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Volumen I  
Más allá de las pandillas:  
violencias, juventudes y resistencias  
en el mundo globalizado



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**Ministerio de Inclusión Económica**

**y Social - MIES**

Edificio Matriz, Robles No.850 y Páez

Quito Ecuador

Telf.: (593-2) 398 3000

[www.mies.gov.ec](http://www.mies.gov.ec)

ISBN: 978-9978-67-296-9

Cuidado de la edición: Santiago Rubio Casanova

Diseño de portada e interiores: Antonio Mena

Imprenta: Crearimagen

Quito, Ecuador, 2011

1ª. edición: septiembre de 2011

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# ‘Cocaine Queens?’: the transnational transfer of anti-feminist backlash

Jennifer Fleetwood\*

In 2010, The Miami Herald declared *Women break through glass ceiling - of drug-dealing underworld* (2010). The article describes two women from Latin America who are allegedly ‘Queen Pins’ in the international cocaine trade. Is feminism really to blame? And what are the implications of claims like this for criminal justice in the global North West where this report originates and in Latin America where both women appeared in court?

This paper documents how feminism is increasingly being used to explain women’s involvement in the cocaine trade, especially those women the press have labelled ‘the cocaine queens’. This can be understood as part of an anti-feminist backlash. This poses a significant challenge for resisting gendered oppression, given that feminism is an established strategy for resistance. The second part of this paper examines the implications of backlash for criminal justice in the global northwest, specifically in reference to drug trafficking offences (which here refers to international trafficking rather than street level trade). Research has concluded that policies premised on ‘equality’ punish women disproportionately. This backlash has international implications; these same policies have been exported to Latin America through the ‘war on drugs’. Although Ecuador has successfully resisted the imposition of such poli-

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\* University of Kent, UK. The author would like to formally thank FLACSO and John Jay for inviting her to the First International Conference ‘Beyond Gangs’ in Quito, Ecuador, October 2010. This was an extremely fruitful and inspiring 3 days. Special thanks to Mauro Cerbino and Luis Barrios.

cies in recent years, questions remain about the need for gender sensitive criminal justice policies. Three sets of connections underpin the paper. Firstly, I will be making connections between anti-feminist discourses used to describe 'gang girls' and media reports about the 'cocaine queens' global northwest. Secondly, I draw out the connections between these anti-feminist discourses and the way that women's involvement in the cocaine trade has been punished. Thirdly, I examine how the above concepts about crime and punishment travel between the global north and south through the transfer of policies through the 'war on drugs'. This paper concludes by considering the implications of anti-feminist backlash for activists and academics.

### **From mules to monsters: the 'new female criminal'**

Until recently, women in the international drug trade were portrayed almost exclusively as drug mules. In the early 1990s western media focussed on the 'plight' of drug mules; in the UK and the USA, reports focussed on black women from third world countries specifically. In 1993, The New York Times described a mother from Haiti who was 'terrorized by thugs into strapping a pound of cocaine to her body' who eventually had the charges against her dropped. Around the same time, The London Guardian reported on the plight of foreign national mules imprisoned in the UK. The Guardian quoted a representative of the National Association of Probation Officers:

They are the exploited pawns of the drug barons and are being punished as if they were master criminals... These women often come from remote Third World communities. They embark on their trips without the faintest idea of the sentencing policy of the British criminal justice system. The Government must introduce a sentencing distinction between the evil traffickers and their courier victims, who should get shorter terms. (Harry Fletcher, cited in Guardian, 1990)

Both reports characterise the typical drug mule as a victim and as exclusively female. Portraying women as mules (and only as mules) relies on and reinforces gendered dichotomies in which men are assumed to be the brains of the business and women are the bodies; men are powerful and women are passive. This dichotomy perpetuates gendered stereotypes of women as essentially caring and passive whilst at the same time reinforcing the myth of the evil (male) trafficker as a ‘suitable enemy’ (Christie, 1994).

