT people in prison. See: Sander (2016) and Zamboni (2017; 2020).

My interest concerns that which is produced around the prison, in its surroundings and by way of it, and involves not only those who are imprisoned, but also those who circulate through the institution as visitors – the *relatives*. This means that, as movements take place around the prison, the prison itself is constituted: the forms of agency of the ‘prisoners’ wives’, of the ‘prisoners’ mothers’ face numerous regulations produced in different spheres: i) the prison institution – through the *Secretaria de Administração Penitenciária* (SAP) [Secretariat of Prison Administration], the unit directorates, the receptions and employees’ shifts; ii) disseminated guidelines attributed to the *Primeiro Comando da Capital* (PCC) [First Command of the Capital]; and iii) regulations produced by the women themselves in dialogue and in tension with the two previous components, the prison institution and the PCC, disseminated through conversations, gossip, rumours, and observation of their own conduct and that of others.

These forms of agency and regulations operate on the basis of gender conventions that bring about ways of being a *prisoner’s wife*, of being a *prisoner’s mother*, of being part of a *relatives’ movement*. It is important to note that these women present themselves and are presented in relation to their prisoners at all times. How do these women handle these regulations and how do they mark them subjectively? What regulations go beyond the limits of the acceptable and are regarded by them as *humiliation*?

The varying forms of humiliation and regulation that involve women’s visits to prisons, as well as their behaviour on the outside, strongly indicate the permeability of being *inside* and *outside* prison and that prison does in fact expand beyond its physical boundaries. These same regulations show that the penitentiary institution makes itself present by establishing procedures and submitting bodies to intervention, as a way of reinforcing that ‘the systems of punishment are to be situated in a certain “political economy” of the body.’⁸ (Foucault 2012 [1975]) – in spite of the possible transits and permeabilities.

It is worth mentioning that my research and thus my data are produced from an ethnographic perspective. The research focuses on fieldwork, constructed from my participant observation, following the paths of women through prisons as *prisoners’ family members*, and listening to their narratives. I understand that the ethnographic practice is plural. In this sense, it involves listening and talking to ‘valued informants’ that share with the anthropologist ‘a distanced, analytic, even ironic view of custom’ (Clifford, 1983). Strathern (1999) addresses the complex relationship between the fieldwork and writing within the ethnographic practice. They both meet, but do not encompass one another. Thus, writing is not a secondary activity, it is one of the two fields that shape ethnography. Describing a scene, transposing a given situation into text are part of the anthropologist’s theoretical creation. The data presented in this article was produced based on conversations and shared analysis between me and the women who I have encountered. I also took the observations produced by those women into consideration, especially in regards to their struggles in and out of prisons.

Once this reflection on conducting prison-related research from outside of their walls was established, I describe part of my work at the aforementioned organisation AMPARAR. In the case of AMPARAR, the connections between prison, gender, and activism are revealed in the association’s pathways and in the activities of Railda Alves, one of its key members⁹.

7 The PCC emerged as a collective of prisoners in the male prisons of the state of São Paulo. The *Comando* dictates procedures in the majority of state prisons, of both women and men, and in marginalised neighbourhoods – this means that rules of coexistence/ethics among *thieves* operate inside and outside prisons, and also involve non-members of the ‘world of crime’. A series of studies have set out to discuss the PCC, its ways of operating inside and outside of prisons and its expansion beyond São Paulo and Brazil; I emphasize Biondi (2014, 2016) and Feltran (2018).

8 Translator’s note: this is a citation from the English translation of Foucault’s work by Alan Sheridan: FOUCAULT, Michel. 2012. *Discipline and Punish: The birth of the prison*. New York: Doubleday. pp. 25.

9 Pseudonyms are not used to refer to the members of the AMPARAR association. Their trajectories are public and well known, and changing their names would erase the impact they seek to build. The names of the *relatives* that participate in the activities organised by the association, however, have been changed to protect their identities.

