

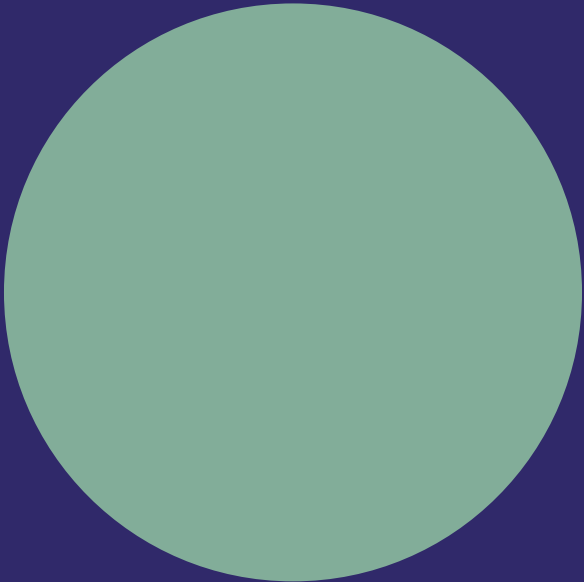
The background features a complex geometric pattern of overlapping red and blue shapes. There are several solid circles and one dashed circle, all in either red or blue. The overall aesthetic is modern and graphic.

“Safe” Prisons?

Challenging
Violence Narratives
and Anti-Gender
Feminist Agendas

“Safe” Prisons?

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Just Futures
Collaborative

An independent feminist
initiative cultivating
global cross-movement
strategies for challenging
criminalization, promoting
human rights and
protecting democracy.

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Introduction

Anti-trans rhetoric has increasingly infiltrated legal, policy, and public debates, becoming a powerful narrative trend and a set of legal proscriptions, including within feminist movements. At Just Futures Collaborative, we have observed that some feminists align with powerful actors and carceral institutions to push harmful agendas against trans and gender-diverse communities (among others). The campaigns by self-named “gender critical” feminists sometimes weaponize narratives of violence and women’s safety to vilify and punish those already pushed to the margins by the state and by dominant social groups, with a particular focus on trans women.

One recent example is the treatment of Algerian boxer Imane Khelif at the 2024 Paris Olympics, where she faced unfounded accusations regarding her gender.[1] Media detractors and anti-trans advocates discredited her success, using disinformation to suggest she was dangerous and untrustworthy, further fueling a global moral panic about “gender deception” and violence against women. Despite Khelif winning the gold medal, racist, harmful myths about sex and gender spread widely. This kind of moral panic is not new - we’ve heard it used before to justify unjust discrimination and even violence against those who are already facing stigma and discrimination.

Weaponizing Safety and Biological Determinism

Well-known figures like JK Rowling and Elon Musk joined this debate, using their huge platforms to perpetuate harmful stereotypes that conflate sex with gender, present both as rigid binaries, and frame trans women as predatory men. In Rowling's infamous tweet about Khelif, she referred to her as a "man" enjoying the distress of a woman, echoing the baseless claim that trans women pose a threat to cisgender women's safety. This rhetoric rests on gender essentialism and biological determinism—the false notion that sex and gender are biologically fixed and binary, with men being inherently violent and predatory, while women are inherently weak and easily cast as victims.

In reality, the relationship between sex, gender and violence is far more complex. Research shows that people of all genders can both perpetrate and be targets of violence,[2-4] challenging the simplistic binary of "men as aggressors, women as victims." For instance, men in prisons frequently experience sexual violence, yet anti-gender campaigns obscure these realities. Trans and gender-diverse people,

We use the term “anti-gender” feminist (rather than “anti-trans” feminist) to capture the broad theoretical position of self-named “gender critical feminists” who question certain aspects of gender and queer theory and instead advance the framework they call “sex-based rights.”

They particularly reject ideas about the fluidity and relationality of sex and gender and contend that biological sex should be prioritized over gender in discussions of rights and social policy. They believe that biological sex, understood by them to be fixed and binary, remains the fundamental factor in shaping women’s lives, experiences, and the discrimination they face.