In recent years a competing discourse has emerged: that of the ‘cocaine queen’. In direct contrast to previous discourses which emphasised victimisation, this ‘new’ discourse emphasises women’s agency. Media interest has shifted from women mules towards women who allegedly occupy significant roles in the cocaine trade, for example Sandra Avila Beltran (from Mexico) and more recently Angela Sanclemente (from Colombia). Reports have unvaryingly depicted them as stereotypical *femmes fatales*, amoral, vacuous women who use their good looks instrumentally (rather than to please men) (Jewkes, 2004). Sandra Avila Beltran (or ‘The Queen of the Pacific’) is described as a powerful player in the drug trade. Reports claimed that she was involved in drug trafficking at a high level and was laundering millions of dollars. News reports attribute her success in the drugs industry to the way she ruthlessly employed her sexuality: “she seduced many drug king-pins and upper echelon police officers, becoming a powerful force in the cocaine world through a combination of ruthless business sense, a mobster’s wiles and her sex appeal.” (The New York Times, 2010)

Reports revel in the fact that she succeeded in a trade steeped in violence as a woman. Misogynistic media reports described her as ‘sexy’, ‘stylish’, ‘graced with both charm and beauty’ (Newsweek, 2007; The Guardian, 2007). Avila Beltran was acquitted, although this was barely covered in English language news (Associated Press Online, 2010). Angela Sanclemente was arrested in May 2010 in Argentina after ‘going on the run’. CNN reported that she was the ‘queen pin’ of an international drug smuggling operation which employed female models as drug mules (2010). CNN describe how she allegedly ‘spent tuition fees on silicone breast implants’ and lied to win a beauty pageant as evidence of her

ambition, ruthlessness and vanity (2010). Interestingly, both articles make explicit their subject's expensive tastes in fashion. On the one hand, this appears to be an attempt to denigrate their financial power and successes in the drug trade. On the other it appears to make characterise them as a caricature of the post-feminist consumer: empowered, selfish and vain.

More significantly, media reports have claimed that women's success in the drug trade is a new phenomenon which has resulted from the emancipation of women. This is made explicit in an article in *The Miami Herald* titled *Women break through glass ceiling-of drug-dealing underworld* (2010). The *Miami Herald* cites Victor Ronquillo, (author of a biography of Beltran) who claims that: "It has a lot to do with what is happening in society. Women begin to take on a leading role and this is also reflected in narco-trafficking" (2010). In the UK, Tony Thompson, in an article in the *London Guardian* titled, *Britain's girl gangsters are getting ready to fight their way to the top*, claims that the effects of female emancipation can be found at all levels of organised crime. From all-girl gangs named 'Girls Over Men' to Angela Sanclemente's 'all-women gang that smuggles cocaine', Thompson's message is clear: women's participation in crime is the dark side of female liberation (*The Observer*, 2010). Like the above articles he cites an expert, who claims that "Women were largely relegated to subordinate roles as girlfriends and gofers. Now they are taking over dominant roles in traditionally male dominated gangs" (Anne Milgram, Attorney General for New Jersey). Worryingly, this same discourse is being extended beyond women at the top, to women in the lowest roles. In 2004, two sisters (Aluwakemi Osagie and Natasha Osagie) from Liverpool were convicted of conspiring to import cocaine into the UK. There is very little evidence that they played an active role in the trade. They were just 20 and 21 when they were arrested entering the UK with a large quantity of cash. The article reports that they were recruited to carry drugs by an older man, who allegedly ran a drug trafficking 'empire' (and who was arrested at the same time). Nonetheless, the headline describes them as 'Coke Queens' (*Liverpool Daily Echo*, 2004).

The idea that women's participation in crime will rise as a result of emancipation is not new. In the 1970s sociology Freda Adler famously



claimed that: “as the position of women approximates the position of men, so does the frequency and type of their criminal activity” (1976: 251). Furthermore, she thought that as women became emancipated like men, they would seek the same kinds of security and status “criminal as well as civil, through established male hierarchical channels”. (1976: 11). Adler’s theory is based on a misunderstanding of emancipation as women becoming *like* men (rather than having equal rights and opportunities). Furthermore, Adler’s claims have been frequently disproved (see for example Box and Hale, 1983). In spite of this, the idea that female liberation contributes to female crime endures. Most recently, women’s participation in gangs and violence has been interpreted as evidence that women are acting in the *same ways* as young men. Feminism has been explicitly blamed for young women’s participation in the street level drug trade, gangs and violence in the UK and the USA, even though very little evidence exists to support this (Chesney-Lind and Eliason, 2006; Batchelor, 2007; Batchelor, 2009; Young, 2009).