Reports of a struggle within/against the state

The engagement of Railda Alves with activism surrounding prisons took place at the end of the 1990's, when her son was arrested and sent to the FEBEM¹⁰. She defines this period as permeated by a great deal of *humiliation*, but also as a moment of intense political formation in denouncing the *torture* against her son and the sons of other *mothers*. As their children grew up, they left FEBEM and were apprehended by the criminal justice system. In 2004, Railda and other *mothers* began to organise themselves through AMPARAR, supporting the *relatives* of those imprisoned by both the socio-educational system (for adolescents) and adult prison units¹¹. One of these *mothers* is Miriam Duarte, a co-founder of AMPARAR. Politically, in the long term, the association fights for the end of prisons – a perspective in line with that defined as ‘penal abolitionism’ (Ricordeau, 2018). Although AMPARAR is open to family members as a whole, the greater involvement of mothers of prisoners in the association’s daily life is notable. The association’s public actions and activities, in contrast, count on the presence of inmates’ mothers and wives.

Railda is 55 years old and considers herself to be a black woman. Since the founding of AMPARAR, Railda has been dedicated to prison issues and to her relationship with *relatives* by offering support, listening to, and forwarding requests from prisoners’ family members. Her path in the struggle against prisons goes beyond the personal suffering revealed by her son’s imprisonment. In other words, Railda has continued to dedicate herself fully to AMPARAR’s work even after her son was no longer deprived of his freedom¹².

Railda’s work within AMPARAR involves: a) circulation throughout the neighbourhood, the city and institutions; b) accompanying *relatives* in court to check and verify its legal proceedings; c) going to the Public Defender Service Offices to forward requests in lawsuits, participating in meetings, and making pleas; d) following and taking part in debates and seminars; and e) visiting *relatives* that live near the headquarters of AMPARAR. Negotiations with organisations at different levels in the field of *human rights* are necessary to go beyond supporting *mothers* and other *relatives* that seek help from these organisations, whether to forward lawsuits and plan strategic actions for each of them, or to move forward with charges regarding the violations of rights committed against inmates and their visitors.

Based on her research with ‘family members of victims of violence’ and inspired by the works of Veena Das (2007; 2004), Juliana Farias states that the passage of these families through organisations and institutions fuel their struggles against violence and demand strong emotional investment (Farias, 2014). Beyond that, pursuing the paths that lead to police departments, the Public Defender Service Offices, and non-governmental institutions is, for the author, ‘part of the everyday reconstruction of a state entrenched in practices, languages and places considered on the margins of the national state’ (Farias, 2014:15).

Within this approach, I locate AMPARAR’s work in an institutional web that includes non-governmental and public institutions that produce both a violating *state* and a *state* that is sought after to demand rights and guarantees. If the association’s narrative is critical of the prison, the guards and the police as part of a violating *state*, the state organisations, such as the Public Defender Service Offices, are part of the *state* from which compensation is sought and to which pressure is applied to respond to claims and charges.

¹⁰ Acronym for the old *Fundação para o Bem-Estar do Menor* (FEBEM) [Foundation for the Well-Being of Minors], nowadays called Fundação CASA. In 2006, the many reports of torture and ill treatment of the teenagers detained at FEBEM culminated in a change in the institution’s name (but not necessarily in its practices).

¹¹ In Brazil, adolescents (12-18 years old) and adults respond to criminal charges in different spheres of justice and are deprived of their freedom in different institutions – which is not to say that the system intended for adolescents does not practice many of the violations of bodies and rights observed in adult prisons.

¹² Railda’s trajectory and her involvement with the prison theme are explored in another work. See: Lago, 2020.

Through their accounts, the *state* emerges as a producer of violations and as an organism where alternatives to these same violations are sought. This discussion is framed based on the contributions of researchers who regard the state as a process produced by and producing subjects (Abrams, 1988; Das, 2004; Vianna & Lowenkron, 2017; Aguião, 2018). The *state* here is a broad category that organises and directs the dialogue produced by Railda and by AMPARAR, following the logic that ‘the idea of state – far from being an immaterial element – should be considered in its embodiment, its moral qualifications, its capacity to shape, limit and produce desires and horizons of possibility’ (Vianna & Lowenkron 2017:18). Throughout AMPARAR’s and Railda’s movements and relations with the *state*, I seek to map the ‘intricate grid of overlapping and conflicting strategies, technologies, and discourses of power’ that, rather than a ‘linear argument’, conforms to a ‘feminist theory of the state’ (Brown, 2006:193).

