



# HHS Public Access

Author manuscript

*Fem Psychol.* Author manuscript; available in PMC 2024 February 01.

Published in final edited form as:

*Fem Psychol.* 2023 February ; 33(1): 42–64. doi:10.1177/09593535221102224.

## Navigating intimate trans citizenship while incarcerated in Australia and the United States

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### Abstract

Trans women incarcerated throughout the world have been described as “vulnerable populations” due to significant victimization, mistreatment, lack of gender-affirming care, and human rights violations, which confers greater risk of trauma, self-harm, and suicide compared with the general incarcerated population. Most incarceration settings around the world are segregated by the

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Declaration of Conflicting Interests

The author(s) declared no potential conflicts of interest with respect to the research, authorship, and/ or publication of this article.

person's sex characteristics (i.e., male or female) and governed by strong cis and gender normative paradigms. This analysis seeks to better understand and appreciate how the "instructions" and the "authorities" that regulate trans women's corporeal representation, housing options and sense of self-determination implicate and affect their agency and actions in handling intimacies related to their personal life. Drawing upon lived incarcerated experiences of 24 trans women in Australia and the United States, and employing Ken Plummer's notion of *intimate citizenship*, this analysis explores how trans women navigate choices and ways "to do" gender, identities, bodies, emotions, desires and relationships while incarcerated in men's prisons and governed by cis and gender normative paradigms. This critical analysis contributes to understanding how incarcerated trans women through grit, resilience, and ingenuity still navigate ways to embody, express and enact their intimate citizenship in innovative and unique ways.

## Keywords

trans women; incarceration; intimate citizenship; agency; Australia; United States

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Incarcerated trans persons, trans women especially, are commonly characterized as "vulnerable populations" (Brown, 2014, p. 339) that experience significant inequalities and numerous violations including but not limited to lack of gender-affirming care, various forms of harassment and assault, and in some cases, erasure of their gender (Brömdal, Clark, et al., 2019; Hughto et al., 2022; Jenness & Fenstermaker, 2016; Phillips et al., 2020; Sumner & Sexton, 2016; White Hughto et al., 2018). Worldwide, carceral institutions explicitly seek to govern, control and dictate how incarcerated trans women engage within the carceral setting – with the carceral system and staff, and other incarcerated persons. Albeit embedded within a narrative and ethos of optimizing safety and security, policies and practices based upon (hetero/cis)normative frameworks are implemented that in effect work to restrict the ways trans women express, enact, and embody their *intimate citizenship* whilst incarcerated (Rosenberg, 2017; Rosenberg & Oswin, 2015; Sanders et al., 2022; Sumner & Sexton, 2016).

As critical analysts, trans rights scholars, allies and clinicians, including trans people with lived experience of incarceration, we are concerned with the ways in which trans women navigate being, belonging and relationships within men's incarceration settings, often characterized as hyper-masculinized and hyper-sexualized environments (Rosenberg & Oswin, 2015; Sanders et al., 2022). Although trans men and gender diverse persons in carceral settings are also of concern, our paper focuses on trans women as they are disproportionately affected by discrimination, violence and other forms of victimization restricting their access to material and financial resources, including employment and housing, translating to some trans women turning to street economies and sex work for economic survival (Garofalo et al., 2006; Grant et al., 2011; Hughto et al., 2018, 2022). Collectively these experiences, coupled with biased policing practices (Grant et al., 2011; Wolff & Cokely, 2007), place trans women at higher risk of arrest and incarceration (Hughto et al., 2018, 2022; Sevelius & Jenness, 2017). Once incarcerated in men's settings in both Australia and the United States, trans women are at significant risk of experiencing sexual and physical abuse, harassment, assault and indifference, where their femininity is both

devalued and routinely punished (Brömdal, Mullens, et al., 2019; Grant et al., 2011; Lynch & Bartels, 2017; Sanders et al., 2022; White Hughto et al., 2018; Wilson et al., 2017). In light of the many significant harms incarcerated trans women experience while serving their sentence in men's settings and drawing on Ken Plummer's (1995, 2003, 2005) concept of intimate citizenship, this analysis seeks to better understand:

the decisions [trans women] have to make around *the control (or not)* over one's body, feelings, relationships; *access (or not)* to representations, relationships, public spaces, etc.; and *socially grounded choices (or not)* about identities, gender experiences, erotic experiences. It does not imply one model, or pattern or one way. (Plummer, 1995, p. 151; emphasis in original)

Employing the aforementioned notion of intimate citizenship, this cross-national piece seeks to critically analyze the ways in which strong cis and gender normative policies and sense of self-determination collectively implicate and affect trans women's agency and actions in navigating intimacies, in settings that, by design, restrict trans women's opportunities and choices with respect to their "personal life" and self-determination (Plummer, 2005, p. 77). To this end this paper is framed by the following research question:

In the context of cis and gender normative paradigms, how do incarcerated trans women navigate intimate citizenship and choose what to do with their gender, bodies, identities, representations, emotions, desires and relationships in Australia and the United States?