Likewise, there is little evidence that there are more women in organised crime now than there have ever been. Although there has undoubtedly been an increase in the size of the drug trafficking trade since the 1970s (UNODC, 2009) and whilst it is certainly the case that there are now more women in prison for drugs offences (and especially drug trafficking offences), this cannot be interpreted as a straightforward reflection of increased participation in the drug trade. Historically, (long before second wave feminism in the 1970s) a very small number of women successfully occupied key roles in the international drug trade. Most famously, ‘La Nacha’ allegedly controlled heroin supply in Juarez from the 1930s to the 1970s and Griselda Blanco (aka The Miami Godmother) imported cocaine from Colombia to the USA in the 1970s (Campbell, 2009). Contemporary research in Juarez/El Paso found small numbers of women at all levels of the international cocaine trade (Campbell, 2008). I recently conducted over 70 interviews with imprisoned drug traffickers in Ecuador (Fleetwood, 2009). Interviews with men and women from a variety of levels of the trade revealed that a small number of women can and do take leading roles in the business. Almost all of the male cocaine traffickers that I interviewed could think of at least one woman that they

knew who worked at a similar level. This was true at all levels, from mules to recruiters, middlemen, brokers and managers of organised groups. I found, as Campbell did, that the number of women decreases higher up the hierarchy, so most women can be found at the lowest level of the cocaine trade, as drug mules. So, although the numbers of women in the international cocaine trade may have increased (in line with the expansion of the drugs trade) this does not indicate a change of women's position overall.

My research also explored women's motivations for getting involved in the international cocaine trade. I interviewed women from all over the world including Latin America, Europe, Africa and South East Asia. Despite the diversity of this group, many cited economic need particularly in relation to providing for their children, parents and partners. This included everything from food and clothing to better housing and education. Although the meanings of these things varied between national contexts there was a degree of similarity. One respondent, Amanda came from north America. She lost her job following a financial crisis and shortly afterwards her partner left her with debts and unpaid bills and four children to look after. Working as a mule was therefore an immediate way to solve the impending threat of homelessness for her family:

I had to pay my rent in a week or the marshal was gonna come n padlock my door, I had nowhere to go. My mother was being evicted too so if I was gonna go live with my mum, she was gonna get kicked out also so... everybody would be in the doghouse. (Amanda, mother of four, mid twenties).

Angela, a single mother from Africa, was employed however as a domestic worker could not afford to send her children to school. As a child, she did not have access to education due to apartheid. As a single parent who worked in an unskilled job bringing her children up after apartheid, working as a mule enabled her improve her children's opportunities in line with new expectations and possibilities. For both, the need to materially provide for their family was a strong motivation (Fleetwood, 2010). Both women were motivated by locally meaningful ideas about parent-

hood: indeed arguably, both are motivated by a very traditional idea of motherhood. These motives neither reflect a feminist ideology nor a world where women can be said to have equal opportunities. Women drug mules frequently come from countries in which feminism has provided very few opportunities for women. Although a minority of women have experienced greater opportunities for material success under global capitalism, neoliberal globalisation has exacerbated the poverty experienced by women in the global south, meaning that women are in a worse position economically than ever. Thus, economic globalisation disproportionately affects poor and ethnic minority women who may turn to the informal (or illegal) economy as a means of survival (Sudbury, 2005). Thus, ironically, women’s participation in the international cocaine trade has more to do with the feminism of poverty on a global scale rather than the emancipation of (some) women.