They propose that an emphasis on gender and gender identity, over so-called biological sex, is potentially harmful to feminist goals by, in their view, undermining the category of “woman.” In doing so, they echo anti-gender (or anti “gender ideology”) forces whose views similarly rest on a binary understanding of sex, on biological essentialism, and on a rejection of the idea of gender as a relational concept, as Miller describes below.

They also tend to oppose the participation of trans women in activities designated for women, such as women’s sports. For an explanation of the use of the term, see Holly Lawford-Smith, “What Is Gender Critical Feminism (and why is everyone so mad about it)?” Accessed at: <https://hollylawford-smith.org/what-is-gender-critical-feminism-and-why-is-everyone-so-mad-about-it/>

especially trans women, are particularly frequent targets of violence, both in public spaces and carceral settings. For example in Argentina, known for its relatively progressive gender identity law, a study by the Argentine LGBT Federation found that 90% of trans women had experienced police violence at some point in their lives, a staggering figure compared to the rates of police violence against cisgender women, which stood at 20%. [5]

Feminists and the “Gender Backlash”

Many feminists explicitly challenge biological determinism, while others raise concerns with such an approach. Since the 1950s, when John Money introduced the term “gender” as distinct from “sex” into public discourse, some feminists critiqued the rigid separation of “sex” from “gender”, while many also disagreed about how these terms get used. For example, scholars like Shulamith Firestone and Monique Wittig [6,7] argued that focusing on “gender” - seen as a social and political framework - took away attention from women’s material concerns. This debate continues.

Many feminists today understand “gender” as a relational concept, distinct from but related to sex and sexuality. It is not binary. Gender, as Miller explains, “capture[s] the operation of situated rules and practices that constitute a range of masculine and feminine roles for bodies deemed male and female. These roles also assign resources and powers in all spheres of life.”[8] Furthermore, all people experience gender (not just women, trans, non-binary or non-conforming people), as it “creates a context that influences the development of their personal identities and social interactions.”[9]

Today’s anti-gender feminists (often self-described as “gender-critical feminists”) have decried the use of “gender” in international law and policy. In contrast, they promote the ideology of “sex-based rights,” reducing gender to anatomy and advocating for policies that deny trans and gender-diverse people access to basic rights. This backlash has gained momentum since the 1990s, fueled by alliances with powerful conservative and religious fundamentalist actors.[10]

Anti-Gender Feminist Campaigns on Prisons and Violence

A core strategy of anti-gender feminists is to sow fear about trans women in sex-segregated spaces like prisons, claiming that their presence endangers cisgender women. These disinformation campaigns lack factual basis, and rely on the age-old transphobic myth that trans women are really just men. For example, anti-gender advocacy platforms such as [“Keep Prisons Single Sex”](#) (formed in the UK) [11], highlight these anti-gender feminist narrative tactics best, and have unfortunately gained a lot of traction with decision-makers.

In reality, studies consistently show that trans women, particularly in male prisons, face extreme levels of violence. A U.S. Bureau of Justice Statistics report found that 33% of trans women in male prisons reported being sexually assaulted, a far higher rate than that of cisgender prisoners.[12] Globally, the pattern is similar. Trans women housed in male prisons face systematic abuse, including sexual

violence, physical assault, and isolation. Research in Thailand, for instance, reveals that trans women endure significant harassment in male prisons, including forced nudity and denial of access to hormone therapy. [9] Latin American studies report comparable abuses, showing that trans women in male prisons are highly vulnerable to sexual violence, often placed in solitary confinement under the guise of “protection.” [13]

Even in women’s wards, trans women are targets of violence, discrimination and inadequate healthcare. [14] They face violence at the hands of prison staff and other incarcerated women. A United States study shows that 15% of trans women in female prisons report abuse by prison staff.[15] This pattern is mirrored in other regions, where trans prisoners are disproportionately subjected to abuse.[16] These challenges are exacerbated by overcrowded, underfunded prison systems that fail to meet the basic needs of incarcerated trans people.

Despite overwhelming evidence that trans women are more often victims than perpetrators of violence, anti-gender feminists continue to push for policies that further exclude, discriminate against and/or marginalize trans persons using the specter of violence as justification. Their calls for strict sex-segregation in prisons are based on fear, not facts: simplistic sex-segregation policies fail to address the systemic issues of neglect, violence and abuse that all incarcerated people face.