As such, this analysis seeks to demonstrate how trans women navigate ways to embody, express, and enact their intimate citizenship through the ways in which they "choose" what they "do" with their gender, bodies, identities, representations, emotions, desires and relationships in innovative and original ways while incarcerated in men's settings.

## Incarceration of trans persons

Trans women are disproportionately incarcerated in Australia and the United States compared to the general population (Brömdal, Mullens, et al., 2019; Grant et al., 2011; Lynch & Bartels, 2017; Van Hout et al., 2020; White Hughto et al., 2018; Wilson et al., 2017). In the United States, the lifetime estimates of trans women being incarcerated range from 19%–65% across studies (Garofalo et al., 2006; Grant et al., 2011; Reisner et al., 2014), compared to approximately 2.5% of the general population (Maruschak & Minton, 2020). In Australia, the number of trans women who have been incarcerated is difficult to ascertain as no large-scale survey has been conducted, including lack of transparent and publicly available data. Of the limited available information, it is estimated that less than 1% of the Australian prison population identify as trans (Australian Institute of Health and Welfare, 2015; Butler & Simpson, 2017; Lynch & Bartels, 2017). Through a Right to Information process, the team nevertheless gained information on the overall number of trans persons incarcerated in Queensland, Australia between 2014 and 2020. This process revealed 68 trans persons (unclear how many of these are trans women) had been incarcerated, with several of them experiencing multiple incarcerations in-and-out of the prison system. In light of the cyclical nature of incarceration and release, including the elevated risk and vulnerability of trans women in men's prisons, some trans women may

elect to not disclose their trans history, collectively leading to underreporting and counting of incarcerated trans persons and trans women (Hughto et al., 2022; White Hughto et al., 2018).

Incarceration settings around the world, including Australia and the United States, generally segregate and place people in either male or female facilities according to their legal sex (i.e., male or female) and more specifically their genitalia rather than gender identity (Brömdal, Mullens, et al., 2019; Kilty, 2020; Sevelius & Jenness, 2017; Van Hout et al., 2020; White Hughto et al., 2018). Hence, trans women who have not engaged in the legal process of affirming gender through gender-affirmation surgery (e.g., vaginoplasty, orchiectomy) are generally placed in men's settings, regardless of where they wish to be housed. As a result, trans women across the globe incarcerated in men's settings report experiencing violence, abuse, harassment and assault in correctional settings (Brömdal, Mullens, et al., 2019; Hughto et al., 2022; Rosenberg & Oswin, 2015; Sanders et al., 2022; Van Hout et al., 2020). Although much of this mistreatment occurs at the hands of fellow incarcerated individuals (James et al., 2016), mistreatment is also perpetrated by correctional staff and healthcare providers (Clark et al., 2017; Grant et al., 2011). Trans women incarcerated in male settings also report that disclosure of their trans identity greatly increases risk of being raped and/or coerced into sexual activities by other incarcerated people – experiences that correctional staff frequently neglect to report or prevent (Brömdal, Mullens, et al., 2019; Gorden et al., 2017; Grant et al., 2011; James et al., 2016; Jenness & Fenstermaker, 2016; Lydon et al., 2015; Lynch & Bartels, 2017; Phillips et al., 2020; Rosenberg & Oswin, 2015; Van Hout et al., 2020; White Hughto et al., 2018; Wilson et al., 2017). A 2011 study of 6,454 trans and gender non-conforming people in the United States found that among the 749 trans women who had been incarcerated, 38% reported they had been harassed, 9% physically assaulted, and 7% sexually assaulted by correctional staff (Grant et al., 2011). Gender-based mistreatment of incarcerated trans women by correctional officers and healthcare providers is also prevalent in the form of misnaming and/or misgendering (i.e., using the incorrect name and/or pronoun – at times intentionally) as well as restricting access to gender-appropriate clothing, grooming items, and even medically necessary, gender-affirming medical and psychological healthcare, including hormone therapy (Brömdal, Mullens, et al., 2019; Clark et al., 2017; Kilty, 2020; Lydon et al., 2015; National Center for Transgender Equality, 2018; Tadros et al., 2020; Van Hout et al., 2020; White Hughto et al., 2018). Jenness and Gerlinger (2020) emphasize that even though trans women are “subjected... to harassment and ridicule” (p. 191), clothing, cosmetics, hair style and products are essential to expressing an authentically gendered self. The World Professional Association of Transgender Health (Coleman et al., 2012) also conclude that self-expression through items relating to appearance are critical for some trans individuals in “alleviating gender dysphoria” (p. 8–9), and arguably contribute to better mental health and wellbeing.

In the United States and Australia, the practice of placing trans women in “protective custody” for extended periods as a measure of “safety” and “protection” from abuse from other incarcerated people, also known as “administrative segregation”, “administrative detention” or “administrative confinement” is also commonplace (Brömdal, Mullens, et al., 2019; Kilty, 2020; Lydon et al., 2015; Mann, 2006; National Center for Transgender

Equality, 2018; Van Hout et al., 2020; White Hughto et al., 2018). The aforementioned physical, verbal, and sexual abuse, lack of access to gender-affirming healthcare, erasure of gender identity, and unnecessary use of protective custody frequently experienced by incarcerated trans women has been linked to dire health consequences for this population. Indeed, many incarcerated trans women have been found to have elevated levels of depression, anxiety, and other salient mental health conditions, as well as engaged in self-harm, attempted suicide, and surgical self-treatment (e.g., autocastration) in an attempt to cope with their untreated gender-related medical needs and care (Brömdal, Mullens, et al., 2019; Brown, 2010; Gorden et al., 2017; Kilty, 2020; Mann, 2006; National Center for Transgender Equality, 2018; Phillips et al., 2020; Tadros et al., 2020).