The myth of the ‘emancipated female criminal’ can be interpreted as a form of anti-feminist backlash (Chesney-Lind and Eliason, 2006). Writing in the USA in the early 1990s, Susan Faludi claimed that the possibility of women gaining equality had been met with an anti-feminist backlash (1992). Just as women’s rights had started to gain ground, the accomplishments of feminism were systematically undermined, mainly by men who were threatened by the upheaval in the gender order. In short, the anti-feminist backlash turns the claims of feminism on its head. It is premised on the claim that equality has been achieved and therefore it is women’s emancipation (not their oppression) that is problematic: feminism is bad for women and for society. In the USA, women’s emancipation is repeatedly blamed for everything from eating disorders to the stress of managing family and a job (Faludi, 1992). Similarly, the newspaper articles above ignore all available evidence to claim that it is not women’s oppression that contributes to their offending, but their emancipation. There is an additional layer of complexity here however. The backlash against the ‘cocaine queens’ is not only anti-feminist, but is combined with xenophobic discourses about crime and (illegal) immigration in the west. Arguably, this discourse also plays on public and private misgivings about the number of women in the USA being cared for by women from the global south (Ehrenreich and Hochschild, 2003).

## The war on drugs: equality with a vengeance in the USA and UK

Anti-feminist backlash occurs at a cultural level where feminism is symbolically denigrated in the media, but also an institutional level (van Wormer, 2008). In the criminal justice sphere, discourses about equality, and the 'war on drugs' combine to make women 'equally' punishable. As van Wormer describes it: 'You, as the equal of a man, will be punished like a man'. (2009: 327). This punishment disproportionately affects women who occupy the most marginal positions. This is especially true in the realm of drug policy where apparently 'gender-blind' policies which have had a devastating effect on women.

### Mandatory minimums

Mandatory minimum sentences for drug offences have had a devastating effect on women users, and dealers in the USA (Raeder, 1993; Gaskins, 2004). They were introduced to reduce unfair disparities between sentences (Oliss, 1994). However, in setting mandatory minimum terms of custody for drug offences, mandatory minimums rule out the significance of mitigating circumstances such as family responsibilities and poverty thereby effectively judging women according to a male standard of justice (Chesney-Lind, 2002). As a result, female drug users and dealers were more likely to receive a custodial sentence and the length of sentence increased (Chesney-Lind, 2002: 89). Mandatory minimum sentences have contributed to the dramatic increase in the number of women in prison –in fact the number of women in prison rose at a faster rate than the number of men not only in the USA but in most nations in the global north (Sudbury, 2005). Drug trafficking is also subject to mandatory minimum sentences. The infamous Rockefeller Drug Laws in New York explicitly tie the length of sentence to the weight of drug imported excluding mitigating circumstances. Although harsh drug laws were intended to punish drug traffickers, most of the women sentenced under this law were disproportionately poor, single parents from the global south (Huling, 1996).

In the UK, sentence guidelines propose maximum (rather than mandatory minimum) penalties. Likewise, mitigating factors are excluded from sentencing decisions, allegedly to prevent drug traffickers from recruiting poor and vulnerable people (Green, 1998). Furthermore, pre-sentence reports<sup>1</sup> were trialled for foreign nationals but were later abandoned (Green, 1998: 165). Since the majority (72%) of drug importers are foreign nationals, this has resulted in the systematic abandonment of mitigation in trial and sentencing (Green, 1998: 165). As a result, sentences are dictated by the weight and class of drug. Research on drug couriers arrested in London’s Heathrow Airport in the 1990s, concluded that the offender’s nationality, role, gender and having children were not statistically significant predictors of the sentence (Harper et al., 2000: 100). In 2007, the average sentence for importing a Class A drug (cocaine or heroin) was seven years and four months (Sentencing Advisory Panel, 2009: 4). Disregarding family responsibilities and national contexts which may motivate women to work as a mule punishes them disproportionately. At present, a drug mule and a professional trafficker would get the same sentence; as would someone with no childcare responsibilities and someone who did. The same standards of justice are applied to mules who cannot know what they are carrying compared to a professional trafficker who does (Fleetwood, forthcoming). The myth of gender equality makes opposing this blatant inequality very difficult.