The association’s position accuses prisons, guards and the police as parts of a violating *state*, which is also supported by Railda’s many accounts of members of the police corps acting violently inside a FEBEM unit, for instance. On the other hand, *state* organisations, such as the Public Defender Service Offices are part of a *state* that demands vindication and pressures for change and denunciations. Railda’s discourses on the *state* indicate ‘the ways in which subjects, their experiences and relationships act in the processes of state production and, conversely, how these processes participate in the constitution of these subjects and, consequently, in their experiences and relationships’ (Efreim Filho, 2017:9). Railda’s discussion of the *state*, this category that encompasses violations and provides possibilities for mobilisation, has the effect of the activists’ own production and of their actions in dialogue and in conflict with state institutions.

The emergence of Railda and other women as activists occurs through the role they occupy as *mothers* – a position respected because it is imbued with a moral imperative. The *mothers* are the ones who bear the *suffering* of their children and who literally stand in the way of the police when they invade a FEBEM unit in the case of a rebellion. Mothers are even allowed the right to be *hard core*, to *rebel*, on behalf of their children. Being a mother opens doors in the activist context. At the same time, being a mother can cause discomfort when the moral conventions about the term diminish their strength or capacity to rebel¹³.

As mentioned above, part of the association’s work consists in forwarding cases to the Public Defender Service Offices. The defenders, especially those who belong to the *Núcleo Especializado de Situação Carcerária* (NESC) [Centre Specialised in the Prison Setting] are called on by Railda to obtain information on the status of lawsuits, the possibilities of sentence progression, the result of investigations within the prison system, among other issues. It is worth noting, then, that under its current management, NESC is therefore a critical partner for AMPARAR in the provision of information on the cases that are under the association’s radar¹⁴.

Partnerships are not limited to NESC though. Together with NESC and other institutions, like *Pastoral Carcerária*¹⁵, AMPARAR participates in negotiations, organises public events, and is invested in the construction of an agenda that aims for prison abolition. Together with these and other institutions, AMPARAR organised a *public hearing* in February 2018 that was heavily attended by *prisoners’ families*¹⁶.

13 The moral conventions on ‘mothers’, and their denunciation of ‘state violence’ are well analysed in several works, such as: Vianna & Farias, 2011; Leite, 2004. Farias, Lago & Efreim Filho (2020) published a general overview of research that focuses on the struggles for justice organised by ‘mothers’ of victims.

14 NESC has three public defenders, a social worker and a social scientist on its team. The position of the centre’s coordinator is valid for a period of two years, renewable for a further two. AMPARAR’s positive dialogue with the current NESC management therefore has a time frame; when the director of the centre changes, rebuilding dialogues and a shared agenda of action is required once again.

15 The *Pastoral Carcerária* (Prison Pastoral) is linked to the Catholic Church and acts in the prison sphere offering religious assistance to prisoners and intervening in the defence of prisoners’ rights. More information can be found in research that has some connection with the actions of *Pastoral Carcerária* (Lago, 2014; Godoi, 2015; Padovani, 2015) or on the organisation’s own website: <http://carceraria.org.br/>. (Accessed on Feb. 22, 2021).

16 The organisation of the hearing involved a few institutions: the *Núcleo Especializado de Situação Carcerária* (NESC) [Centre Specialised in the Prison Setting] of the Public Defender Service Offices of the State of São Paulo, the *Escola da Defensoria Pública* (EDEPE) [School of Public Defence], the *Ouvidoria da Defensoria Pública* [Public Defender Ombudsman], the *Instituto Terra, Trabalho e Cidadania* (ITTC) [Land, Work and Citizenship Institute], the *Instituto Brasileiro de Ciências Criminais* (IBCCrim) [Brazilian Institute of Criminal Sciences], *Conectas Direitos Humanos* [Conectas Human Rights] and AMPARAR.

I draw attention to this event as my main source for exploring the involvement of *relatives* in the prison debate, some of the existing tensions, and strategies in the creation of demands directed to the *state*.

GIR, torture, and relatives at the opening table of a public hearing

São Paulo, late afternoon, February 2018. People, mainly women, fill the lobby adjacent to the assembly hall of the state Public Defender Service Offices, located in the city centre. Some men in suits circulate among the attendants, who are having some snacks from a selection on the table. I recognise a few faces among the hustle and bustle – lawyers and NGO employees conducting projects on prison, as well as members of the *Pastoral Carcerária* wearing the institution’s t-shirt. Many *relatives* arrive in groups, exiting vans and entering the building. A queue directs people to register for the event that is about to begin. I get in line and say my name and email to the young person that takes the registrations using a computer spreadsheet, and receive the materials handed to me – a paper folder with a leaflet about the Public Defender Service Offices and a notepad. I soon see Railda and Miriam, who wave at me. After greeting them, we talk about how the hearing is packed, a good surprise even for Railda, who had organised the *relatives’* attendance to the event. I go into the hall and find no more chairs are available. I go back to where Railda is and we go outside to smoke with a few of the *relatives* while the hearing is yet to start.