## Embodiment, expression and enactment of intimate citizenship

In his seminal work on identity management, Goffman (1961, p. 4) introduces the concept of “total institutions” to describe organizations such as the military, carceral and mental health institutions, which can be characterized as “encompassing” and “totalistic.” Regarding incarcerated persons Goffman (1961) suggests:

The self in this sense is not a property of the person to whom it is attributed, but dwells rather in the pattern of social control that is exerted in connection with the person by himself and those around him. This special kind of institutional arrangement does not so much support the self as constitute it. (p. 4)

Cis and gender normative paradigms underpinning “total institutions” work to discipline relationships by insisting that only opposite binary gender beings share intimacies with each other and highlight how incarceration settings, by design, restrict a trans woman’s opportunities and choices with respect to their “personal life” and self-determination (Plummer, 2005, p. 77). Such gender normative and regulative corporeal policy conditions restrict incarcerated trans women’s “agency” and “actions” in “how the intimate can be imagined, portrayed and represented” (Plummer, 1995, p. 155; 2005, pp. 76–8). Centered around Plummer’s (2001, 2003, 2005) notion of intimate citizenship, this analysis seeks to better understand the ways in which trans women navigate decision-making regarding “the control” they have over their “body, feelings, [and] relationships”, including their “access ... to representations, relationships, public spaces, etc.”, and their “socially grounded choices” regarding their “identities, gender experiences, erotic experiences” (Plummer, 1995, p. 151) while incarcerated in facilities for men.

As argued by Bonjour and de Hart (2021), the notion of citizenship in political and academic spheres is generally understood to comprise formal relations between an individual and a collective (“the nation”) or state. Marshall’s (1950) conception of citizenship as a status whereby individuals are granted rights and responsibilities frames this relationship as public and fixed. A citizen relates to the collective or state via membership, which implies rights, identification and participation. Viewed through this lens, totalistic carceral institutions are “forcing houses for changing persons” (Goffman, 1961, p. 12), the overarching purpose of which is to reshape the flawed identity of the incarcerated person to produce a compliant and socially acceptable citizen.

Feminist theorists have critiqued the conceptualization of citizenship as public and fixed, advocating instead for an understanding of citizenship that encompasses the personal (Pateman, 1998; Plummer, 2001; Vogel, 1994) and performative (Isin, 2017). The concept of *intimate citizenship* has been utilized to explore relations between citizen bodies and the state, highlighting the role of family and gender in shaping legislation and practices that govern personal relations such as family policies, disability rights, reproductive rights, gender and sexual expression and enactment, and sex tourism (Bonjour & de Hart, 2021). Intimate citizenship addresses “emerging concerns over the rights to choose what we do with our bodies, our feelings, our identities, our relationships, our genders, our eroticisms and our representations” (Plummer, 1995, p. 17). Plummer theorizes the ways in which the “public” concerns of citizenship – belonging and entitlement – are contested and reinforced in “private” lives through intimate contexts such as sexuality, gender, bodily autonomy, and relationships. Plummer (2005, p. 90) argues that for citizenship to exist, there must be the possibility of “being recognized as belonging and participating in a group where one is expected to do certain things – obligations – in return for certain rights. One achieves the status of citizen through this.” Furthermore, recent scholarship has challenged the notion of citizenship as a fixed legal status, mobilizing the concept of “performative citizenship” (Bonjour & de Hart, 2021, p. 7) to conceptualize citizenship not as a status that describes what people *are* or *have*, but as something that people *do* through the claims they make and policies and practices that they contest (Clarke et al., 2014).

However, the conceptualization of citizenship as personal and performative also draws attention to the importance of individual agency in shaping one’s experience of citizenship. As Plummer (2005) emphasizes, autonomy of choice is the key to enacting intimate citizenship, which depends on how one is placed in respect to the public and fixed aspects of citizenship: status and resources. He describes the “subjective experience of inequalities” that places people in “hierarchies of esteem” (Plummer, 2005, p. 77). Applied to sex segregated carceral settings, and due to cisnormative constraints which dictate how trans women may embody, express and enact their trans identity, they are on the one hand highly visible and esteemed sexual targets, and on the other hand lack status and/or resources. Within these institutions, they exist low on the hierarchy of esteem, rendering them structurally invisible and subject to “symbolic assaults to [a] sense of self-worth and efficacy” (Anderson & Snow, 2001, p. 399). Despite these restrictions on their intimate citizenship, Plummer argues individuals “always have some kind of ‘agency’; however, the choices and the actions are indeed severely limited” and often linked to inequalities such as “disempowerment, brutalization, coercion, and a massive lack of autonomy” (2005, pp. 76, 78). This agency and self-determination, albeit limited, in actively embodying, expressing, and enacting their intimate self is at the heart of this study. Thus, this analysis contributes to greater understanding of how trans women within both nations, through grit, resilience and ingenuity, demonstrate agency by seeking to embody, express and enact their trans intimate citizenship in creative and original ways.