## Wives and girlfriends

Wives and girlfriends of drug traffickers have also been subject to ‘equality with a vengeance’. The assumption that women are ‘emancipated criminals’ underpins the way that Federal conspiracy laws have been used against wives and girlfriends in the USA. Famously, Kemba Smith was

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1 Pre-sentence reports “contains information about the character, personality and social and domestic background of the defendant; educational record and information about employment (if any), assessment of impact on victim and risk of reoffending.” Home Office (2000). A guide to the criminal justice system in England and Wales. London, Crime and Criminal Justice Unit in the Home Office Research, Development and Statistics Directorate. (p.36).

sentenced to twenty four years imprisonment as a result of her boyfriend's involvement in the drug trade. Even though she had not handled or sold drugs she was subject to the mandatory minimum sentence (Chesney-Lind, 2002: 90, Gaskins, 2004). Similarly, conspiracy charges bring the same penalties to bear on wives and girlfriends of drug dealing or drug trafficking men in the UK. Above, I described the case of the Osagie sisters who were arrested as part of a larger organisation. They were sentenced to eight years imprisonment (above average) despite being convicted with others who clearly played a much more significant role (Liverpool Daily Echo, 2004). Similarly, a single mother who was tried alongside two men for conspiring to import Class A drugs to the UK was sentenced to 13 years, much more than the men who were sentenced for only eight and nine years (The Daily Mail, 2008). Phone calls between the woman and her boyfriend were presented in court as evidence that she had been involved in the importation of drugs. Similarly, during research in prisons in Ecuador, I encountered several international and Ecuadorian women who had been arrested with their partners. Most had no idea that their partner was carrying drugs until they were arrested. It was also common to hear of women who had packages of drugs placed in their luggage by boyfriends or friends. Although men were also arrested with packages they had not agreed to carry, the deception rarely took place within the context of a relationship. Thus, gender inequality shapes both the causes of women's entry into the drug trade, and their criminalisation.

### **Transnational incarceration: drug mules imprisoned in the global north**

Foreign national women imprisoned for drug offences in the global north bear the brunt of the anti-feminist backlash played out in the 'war on drugs'. Punitive sentencing policies for drug trafficking have driven an upward surge in the number of women serving long prison sentences outside of their home country, most notably in the UK (Joseph, 2006; Reynolds, 2008) the USA (Huling, 1996; Sudbury, 2005), Canada (Lawrence and Williams, 2006) and Australia (Easteal, 1993). The last

decade has seen a 150% increase in the number of foreign nationals imprisoned in England and Wales (who now comprise 15% of the total prison population) (Hammond, 2006), largely for drug offences (Prison Reform Trust, 2004; Reynolds, 2008: 76). The portion of women prisoners who are foreign nationals is much higher at 20% (Ministry of Justice, 2009: 6)<sup>2</sup>. Furthermore, women in prison for drug importation offences are disproportionately from black and other ethnic minorities (Sudbury, 2002). Whilst on one hand this disparity may reflect national differences in women’s participation it may be the result of racial bias in profiling (Ruggiero and South, 1995: 116) and/or greater publicity about black women drug mules in the press which may result in a higher portion of black and ethnic minorities being stopped and searched (Díaz-Cotto, 2005).

Whilst women bear the brunt of the ‘war on drugs’, foreign national women imprisoned far from home suffer a double punishment. As foreign nationals, they do not have access to parole or home release (which effectively increases their sentence). During an average of eight years in prison, language barriers make it difficult to participate in education programs. Furthermore, since women are more likely to be carers of children and family, their incarceration affects them and their families (Fleetwood and Torres Forthcoming). Unlike national women, their family cannot visit and phoning home is prohibitively expensive (Bhui, 2007). The consequences of transnational incarceration are too many and serious to be dealt with adequately here. However in brief: ‘spiralling incarceration rates, rampant overcrowding and systemic human rights violations are common features of women’s imprisonment from Lagos to Los Angeles’ (Sudbury, 2005a: xiv). Life in prison far from home is very difficult for men and women; there have been a high number of inmate deaths and suicides of foreign national inmates in the UK. (Bhui, 2007; Sudbury, 2005: 167).

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2 Nonetheless, most foreign nationals in prison are men: 10 512 men compared to 838 women (Ministry of Justice 2009: 6).