This public hearing had been organised to discuss the *Grupo de Intervenção Rápida* (GIR) [Rapid Intervention Group], a kind of ‘riot squad’ of prison officers that operates in São Paulo prisons. According to the state government, the group is responsible for acting in ‘critical situations like the subversion of order and discipline, riots and rebellions in prison units and provisional detention centres’¹⁷. The GIR has become a high priority issue for a public hearing due to accounts of beatings and other violations of rights related to the group and shared with NESC defenders at the first meeting between the new centre management and representatives of social movements¹⁸.

On the day of the hearing, the massive presence of *relatives* filled the main hall and required the preparation of an adjacent room, where a portion of the attendants followed the discussions on a big screen. The panel, part of which made the opening statements, consisted of two public defenders – one of them from NESC and the other from the region of Presidente Prudente¹⁹ –, a priest from *Pastoral Carcerária* and Railda, AMPARAR’s coordinator. The initial speech by the NESC defender mentioned the organisations that collaborated to make the hearing happen and paid special attention to AMPARAR, represented by Railda – ‘you are an example of strength’, said the defender.

Having introduced the theme of the event, the defender pointed out that the activities carried out by the GIR are based on a resolution from the SAP which ‘does not have constitutional validity’²⁰. He also highlighted the need to ‘discuss the group’s actions to trace paths’ that can lead to overcoming them. The agenda of the hearing, therefore, was explicit: to collect episodes of violations perpetrated by the GIR and come up with strategies to propel the charges forward, while considering the apparent unconstitutionality of the resolution that forms the basis for the creation of the GIR in the first place.

The second public defender on the panel presented a report with information on the GIR’s actions and concluded in his speech that ‘the GIR does not torture alone... that is if we conclude that it does indeed torture’, when he was interrupted by the audience’s intervention, shouting ‘ELE TORTURA! ELE TORTURA!’

¹⁷ Extract from the report about the GIR produced and published by the state of São Paulo news portal. Available at <<http://www.saopaulo.sp.gov.br/spnoticias/sistema-prisional-tem-tropa-de-elite-para-atuar-nas-penitenciarias/>>. Access on 02/04/2021.

¹⁸ Rafael Godoi (2016) highlights the GIR ‘riot squad’ and their truculence as an explicit manifestation of institutional violence within the prison system.

¹⁹ Presidente Prudente is a municipality in the State of São Paulo situated in a region that concentrates a significant number of prisons.

²⁰ The resolution in question is Resolução SAP-155, from 2009.

[THEY TORTURE! THEY TORTURE!]. Once the buzz died down, he continued by saying that ‘other institutions, that conceal themselves, also torture’.

The defender’s argument, brought up at other times throughout his speech, held that the violations perpetrated by the GIR are only made possible because other institutions hide when faced with accusations—the judiciary and the *Ministério Público* [Federal Public Prosecution Service], for example. The dynamic of the GIR’s actions, therefore, is a result of the combination of the actions of some and the omissions of others. However, the form of relativisation used in the defender’s comment, that credited the discussion of the hearing with the ability to decide whether the GIR was guilty of torture or not, produced an immediate and heated response from the women in attendance. Interventions by the audience with commentary, videos, and other types of participation began there and continued throughout the remainder of the hearing.

The same defender exhibited a news report with a recording of an intervention by the GIR²¹. While the video showed the prison’s ‘riot squad’ throwing ‘stun grenades’ that provoked a fire inside a closed cell and hitting wounded men that escaped the cell with batons, the women yelled ‘look at what the state does, people!’, ‘they treat prisoners like animals!’, ‘these are the prisoners that are going to be returned to society!’ Another said that things ‘are worse now’. One of the attendants left the room at the end of the viewing in tears, comforted by another woman.