## Methods and analytical framework

This critical analysis draws on two sets of semi-structured interviews with formerly incarcerated trans women: 1) a study with four trans women conducted in Queensland,



Australia in 2018–19, funded by the HIV Foundation Queensland; and 2) a study with 20 trans women conducted in the United States in 2015, funded by the Yale Fund for Gay and Lesbian Studies.

Both studies recruited participants through multiple purposive sampling strategies, which included posting paper and electronic recruitment flyers at community organizations and trans-specific websites and list-servs. Eligible participants were aged 18 years and older; self-identified as a woman, trans woman, or on the trans-feminine or male-to-female spectrum; were assigned a male sex at birth; had not legally affirmed gender; and had been incarcerated at least once in a men’s watch house, jail, or prison (henceforth, incarceration setting) in Queensland, Australia, or in a US state in New England (Massachusetts, Rhode Island, Connecticut or Maine), typically in a single/double occupancy cell or protected areas such as administrative segregation/solitary confinement (Federal Bureau of Prisons, 2018; Queensland Corrective Services, 2021), all with sexual abstinence-enforcing policies rather than offering safe sex options such as condoms. At the point of interview they had been incarcerated within the past five years for three days or more.

After providing written informed consent, informants participated in interviews exploring their incarceration experiences and how they enacted their gender, identities, body, emotions, desires and relationships while incarcerated in a men’s setting. The one-on-one, in-depth semi-structured interviews ranged from 45–120 minutes and were conducted by AB and TP in Australia and by JWH in the United States. Interviews were audio-recorded and transcribed verbatim. To protect anonymity, participant names were anonymized with pseudonyms, and participants received a gift card as compensation for their time. Both research projects were approved by their individual university’s ethics boards – University of Southern Queensland’s Human Research Ethics Committee (H17REA147) and by the Fenway Health (Institutional Review Board of record) and the Yale University Institutional Review Board (Project ID 734437–1).

To make meaning of the 24 trans women’s lived carceral experiences in Australia and the United States, the data was analyzed as one large set of data due to the similar aim of both nations’ research projects seeking to appreciate the lived experiences of trans women incarcerated in male settings, including comparable interview questions and similar condom prohibiting and cis and gender normative carceral policies used in both geographical settings, when housing trans women who have not legally gender-affirmed. This paper uses thematic analysis in “generating” and “defining” themes (Braun & Clarke, 2019, p. 593). More specifically, Braun and Clarke (2019) encourage scholars making use of thematic analysis to do so with the help of their revised six-step guide.<sup>1</sup> While, the six phases were “applied flexibly” and informed by our theoretical frameworks, the steps were chronologically applied with the end goal of capturing the “uniting idea” of a theme (Braun & Clarke, 2019, p. 593). As a result, the thematic analysis yielded three major themes, which together define the relationships that incarcerated trans women navigate when enacting their intimate citizenship: (1) trans institutionalism – self and the

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<sup>1</sup>This six-phased guide of thematic analysis consists of familiarizing yourself with your data; generating initial codes; generating (initial) themes; reviewing themes; defining and naming themes; and producing the report (Braun & Clarke, 2019, p. 593).

total institution; (2) trans intimacy – self and relations with others; and (3) trans bodily sovereignty – expressing femininity. These themes consider how participants engaged in trans intimate citizenship while incarcerated in institutions regulated by cis and gender normative institutional policies and practices that punish non-normative relations and affect trans embodiment and gender expression.

## Findings

### Trans institutionalism – self and the total institution

All of the trans women interviewed described how cisnormative housing policies could be innovatively and proactively translated to effect alternative housing possibilities within the male setting. Especially among US participants, the ability to navigate housing policies often depended on how familiar the person was with the male incarceration setting and system, their previous history of being placed in the general population or protective custody, and what advice they had received prior to incarceration. Those who knew more about the system and had been negatively affected by being celled in protective custody knew they could choose to be housed in the general population instead, so proactively sought to serve the majority of their sentence in the general population. However costly, Ebony (US) described the route to effect such a choice:

I refused to be locked down for 23 hours [in protective custody]. So, they actually made me go through a process. I had to first talk to the lieutenant and then I had to like write a written request and then they would have the doctor come and talk to me. I had to sign a release form saying that anything that happened to me on the unit that they're not responsible for. That I am willingly making a choice to go into general population knowing that because I'm transgender that I could be raped ... physically harmed, and ... I know these things can happen and that I will not hold them responsible for anything that happens to me in the general population ... Every time that you decide you don't want to go to protective custody, you have to sign a form saying that you accept whatever happens to you.