## North to south: transnational transfer of the anti-feminist backlash through the 'war on drugs' in Ecuador

The 'war on drugs' has frequently been described as a 'war on women' (Chesney-Lind and Pollock, 1994, see also Sudbury, 2005). This is true not only in the global north but also in the global south due to the transfer of ways of conceptualising and punishing deviance through the 'war on drugs' (Wacquant, 2007; 2008). Cavadino and Dignan refer to this process as: 'penal globalisation': "the transfer of penal ideas and crime control policies across national borders" (cited by Reynolds, 2008: 75). Policies which are falsely premised on gender equality have been transferred from the global north to the global south through the 'war on drugs' resulting a double punishment for women involved in the cocaine trade.

### Gender equity in drug laws

The war on drugs is a catalyst for mass incarceration in the USA model around the globe. Latin America has been particularly affected by penal globalisation since the drug war has profoundly shaped international relations in the region (Youngers, 2005; Youngers and Rosin, 2005). Across Latin America: 'the United States has supported, and in some cases even drafted, repressive drug laws whose application has served primarily to jail the bit players: consumers, coca growers and mules who transport small amounts of drugs.' (Neild, 2005: 62)<sup>3</sup>. Similarly, Ecuador 'adopted counter measures that did not correspond to the reality on the ground but was rather a result of the imposition of US drug control in the Latin America' (Edwards and Youngers, 2010:2). Drug legislation in Ecuador (Law 108) was developed based on ideas developed in the USA, including mandatory minimums. It did not correspond to existing legal and constitutional structures and contradicted elements of the constitution

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3 In Bolivia, attempts to reform mandatory minimums have been blocked by the USA (Diaz-Cotto, 2005: 145).



(Edwards and Youngers, 2010). Furthermore, the law did not differentiate between use, dealing and trafficking, nor between different drugs, so hypothetically, the same sentence could be given to someone arrested with a small amount of marijuana for personal use and someone arrested with a kilo of cocaine for export. Although officially drug use was decriminalised, the criminal justice did not have the capacity to make this a reality: legal representation was inadequate and the inversion of proof made it extremely difficult to get a verdict of not guilty (Edwards, 2003).

These drug laws have had particularly gendered effects. In 2005, an astonishing 76% of women and 28% of men in prison were accused of, or sentenced for drug offences<sup>4</sup> (Núñez and Gallardo, 2006: 8)<sup>5</sup>. Although Ecuador is a specific case, it echoes similar patterns across Latin America where the number of women imprisoned for drug trafficking offences has risen at a dramatic rate since the 1980s (Olmo, 1990; Diaz-Cotto, 2005; Pontón and Torres, 2007). It is clear that the ‘war on drugs’ has disproportionately affected women. The high number of women mules in prison have been frequently understood as collateral damage in the drug war: “one of the by products of the anti-trafficker push of the 1980s has been the number of women caught up in the drug enforcement effort” (Dorn, Murji et al., 1992: 189). In fact, despite their lowly status, drug “couriers are the central target of customs border control” (Green, 1998: 12).

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4 Although importantly, the country’s drug law (Law 108) does not differentiate between international trafficking and local level drug crimes.

5 A survey of women in prison found that: “16, 4% of all inmates said that they had been involved in international trafficking of drugs, 13,4% for trafficking at a regional/national level and 13,1% said they had been detained for consumption of drugs (in spite of the decriminalization of consumption since 1998)”. (Pontón and Torres, 2007: 67, my translation). Historically, this represents a significant change in the profile of female crime in Ecuador. In the 1980s, only 17% of the female prison population were sentenced for drug crimes compared to 76% currently (Pontón and Torres, 2007: 64). Female prison populations across Latin America have been transformed by ‘Drug War’ policies in the last 20 years (Pontón and Torres, 2007).

## Drug mules as intentional targets in the 'War on Drugs'

Although there are signs of change, drug interdiction policies intentionally target low level traffickers, particularly drug mules by endorsing policies and technologies which target low level offenders. The UK (and the USA) have exported drug detection scanners to countries deemed to have a problem with drug exportation to the UK (Foreign and Commonwealth Office, 2007; USA Department of State, 2007). These drug detection machines (Ionscanners) test documents, luggage and people for minute traces of drugs and/or explosives. For example, the 'Sentinel II' is a walk-through portal which 'uses gentle puffs of air to dislodge particles trapped on hair, the body, clothing and shoes. Aided by gravity and a downward airflow, these particles are then directed into the Sentinel II for analysis' (Smiths Detection, 2009). The UK funded and exported drug scanners to the Caribbean in 2003 and West Africa in 2006. The deployment of such technologies deliberately targets small-scale drug traffickers as they pass through airports, the majority of whom are drug mules. The results of the introduction of these technologies is dramatic. After an Ionscan machine was paid for by the UK government and installed in Jamaica, the number of mules from Jamaica arrested in the UK fell from 822 to 185 in the first twelve months (and of course increased dramatically in Jamaica) (Whitehall and Westminster World: Civil Service Network, 2007). It is widely agreed that mules were simply diverted to West Africa as a result.