Both the torture mentioned by the women at the hearing and the possible relativisation of the torture by the public defender are not obvious categories. The public defender attributed the public hearing with the ability to produce evidence of *torture*, either through videos or through the *testimonies* of the participants, or through the recognition of the omission of public institutions that should oversee the violations that occurred in prisons. The women present at the hearing mobilised the same materials and equated them with the conditions of the prisons, extending the idea of torture to the entire institution that ‘treats prisoners like animals’. The existence of torture did not seem to be up for debate from the viewpoint of the *women relatives*. What was at stake was the very meaning of the term, and even the definition of the tortured subjects – after all, are the women not also tortured in their processes of entering and leaving prisons?²² The definition of torture is a key through which women can also understand themselves as *victims*. In this movement, they become subjects of rights.

After the news report was shown, the priest from the *Pastoral Carcerária* that was also on the panel shares with the audience the experience of shadowing the GIR’s activities in the prisons in his region of the state. The region’s *Conselho da Comunidade*²³ [Community Counsel] was granted the right to be previously notified about the GIR’s interventions and be present whenever they happened. According to the priest, *physical torture* does not happen due to their presence, but the presence of the *Conselho da Comunidade* does not stop the GIR members from practicing *psychological torture*, mentioning, in this last category, shooting at already dominated inmates with rubber bullets, and threatening inmates with dogs. Even though the incursions of the GIR accompanied by the *Conselho da Comunidade* prevent physical torture, the priest argued that ‘we can’t be the GIR’s babysitter. It’s not our role. The [group’s] attitude has to change’.

When commenting on the examples of the GIR’s *attitudes* that need to change, the speech was interrupted by two women. The first adds ‘that we bought! With our money!’ following a comment by the priest that the inmates’ belongings are thrown away (and often destroyed) by the members of the GIR.

21 The scenes shown in the 2014 report were recorded by the GIR itself in 2008. The video is available at: <<https://tvuol.uol.com.br/video/video-flagra-a-gentes-penitenciarios-espancando-detentos-em-sp-04024C99316AD4915326>>. Accessed on Feb. 4, 2021. (WARNING: This video contains scenes that some viewers may find disturbing).

22 I remind the reader that visitors have their bodies searched as a criterion for entering a prison - which frequently involves stripping.

23 The *Conselho da Comunidade* is a provision in the Brazilian *Lei de Execução Penal* [Law on Penal Enforcement] (Brasil, 1984) and should ‘represent society’ in the surveillance of the prison system. Their members (who run for the position and whose candidacy is subject to the approval of the other members) have the prerogative of visiting the prison units within the counsel’s region.

The second to interrupt asks: ‘Can I say something to the priest? The GIR *lives* in the prison [that she visits]. We go in *escorted* by the GIR. 12-gauge shotgun pointed at children’ (emphasis in original).

The women’s speeches following the priest’s intervention do not seem to fit in the categorisation of condemnable actions by the GIR, as *physical torture* and *psychological torture*, although both the priest and the two relatives probably agree that none of the GIR’s practices are acceptable. The women seem to want to make a point that seemingly everyday situations are part of the violent relationship that the GIR establishes not only with the inmates, but also with their *relatives*. Throwing away and destroying belongings in an operation does not just affect the imprisoned person, but the person who bought those belongings with their money; going into a prison *escorted* by the GIR and facing this presence round the clock in a unit is part of the *humiliation* constantly mentioned by the women that circulate in the prison units as *visitors*.

The last speech from the panel was Railda Alves’s from AMPARAR. The defender that mediated the proceedings said her name and that she ‘requires no introduction. Over a decade fighting’. After her non-introduction, Railda started her intervention by saying ‘we have to unite to face this state’ and thanked ‘every one of the women present’. She acknowledged some of the different cities from which relatives had travelled for the hearing, and the women added, from the audience, places Railda had not mentioned that were also represented there.

Railda’s speech was brief and remarked on the impossibility of humanising prisons, the absence of the rich and the presence of the ‘black, poor and marginalised’ in prisons, as well as the importance of looking at topics like the ‘LGBT issue’ in prisons. Railda also remembered episodes from the time when she herself and Miriam Duarte, who was in the audience, faced the ‘riot squad’ of the then FEBEM when they first started the *relatives’* movement, in the 1990s.