Others resisted protective custody on ethical and ideological grounds, refusing to share space with people who had committed heinous crimes. For example, Jasmine, Alicia, Ebony, and Sierra (US) describe those in protective custody as people who “rape babies”, “child molesters” and “rapists, pedophiles ... [or] snitches”, and they did not want to be associated with them or mistaken for committing such crimes. In contrast with the argument for protective custody, they point out that being celled with people who had committed such atrocious crimes was far from safe. In a similar vein, Brittany, Evie, and Abbey (US) strategically “butched up” or stopped taking their hormones so that they could be transferred from protective custody to the general population. Evie specifically expressed: “they told me if you take this estrogen you're going in the protective custody. And then I was just like ... I'm going regular, honey. These hormones, I love myself, but [for the] living arrangement I'll let it go.”

Elsa (AUS) shared one experience while being housed in a high protection incarceration setting with some of the state's “high-profile offenders”, “sex offenders” and “pedophiles.”



To ensure her safety, she had been informed that she would not be put in the general population or allowed to share a cell with anyone. However, when approached by a man on her high protection block to “go and ask them [correctional officers] if you can double up with me”, Elsa confidently declined the offer as it would have jeopardized her safety and said, “I don’t want to double up, I’m happier to be on my own.” Those who went into protective custody, either because they were placed there, or for fear of being raped or abused, survived their time by sleeping, seeking to be invisible, refusing to socialize, and staying in their cell as much as possible. For instance, Rosa (US) expressed: “just isolate me. I feel like that would be the best thing for me. ... Let me know when I can do my 20-minute shower and let me know when I can eat. And bring it to me. Perfect. I’ll be fine, I’ll isolate – I’ll talk to myself.”

Across both geographical populations, and regardless of how they were housed, several of the participants tried to stay safe, avoid trouble, and survive their sentence by staying away from other incarcerated people as much as possible. Elle (US) “learned to stay away from lifers ... because they’d do anything to keep you up in there. And you know, if they can’t have you, no one can have you.” Alicia (US) chose to “stay out of trouble and stay underneath the radar.” Others feel this requires a temporary detransition: knowing that their trans femininity in a male prison would put them at risk, some participants actively chose to defeminize. Tina (US) firmly expressed: “I do not, would not want to identify as trans in jail. I do not think that would be smart”; she also recommended that other trans women going into a male prison should not disclose this to anyone.

### **Trans intimacy – self and relations with others**

**Engaging in romantic relationships and indulging corporeal desires.**—A third of the participants across both geographic locations voluntarily engaged in romantic relationships of some form. Evie (US) shared:

I have hooked up in the prison sexually [with] ... this one guy. And I did a lot of time with him ... I ended up just playing house with him ... We did hook up ... it was something I wanted ... I felt comfortable. We did things in transition like ... being in the shower ... And maybe a coffee or you know I would make his bed. He would make my bed. We would prepare like these little ... institutional dishes.

Elle and Ebony (US) also describe the formation of serious romantic relationships in protective custody with men housed in the same space. Cassandra (US) explains the blossoming of romance with a man who offered her food when she had no money for the canteen. Three of the participants, Alicia and Cassandra (US) and Luna (AUS), explained learning how to trick the correctional officers so that they could spend the night with their partners. Luna explains:

... at one stage I was in a cell with another trans woman, and we would swap cells ... with your boyfriend again in another cell or some guy ... and we’d ... trick the guards. So, hide in the [cell] ... when [they] lock you in the cells, they’ve got maybe 100 cells to lock. So, they just want to do it quickly and they’re just really looking for two bodies in the cell, when they lock the cell. So, sometimes ... you’d have to line up with other people and that way you’d get to spend the night with

your boyfriend ... and I'd come into your cell and, the other one would go ... the trans woman that you were in with that was in another cell, would have to, do you know what I mean? It was tricky [but] we were resourceful.

As condom use is prohibited in both Queensland and the states where the US incarceration settings part of this study were located, participants described ways that they would manage the safety of their sexual encounters while incarcerated. For example, Alicia (US) and her partner mutually demanded proof they were each free from any sexually transmitted infections, while Cassandra (US), who was living with HIV, would always use a "glove" to protect her partner during sex.

Some participants expressed that they desperately wanted to "get laid" and have a "boyfriend" while they were incarcerated (Martha, US), fully knowing that most of these relationships were limited to the correctional setting and would not translate into a lasting relationship on the "outside". However, others refused to engage in any form of romantic or corporeal relationships, as they set particular "standards" and did not want to "bend over" for anyone as it would be "denouncing" (Nadia, US) or reduce themselves to the level of "fuck[ing] everyone" and because "there are a lot of diseases in jail" (Jemma, AUS). Quite dissimilar to this ethos, Sandra (US), who for the first time experienced being viewed as a woman compared to in the "free world", now felt affirmed in expressing her femininity and sexuality:

You know I felt like I was a star ... and I learned how to hustle, but more importantly, just having the sex, was just freeing for me because I interpreted [sex] for love, I thought this was love ... So, when someone didn't stay around, I didn't care 'cause I know in an hour, I'll be in someone else's cell .... So, I thought I was beautiful ... every queen there thought they were the only one which was good.