Secondly, international agreements encourage a 'cult of managerialism' whereby governments are required to meet internationally set targets which are tied to aid (Green, 1998: 151). This is explicit in the case of Ecuador. A document was leaked in 2003 which states that:

The USA continues to monitor Ecuador's commitment/obligation in the anti-drug fight. Proof of this is that in 2005 they signed a bilateral agreement which stipulated that for an investment of \$15,7 million in the security of the country, they demanded a 12% increase in the capturing and processing of narco-traffickers and a 10% increase in the capture of

drugs in relation to the year 2004. (Pontón and Torres, 2007: 64, my translation)<sup>6</sup>.

A later report demonstrates that this strategy continued for some years; similar figures can be found five years later (USA Department of State, 2007). Such agreements explicitly target both drugs and people. If drug mules are intentional targets of anti-drug policy and practice, then the numbers of women (and men) in prison as a result of these policies cannot be understood as unintentional ‘by products’. Furthermore, whilst this process has resulted in significant numbers of poor and marginalised men being incarcerated (Edwards, 2003), this has had a disproportionate effect on women since they are more likely to be found in vulnerable positions, for example as a mule.

### **Resistance: Ecuador**

Latin American nations have been critical of the policies and politics of the so-called ‘war on drugs’ and have responded by developing comparably progressive drug policies, particularly for drug users (Jelsma, 2010). In Ecuador specifically, President Correa issued a pardon (or *indulto*) for all ‘micro-traffickers’ in 2008 (those arrested with less than two kilos of drug) (Metaal and Edwards, 2009). A total of 2 300 people who were imprisoned for drugs offences were released (Edwards and Youngers, 2010: 8). Before this, the prison population of Ecuador had reached 17 000 (Metaal and Edwards, 2009: 3).

The pardon has had a significant impact on the women’s prison where three quarters of inmates were charged with or sentenced for drug offences. While I was visiting Quito to attend the ‘Beyond Gangs Conference’ I re-visited the women’s prison (in October 2010). In 2005, visitors could expect to queue for up to an hour in the hot sun (and occasional torrential downpours). Inside the prison the corridors and patio were filled with women and their families, playing, shouting, talking, eat-

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6 See also Edwards and Youngers (2010).

ing and jostling for space in the corridors. Overcrowding had reached a critical level with up to five women (and sometimes their children too) sharing a cell. Following the pardon for drug mules, the prison had visibly emptied, the prison was audibly and visibly calmer. I spoke to the small number of foreign national women who were imprisoned for drug trafficking offences. All reported that their cases were processed promptly (in contrast to the situation previously where people routinely waited for unconstitutionally long times to be sentenced). Inmates also reported that most shared a cell with only one other. Some women even had access to education programs in stark contrast to the situation before the pardon (see also Youngers and Edwards, 2010).

Although the pardon (or *indulto*) has directly reduced the number of women in prison and this has contributed to the improvement in conditions in which they were incarcerated, this solution was not oriented specifically towards women. Furthermore, the pardon for drug mules was ultimately a short term solution. The numbers of women in prison are already increasing (Edwards and Youngers, 2010). Nonetheless, long term changes to drug laws have been put in place. Judges have greater flexibility in determining sentences and can take mitigating circumstances into account (Edwards and Youngers, 2010). Although the reintroduction of mitigating circumstances has the potential to result in fairer circumstances for women, this can only happen as long as there is an awareness of the fact that the circumstances which lead to women's offending are fundamentally different to those affecting men. Furthermore, where people accused of drug trafficking are foreign nationals, problems in gaining evidence across international borders persists. Although it remains to be seen what the result of further reforms might be there is arguably a strong case to be made to ensure that gender be an important part of this discussion.