As soon as all those on the panel had concluded their speeches, the councilman Eduardo Suplicy²⁴ who was watching in the audience asked if he could speak, and questioned whether the public hearing was also attended by the SAP or their representatives. When the response was negative – despite having been invited – he committed to sending a report of the public hearing to the SAP and to seek mechanisms for dialogue both with the secretary and the governor²⁵.

In this item, we observed how different actors dispute the understanding and even the existence of violence in prisons in the public sphere, particularly that which can be denominated *torture*. In the next item, we see how *family members*, when managing their experiences through *testimonies*, place themselves at the centre of the dispute for rights in the face of *state violence*, asserting themselves in a legitimate place of claiming.

Within the law: some testimonies by relatives

Once the panels speeches and councilman’s interventions were over, the NESC defenders sat at the table to organise the next step of the hearing, comprised of *testimonies*: ‘Shall we move on to the testimonies?’

Many of the attendants volunteered to speak, which resulted in disputed slots – there were 22 – and constant debate between the public defenders on the ‘panel’ of the hearing and the women who had the microphone and exceeded their suggested two-minute time limit to speak. On a few occasions, the defenders requested an *aside* to share information they judged relevant – and these *asides* were not constrained by the two-minute rule.

²⁴ Eduardo Suplicy is a well-known politician in Brazil affiliated with the PT, or Workers’ Party. He was a senator for 14 years before losing an election to the Senate and was later elected a representative for São Paulo City Council, a position he currently holds.

²⁵ It is worth mentioning that the night before, the councilman’s office organised another public hearing to discuss another issue pertaining to the prison world: the situation of female inmates.

Events like those of a public hearing in the shaping of complaints and in the production of ‘victims’ of (state) violence are discussed in other contributions. The works of Myriam Jimeno (2010) and Virginia Vecchioli (2018) articulate political mobilisation through public acts in the production of ‘victims’ of situations of violence that occurred in Colombian and Argentinean contexts, respectively. Even the dynamic of panel speeches, testimonies, and asides does not seem by chance nor exclusive to this public hearing specifically. Gwenola Ricordeau (2018) also discusses the role of family testimonies in an article on the involvement of prisoners’ relatives in abolitionist movements. The author states that relatives usually have their participation framed either as ‘witnesses’ of what they see in prison, or as ‘messengers’ of prisoners. Although respected from these relational speaking places, their own experiences and analyses are often not the centre of their participation in movements. In the context of the public hearing, the public defenders’ speeches, riddled with objectivity and technicality, seem to justify the interruptions of the relatives’ speeches. The information, at the end of the day, is of interest to the participants who share their stories in that space.

At the same time, the idea of the *testimony* is fundamental to humanise the person whose rights have been violated and which is the very reason for the existence of a demand. The testimony acts as one of the inherent mechanisms to the constitution of victimhood in the vindication of rights that mark contemporary politics, with trauma as a moral landscape, along with other mechanisms involving evidence and reparations, as proposed by Didier Fassin and Richard Rechtman (2009). Thinking in line with the authors, it can be said that the victim’s place says less about a ‘person’s truth’ and more about agency, particularly in situations that involve the creation of empathy and access to rights. These contexts and their mechanisms mainly inform about the place of ‘victims’ in the moral economies of our time (Fassin & Rechtman, 2009:279). The testimonies put a human face and body to the mechanisms mobilised not only by the public defenders, but also by organisations for the protection of rights, which would be diminished without the presence of the women to share their stories²⁶.

The *testimonies* of relatives who were at the public hearing describe situations that are extremely relational. I present, as follows, four blocks of family speeches that took place during the hearing and that express the *relatives’* own paths and obstacles around prisons, and also describe situations that happened to those imprisoned.

I never thought I’d be in this situation. | Before, we’d take our clothes off and be inside at 10 o’clock. Nowadays there’s a machine and we only get inside at 14:30. | Why aren’t prison documents made in an easier way? Why do we have to wait in line? Well, they say nothing ever happened. Nothing ever happened *before*. But now *we aren’t making a fuss, we’re going by the law*. | We’re convinced we need to lead a *movement within the law*. | We’ve made claims in many places. The Ministério Público, Brasília, CONDEPE, CNJ²⁷. We’ve approached all the right institutions. *Soon Carmen Lúcia will see this and they’ll get involved*. Mark my words. | I’ve been to Brasília, I’ve talked to Erika Kokay, to Carmen Lúcia’s advisor and I only hear one thing: *the families united to win!* | This Pact of San José, Costa Rica... took us to the custody audience that lasted three minutes, I was there. Nobody was set free. The decision was made. Carmen Lúcia has already said that [drug trafficking] isn’t a heinous crime, but it’s no use. | I want to ask all of you, Eduardo Suplicy... *who are bigger than us*, to save us. The GIR poked the inmates’ anus with the baton. That’s a *humiliation*. | *The GIR are a bunch of cowards. COWARDS!* They are masked men who aren’t brave enough to show their faces.
My husband called me last night in tears.