Prisons are Unsafe Spaces

Anti-gender feminist rhetoric that suggests that sex-segregation makes spaces safer, including prisons, ignores the reality that prisons are inherently unsafe environments. Overcrowding and inadequate supervision create dangerous conditions for all incarcerated persons, regardless of gender. Prison conditions are often so hazardous and harmful that many thousands of people around the world in prisons also do not survive the experience of being incarcerated. The UN Special Rapporteur for extrajudicial, summary or arbitrary executions reported in 2023 that “tens of thousands of prisoners die every year around the world, although the exact numbers are unknown due to the prevailing inadequacies in recording, investigating and reliably reporting these deaths”, calling it a “silent global tragedy”. [17] He noted, “Globally, victims often belong to the most economically and socially marginalized sectors of society, which helps to explain the invisibility of the phenomenon.”[17]

Data from around the world confirms the violent and unsafe nature of prisons. A 2023 report found that incarcerated women in the United States, including cisgender and transgender women, face high levels of sexual violence by both prison staff and other

A recent study of prisons in 18 countries found “conspicuous ethnoracial disproportion in prisons is pervasive in democracies for which data is available. Socioeconomically marginalized ethnic and racial groups are overrepresented in the prisons of every case.” [18]

incarcerated persons.[19] Reports from prison systems in a number of countries - from Israel [20] to Sri Lanka [21]- reveal that violence, torture and abuse in prisons are the norm, not the exception.

Reframing the Debate on Safety

The anti-gender feminist focus on sex-segregated spaces as a solution to violence in prisons is misguided. Prisons are unsafe spaces for all their inhabitants, not just cisgender women. To create real safety, we must move beyond simplistic binary narratives about gender and instead focus on addressing the root causes. Carceral systems are built and maintained on logics of violence and power inequality. Without fundamentally challenging the way violence is embedded in these systems at a foundational level, we won't achieve any meaningful or lasting change in prison conditions.

True justice and safety require strong cross-border movements to contest the carceral logic that is generating a massive growth in prisons, and to advance, rather than limit, the full exercise of human rights. Moreover, these efforts must challenge the power imbalances at the core of

carceral systems. Only by addressing these root causes can we build safer, more equitable societies for all people. This is especially critical given that the massive increase in incarceration stems from socioeconomic disparities, gender and racial biases in criminal legal systems, overuse of pretrial detention, and the criminalization of poverty and homelessness.[22] Moreover, the increasing privatization of prisons provides a financial incentive to increase the levels of incarceration for profit.

Given the acceleration of carceral strategies in many countries, it is important to redirect attention towards the violent nature of prison settings that make prisons dangerous for all incarcerated persons, especially as the violence of prisons have a spill-over impact across our society. In fact, as feminists, we should be questioning what role prisons perform and consider other forms of accountability.

Ensuring genuine safety demands advancing people’s ability to exercise their human rights and advocate for change. What would serve all of us - including incarcerated persons - best, in terms of advancing safety and protection for us all against violence, is to create enabling conditions for people and communities to build long-lasting coalitions across regions, spaces, movements and issues.

Trans women are rarely the source of violence in prisons. Rather, evidence from around the world

shows that they are its frequent targets. Anti-gender feminists' fixation on biological determinism and gender essentialism distracts from the broader, more urgent issue of systemic violence within prison systems, exacerbated by other axes of discrimination and violence. Anti-trans campaigning is deeply damaging to the gender justice agenda, especially when done in alliance with powerful, unjust systems.

The false narrative suggesting that keeping trans women out of women's prison wards belies the reality of the deprivation of liberty that prisons enact. This reality stands in stark opposition to the strange narrative promoted by anti-gender actors, that the absence of trans women would make prisons safer for cisgender women. The high incidence of violence in carceral settings commonly carried out by prison staff and sometimes by incarcerated persons themselves, underscores the reality that prisons show us the ugly nature of state violence and the impact of our own communities' embrace of punitive laws and practices.

Making false claims about violence by trans women does not advance justice or safety - neither inside nor outside of prisons. It simply distracts us from the real work of collaborating, listening and challenging power together. Practicing a politics of inclusion and embracing our diverse experiences and points of view are the things that can ignite our collective imagination of just futures and move us toward the world we want. ●

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