Sandra also built trust with the correctional officers so that she was able to influence the decision about with whom she would share a cell. She reports that she would "manipulate the boys" into wanting to share a cell with her:

I thought I was an intelligent person, I would manipulate the boys, you know. So, and that's what I ended up doing ... I've had guys [that would] start trouble with their roommates so he could be moved out of the cell, they would go and say, "we're not gettin' along." They'd go "who do you get along with, who do you want in there?" "Uh put Sandra in there," "Sandra do you wanna move?" "Yeah, I'll move."

Sandra's sophisticated navigation of the system suggests an active engagement in her intimate citizenship, one she did not feel permitted to pursue in the "free world."

**Transacting corporeal services.**—Participants in both countries who were familiar with the prison system and had been incarcerated for petty crimes, such as survival sex work or stealing to support their drug addiction, navigated their intimate citizenship by engaging in transactional sex for goods and services. Luna (AUS) expressed: "I did not have my family support. So, I'd go into prison I'd be on my own more or less. So just having access to getting, [and] buying things was very difficult for me because I have to do sex for favors

[including, accessing] ... cigarettes, electrical items, money, drugs, protection.” She was not alone in trading sex for goods and favors. Elle, Sierra, and Taylor (US) also survived their prison sentences by offering sex and their bodies for canteen goods. Elle expressed that she would: “[b]asically do what I did on the streets, flirt around with the guys. Give them a little something-something here. You know, [I] basically did what I had to do to – to survive up in there or have the things that I want.” Similarly, Nadia (US) expressed how she gave oral sex for food and goods to an officer: “a lieutenant [was] bringing me Kentucky Fried Chicken and a pack of Newports and sending everybody to [the] gym and letting me stay. And then I gave him oral sex.” Some participants, however, reported that they were not willing to trade sex for goods while incarcerated. For instance, Jasmine (US) stated that she was not willing to have sex with the men or the correctional officers on her block, due to the risk of HIV, and instead offered non-contact sexual favors, such as “a flash of a tittie” in exchange for canteen goods.

The participants also described “strong-arm sex” (Taylor, US), where one engaged in sexual activities in return for protection (Ebony, US; Luna, AUS). This included performing sexually appealing catwalks for correctional officers (Taylor, US), as well as entering into a contractual corporeal relationship for protection: Ebony (US) explained how her strong-arm sex experience meant she was “auctioned off” in return for safety:

And what would happen is, guys that knew they were gonna be there for a while would do what any guy would do when they see a woman. You know, try to pick her up. So, the guy would like, I wanna say auction you off, but they would communicate that they were gonna choose you as their girl, and you would be protected or whatever, but they would expect certain needs fulfilled.

Some of the trans women, regardless of where they were housed, and despite their sexuality and pressures to respond, navigated the discourse of transacting corporeal services by declining to engage with requests from men, including correctional officers who sought sex in return for goods, services, and favors. For example, when Ebony (US) was in protective custody she refused several correctional officers offering her food in return for sexual acts. Luna (AUS) also shared how a prison officer came into her cell one night and wanted her to undress for him:

... the prison officer came into my cell at night [and] the other prisoners could see him opening my cell and coming in. So, then I had a witness to what was happening ... and he just asked me to take my clothes off ... And I said, “Why?” And he said, “I just want to see what you look like without your clothes on.” And I sat there and sank ... I felt really vulnerable because I was in such an isolated position. And then he had the power and ... I just said, “Look I’m not comfortable doing that, I don’t want to do that” ... he asked a couple more times, he said, “Oh just for a little bit, it won’t take long.” And I just said, “Look I, I just don’t want to do it and I don’t feel comfortable.” And so [he left] ... the next day I complained about it and they didn’t really do anything, so I asked for a specific complaints form. So, I put in a report for my complaint form ... and asked them to give me a copy of it and [then] pretty much straightaway they were acting on it and came and told me that, that afternoon ... I was being moved.

Luna stressed that she knew she had to complain formally with a copy of the complaint in her hand, and only then would the correctional officers act on it, otherwise “they would have been quite happy to sweep it under the carpet or try and ignore it.”

### **Trans bodily sovereignty – expressing femininity**

Participants described elaborate and unique ways to embrace, express, and perform their femininity while incarcerated. Most of the carceral settings did not allow the participants to access clothing, grooming, hygiene, and commissary items, including undergarments consistent with their gender expression. While both Jemma and Elsa (AUS) were allowed to wear their own underwear, Jemma explains that this was limited: “they took my bra off me because they reckon it was lingerie and it’s sexual ... [but then] they gave my underwear back [and I had to] wash them in the sink every night to wear them every day ... I wasn’t wearing male [underwear].” Similar to Jemma, Taylor (US) was able to access women’s underwear but through different means “I had some inmates [also her friends] making me... sexy underwear.”

Makeup was considered contraband in all the participants’ carceral settings. However, many of the of the US participants described creative ways that they made their own cosmetics in order to express their femininity. Taylor (US) expressed: “[I] wasn’t willing to give up my femininity”, even though she knew that she might be caught and penalized, and would go into the canteen and with the help of “magic markers do my nails, and [with the help of] coffee, mix it up and then with a toothbrush put mascara on and with the fishnet ... laundry bags, make fishnet stockings.” Alicia (US) “would buy M&Ms ... and ... wet the M&Ms and take the [red] color of the M&Ms and ... use them like lipstick”, as well as make her own eyeliner:

So, around the windowsill there is like a black type of ... glue or whatever. But ... with the pen that you had you took some of that black glue and then you took ... Vaseline that you would get from like the nurses ... and you would put a little bit of Vaseline [into the mix] and ... when you put the Vaseline on it, it would actually make it like black eyeliner.