(Extracts from speeches by the hearing’s attendants. Emphasis added)

26 A moment parallel to that explored by França in her discussion on the creation of the category ‘LGBTI refugee’ (França, 2017).

27 The *Ministério Público* is the name of the Brazilian Federal Public Prosecution Service. CONDEPE is the acronym for the *Conselho Estadual de Defesa dos Direitos da Pessoa Humana* [State Council for the Defence of Human Rights] of São Paulo, formed by representatives of the state government and civil society. CNJ is the acronym for the *Conselho Nacional de Justiça* [National Council of Justice], formed by representatives from different spheres of the judiciary.

In the *testimonies*, the women are the narrators of episodes that happen to them upon entry and exit to the prisons, but not only that; they also share episodes that happen to their colleagues during visitations, to their husbands and children, they report their manoeuvres and resistance strategies and share information that should not have been shared at a public hearing.

The first block of speeches shows us the scale of the work it takes to follow a family member denied freedom: the bewilderment in finding yourself in the prison context (*I never thought I'd be in this situation*); the dimension of the time spent, waiting to enter a prison unit, with or without the *intimate/vexatious* body search, and the waiting time even to obtain documents that allow entry to a prison unit²⁸.

The second block of speeches mentions displacement, conversations, and aspirations that involve the struggle of the relatives for their inmates. The displacement involves trips to Brasília, Brazil's capital, but it is not exclusively geographical. There is a displacement in the strategy revealed in the *movement within the law* in contrast to the *fuss*. This change indicates that the women who spoke there had been making claims within formal frameworks: in the justice system, in many instances, and in initiatives with politicians, all mentioned by their speeches. Their presence at the public hearing and the speeches celebrating the *union of the families* to keep the struggle alive are also part of this strategic displacement. In this context, the name of the former president of the Brazilian Supreme Court, Justice Carmen Lúcia, was recurring: she was cited as someone with whom a dialogue was sought, and whose intervention could change the correlation of forces in favour of the *relatives*. Eduardo Suplicy, a well-known politician, also appears in the speeches as someone *bigger* than the relatives, capable of saving them – despite the fact that they themselves are struggling.

At the same time, activating mechanisms *by the law* does not prevent questioning and suspicion of those same laws. The Pact of San José²⁹ and the custody audiences are placed under scrutiny since their effects do not avoid imprisonment considered unjust by the *relatives*.

The final block of speeches concerns situations told to the women by their husbands and sons highlighting the *humiliation* imposed by GIR members against the inmates. This *humiliation* is marked by gender and sexuality prescriptions that involve the violent interaction that the members of the GIR enforce. In denouncing the violation and *humiliation* suffered by their men, the women also question the *courage* of the *masked men* who form part of the squad, in a tug of war that challenges what it is to be a man based on gender and sexuality codes common to the *relatives*. As they questioned the masculinity of GIR men, they reinforced their own femininity: the strength of women who had the courage to follow through with complaints about the group.

There is one last phrase that seems trivial, but which caused a certain discomfort in the context of the public hearing. *My husband called me in tears yesterday*. As soon as the woman speaking mentioned that her husband called, the room fell silent. She noticed the tension and used a short pause to reorganise her speech. She proceeded with information about the (awful) conditions of the prison's health service where her husband serves his sentence. With her participation over, she went back to her seat in the audience and spoke to the colleagues around her. She justified herself by saying the phrase *slipped out*.

The existence of mobile phones in Brazilian prisons is well-known, and used as justification for the search procedures practiced on visitors and for the GIR's incursions themselves, the very theme of the public hearing. The tension surrounding the *relative's* speech is not related to what was said, but where it was said.

²⁸ Rafael Godoi (2015) explores the dimension of time involved in carrying out a visit, and of how the lines for entry in the prison begin in the hometown of the person who travels hundreds of kilometres to meet an incarcerated family member.

²⁹ The pact mentioned is the "American Convention on Human Rights," available at: http://www.oas.org/dil/treaties_B-32_American_Convention_on_Human_Rights.htm. Accessed on June 28, 2020.

The context of a public hearing is that of the struggles *within the law*; in other words, of claims and demands made through legal mechanisms that in turn consider the presence of mobile phones in prisons illegal³⁰. The separation between what can and cannot be said at these times is something these women are very weary of, even if some phrases slip out at certain times.

The *testimonies* recounted by the *relatives* throughout the hearing produce certain movements regarding their *fight* strategies. The narratives speak of situations imposed on those who visit and deal with prison from the outside, but also about situations experienced by incarcerated husbands and sons through a ‘second hand’ narrative brought to life by the women. In addition, the *fight strategy within the law* implicates in narrative displacements, interlocutions, and normative solutions to the violations identified by the *relatives*. Under these circumstances of dispute through *legal channels*, knowing what you can and cannot say is crucial.

Final considerations

Throughout the text, I have sought to present a perspective on prisons in their connection with gender and activism through the work of an association organised by *prisoners’ family members*. AMPARAR’s work was mobilised in this writing from a specific event: a public hearing in which relatives sought to discuss violations of rights within a prison unit. My place in ethnographic observation, from outside the prisons and as a volunteer at AMPARAR, allowed me to explore the association’s relationships with family members and AMPARAR’s and Railda’s activism, the latter was driven to become an activist due to her child’s deprivation of freedom in the 1990s.

In a conversation the day after the public hearing, Railda tells me that she and the *relatives* share the opinion that the public hearing was a *success*. They felt they were able to say what they wanted, and that the public defenders present were committed to forwarding their claims against the GIR, as well as other violations identified and recounted by the *relatives* in their *testimonies*. Beyond the evaluation of the participants concerning the hearing, the event allowed for the witnessing of the *relatives’* movements, their processes for the production of demands, and some of the tensions involved in the relationships among the relatives themselves and with human rights defence organisations.

Both *suffering* and *humiliation* act as elements for agency (Mahmood, 2001) among these women, that is, they are part of their experiences with the prison institution, present in the daily negotiations around prisons and are activated in the production of narratives about themselves and their relationships. In the case of the *mothers* of AMPARAR, prison is the central point of the narratives of *suffering*, not because it introduces suffering into their lives, but because it brings about the possibility of creating trajectories in activism, allows for transits and dialogues with prisoner’s relatives and with movements, and is part of the development of battles against the state. In Railda’s narrative on the disputes and dialogues, we see the emergence of the *state* as a category, an interlocutor, and an opponent, which is composed by the relationship with Railda’s activism. These women’s activist paths are framed by prison and enhance their struggles, but also limit them to the trope of mothers and to the narrative form of the *testimony*.

The relational nature of the role played by these women is inscribed in a gendered language. After all, at the public hearing they were *relatives* (of inmates): people who are not incarcerated, but who deal with the prison institution and move through it and its devices. The waiting in line, the entry and exit procedures, and the emission of documents are prisons’ daily routines that collaborate to construct, among these women, the sense of suffering and humiliation they mobilise in their *testimonies*. Their struggle against perpetrated violations demand that they ponder on what can and cannot be said in the different contexts they take part in.

³⁰ In her thesis, Bruna Bumachar (2016) works with the use of technology (including mobile phones) in the maintenance of bonds between foreign inmates and their families.

The profusion of institutions at the hearing comprises the *state*, which is simultaneously the accused and the recipient of the stories shared in that space. AMPARAR and the *relatives* represented by the association, and who are taking action *within the law*, put a name and a body to their claims and identify violence and *humiliations* perpetrated not only against their bodies, but against their husbands' and sons', who have been deprived of their freedoms. Here, gender and sexuality are languages that enable this identification and that contribute to the creation of a role for these women as mediators and narrators of events that happen inside the prisons.

Received: November 27, 2020

Approved: January 21, 2022

Translated by Jeffrey Hoff

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Natália Lago

The University of Campinas (Unicamp), Center for Gender Studies Pagu, Campinas, SP, Brazil

<https://orcid.org/0000-0003-3713-9594>

Email: nalago@gmail.com