Elle (US) was not allowed to wear jewelry, so instead she would “take bread ties and make little earring[s], little bows.” Half of the participants expressed their femininity by growing nails (Cali, US), shaving off unwanted body hair (Alicia, Elle, Sierra, Brandy, US; Jemma, AUS), and grooming their head hair (Taylor, Brandy, Cali, Nadia, US; Jemma, AUS). Jemma spent a large portion of her morning styling her hair:

I’d wake up at 5:00am and brush my hair until about 6:30am ... because I get self-conscious, and I was in a jail full of men and I was the only girl, so I’d brush my hair [for] hours ... [and] try and look as good as I can without makeup and any of that stuff in male clothes.

Although Ebony (US) was in protective custody, she still enacted her femininity while exercising in her cell, even if it was only for herself: “[I] would do little things ... like walk [as if it was a] runway or something in the cell. Like walking around ... because that would

be [my] only time to exercise so [I] would walk around in a circle ... as if [I was] modelling you know, but just for [my] own entertainment and you know, that would be [my] workout.”

Due to the hyper-masculinized and sexualized carceral environment, Elle and Sandra (US), both with a history of incarceration, took on the role of protecting trans women and providing advice on how to survive their sentence. In Sandra’s case, she had acquired the name “Queen Bee” because of the accumulated respect she had gained among other incarcerated persons (and staff) through the years, and because she “paved the way” for other trans women housed on her block:

I paved the way as Queen Bee because I’d been in every prison and I’d been entrapped in that environment so long, that you know they ... had to respect me, then you know you respected the people that were around me and, in my atmosphere, and those were usually my daughters. I called them “these are my daughters.” And, because of me being in and out, in and out, like I could not survive six months in the 30-year period. This was my miracle here.

Sandra also earned the reputation of “don’t mess with me” due to the number of fights she had won with men, including knocking one unconscious. Other participants such as Sabrina, Brandy, and Cassandra (US) also earned their respect when unapologetically slapping or lashing out at men who had insulted them in various ways for being a trans woman. Others would choose to correct and educate correctional officers who either seemed ignorant about trans people and who kept misnaming and misgendering them (Alicia, Cali, US; Jemma, AUS). Similarly, as in Brandy’s case (US), she educated other incarcerated persons about what it meant to be a trans woman and how she could present herself when enabled to express her femininity.

## Discussion

The purpose of this paper was to explore the ways in which trans women incarcerated in men’s carceral settings in Queensland, Australia and the United States overcome systemic vulnerabilities and navigate their intimate citizenship through innovative ways of performing gender, identity, bodily, corporal and emotional sovereignty, and relationships with others while governed by strong cis and gender normative paradigms restricting embodiment of self. Albeit severely limited and often inhabited by violence, abuse, harassment and assault in correctional settings, the findings from these two studies showcase how 24 trans women from two Westernized countries demonstrated agency and autonomy in directing their personal lives while incarcerated in men’s settings.

The traditional conceptualization of citizenship as public and fixed implies a top-down power dynamic, whereby the terms of citizenship (rights and responsibilities) are dictated and enforced by the state. This dynamic is challenged by the feminist conceptualization of “intimate citizenship” which is personal and performative, thereby acknowledging the agency of its citizenry to challenge and create new terms by which individuals’ citizenry can be enacted. The narratives presented in this paper illustrate self-sufficiency and innovative and proactive ways to subvert institutional policies and practices by exerting influence over spatial assignment, embodying, expressing and enacting femininity, and engaging in

socio-emotional, strategic, romantic and friendly relationships. Even in the most totalistic of environments our analysis demonstrates how through grit, resilience and ingenuity, incarcerated trans women are able to find innovative ways to subvert this positioning and assert their intimate citizenship.

The high degree of control that total institutions (Goffman, 1961) exert over the choices available to their inhabitants, coupled with the forced participation in their regulating and re-educating practices, often positions the institutional claims of citizenship in direct conflict with trans women's claims to intimate self-determination. Plummer theorizes the ways in which the "public" concerns of citizenship – belonging and entitlement – are contested and reinforced in "private" lives through intimate contexts such as sexuality, gender, bodily autonomy, and relationships. He explains: "if 'intimate citizenship' seems an oxymoron, it also suggests a potential bridge between the personal and the political" (2003, p. 15).

The concept of "citizenship" of total institutions, designed to homogenize identity claims of individuals and limit choices in order to reproduce a socially acceptable citizenry, is inherently problematic. Plummer (2005, p. 90) argues that for citizenship to exist, there must be the possibility of "being recognized as belonging and participating in a group where one is expected to do certain things – obligations – in return for certain rights. One achieves the status of citizen through this." In carceral contexts, the personal is subjugated to the political; "belonging" to the total institution prescribes severely restrictive obligations and entitlements. However, if we view citizenship as not merely public and fixed, but also as personal and performative, then intimate citizenship within the carceral context depends on the extent to which there is choice over where, when, with whom, and how to use those spaces (Fenster, 2005, pp. 222, 227). As we have shown, opportunities for contesting a total institution's claims through intimate contexts such as sexuality, gender, bodily transformations and relationships are highly restricted; nevertheless, trans women in our studies have found novel ways of asserting claims to intimate self-determination.

Trans women's intimate accounts represent new understandings of performing intimate citizenship within the hetero, cis and gendernormative constraints of total institutions. Invoking Plummer's conception of "intimacy" as "a term to refer to an array of arenas in which we 'do' the personal life – doing bodywork, doing gender, doing relationships, doing eroticism, and doing identities" (2005, p. 77), we have illustrated the original ways in which trans women exercise agency over their personal lives. Although the participants' testimonies alluded to a frequent use of protective custody among the US cohort compared to that of the Australian cohort, the testimonies of Ebony, Sierra, and Cassandra (US) nevertheless demonstrate how they were able to exert some level of control over their spatial assignment in regard to their placement in protective custody, general population, and in some cases, even with whom they were accommodated with (the latter also relevant to Luna and Elsa, AUS).

Limited access to care among incarcerated trans persons has been described as a form of "double punishment", insofar as trans people are punished "first by the pervasive discrimination in the judicial system that continues to fail to give due legal recognition of trans people's right to dignity and self-identity, and second by the often 'cruel and



unusual' mistreatment of them in the prison" (Erni, 2013, p. 139). It is common to see accounts of exploitive and violent relationships in trans carceral scholarship. However, in her description of "playing house", Evie (US) challenges the hegemonic stereotype of exclusively harmful relationships involving trans women in carceral settings, illustrating an alternative expression of care as a form of enacting intimate citizenship through mutual and caring romantic relationships.

Trans women in our studies have also demonstrated dominion over their expressions, embodiment and enactment of femininity across carceral geographies. Masculinization of the carceral setting severely limits trans women's expressions and embodiment of gendered identity. Choosing to privilege safety and security over freedom of identity expression, Tina (US) makes a reflective and conscious decision not to identify as a trans woman while incarcerated. On the other hand, and across geographical settings, Taylor, Evie, Alicia, Cassandra, Sierra (US) and Jemma (AUS) testify to the innovative lengths that they go to in order to present themselves as feminine through the creative use of makeshift make-up, exfoliation, hairstyles and personal styling.

In these myriad ways, we have illustrated how through authentic expressions of self-determination trans women in both studies and geographical settings have subverted the totalistic control exerted by carceral institutions to perform intimate citizenship in even the most non-agentive of circumstances.

## Conclusion

Incarcerated trans women are typically positioned as "vulnerable populations" (Brown, 2014), who are victims of a cisnormative system that does not recognize their identity. However, this analysis has shown how the enactment of intimate citizenship by trans women in Australia and the United States challenges the notion of "citizenship" as exclusively public and fixed, even within a totalistic institution. Within the cross-geographical incarceration settings, these trans women assert their familiarity with both the formal and informal rules of the carceral environment, forging vertical and horizontal connections which enable them to assert themselves as intimate citizens. These findings also underscore that there is further room for trans women to actively embody, express and enact their intimate self, which could be realized by both nations embracing a whole-incarceration-setting approach upholding the needs and rights of trans women (Brömdal, Clark, et al., 2019). In light of these findings, it is important to highlight that much of the literature on gender diversity and carceral experiences focuses on trans women, and although some of these experiences may be felt by other trans and gender diverse identities, further research is needed to better understand their challenges while incarcerated and how they in turn assert themselves as intimate citizens. To end, and considering the overrepresentation of Black, indigenous, and people of color in incarceration settings within and outside Australia and the United States (Lynch & Bartels, 2017; Reisner et al., 2014), future inquiry of intimate citizenship could focus explicitly on the relationship between Plummer's (2005) notions of intimate inequalities in relation to the many intersections at play within the "vulnerable populations" (Brown, 2014, p. 339) of incarcerated trans women.

## Acknowledgements

First, we wish to express our heartfelt and sincere gratitude to all of the trans women who shared their lived experiences with us of how they navigated choices and ways “to do” gender, identities, bodies, emotions, desires and relationships while incarcerated in men’s prisons in Australia and the United States. Without their stories, this paper would not have been possible. The authors also wish to thank the anonymous reviewers who provided insightful, affirming and detailed feedback on earlier revisions of the manuscript. Finally, we are grateful for the support of the editorial team who helped to guide this manuscript through the publication process.

## Funding

The authors disclosed receipt of the following financial support for the research, authorship, and/or publication of this article: This work was supported by the HIV Foundation Queensland with the primary author as the lead investigator [Project ID 2017-20, 2017] and the Yale Fund for Gay and Lesbian Studies with the last author as the lead investigator [2015]. This work was also supported by the University of Southern Queensland through an Internal Research Capacity Grant with the primary author as the lead investigator [Project ID 1007573, 2020].

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