Resistance can also be found in changes in interdiction efforts. It appears that under Correa's government, there appears to be a greater emphasis on intercepting large shipments of cocaine (Youngers and Edwards, 2010: 3). This appears to have resulted from Ecuador's participation in the United Nation's Container Control Programme (UNODC/WCO, 2009). According to the 2010 International Narcotics Control Strategy Report (compiled by the USA Department of State), in

2009 Ecuador seized 43,5 metric tonnes of cocaine: a 98% increase since 2008 (cited in Youngers and Edwards, 2010: 3). Although this massive increase may reflect increases in the quantities of drug being trafficked, it is more likely that this is a result of the increased emphasis on large scale shipments rather than individuals carrying kilo quantities. Focussing interception efforts on drugs appears to be massively successful. Previously, bilateral agreements (like the one mentioned previously) have encouraged a ‘cult of managerialism’ whereby nations have been under pressure to demonstrate results through numbers of ‘narco-traffickers’ arrested and narcotics seized. Although this has been evident previously as performance indicators in public documents such as the USA’s Department of State’s ‘International narcotics and law enforcement’s annual program and budget guide’, this has not been apparent in recent years (see for example USA Department of State, 2011). Nonetheless, it is impossible to know whether quotas for the number of drug traffickers arrested continue to exist unofficially.

### **Countering the anti-feminist backlash: academia and activism**

Whilst portraying women in drug trafficking as ‘cocaine queens’ may not directly shape the criminal justice response, such discourses nonetheless, play a significant role in portraying women as legitimate targets for ‘equal’ punishment. Poor and marginal women suffer the consequences of the anti-feminist backlash disproportionately (van Wormer, 2008). Whilst Chesney-Lind and Van Wormer have demonstrated this at a national level, this chapter demonstrates that the anti-feminist backlash has an international dynamic also: in other words, anti-feminist backlash in the global north has implications in the global south. This is evident in the transfer of policies tied to the ‘war on drugs’ which bring with them a way of conceptualising crime, deviance, and criminal justice responses to it. This chapter has demonstrated that criminal justice policies premised on gender equality (such as mandatory minimum sentences) have disproportionately punished women, particularly those at the margins. Whilst Latin America is an important site of resistance in the area of drug poli-

cy, this resistance needs to incorporate and take notice of the importance of gendered oppression and the importance of incorporating a feminist resistance into this.

Whilst this chapter has focussed specifically on the phenomenon of 'cocaine queens' as a way of illustrating the transnational transfer of anti-feminist backlash policies in drug policy, anti-feminist backlash has implications beyond criminal justice. The anti-feminist backlash has important implications for both activists and academics working in the area of women (and particularly young women) and crime.

### Academics

We must resist writing about women offenders in ways that reinforce the anti-feminist backlash. This is particularly salient around the point of structure and agency. Whilst feminist research on women criminals may actively seek to resist employing sexist stereotypes of women as passive in their research, important questions remain about how to write about women's agency in the context of anti-feminist backlash. This is part of the wider task of developing ways of describing and analysing youth deviance in way that resists importing crime discourse (and specifically 'gang talk' (Hallsworth and Young, 2008)) from different national contexts. Furthermore, a new challenge is emerging. The proliferation of new media as well as international crime control have opened up new routes for the transfer of ways of thinking about crime. Therefore, attention needs to be given to understand how discourses about (women) offenders reverberate, not only in the west but internationally; not only in the media but also in policy and politics.

### Activists

The anti-feminist backlash has wider importance for strategies of resistance. Media reports of criminal women as 'feminists gone wrong' undermine the advances that women have made towards equality. Furthermore,

by using the language of ‘equality’ the anti-feminist backlash has effectively silenced feminist in the global north (van Wormer, 2009) who are left without a vocabulary to successfully resist. Questions remain about how the language of equality can be used as a tool for resistance. In this way, anti-feminist backlash discourses are deeply damaging for all women, but especially those who may be otherwise marginalised and more vulnerable to the effects of vengeful equity. One possible implication is the need to take up the task of feminism again; to reinforce and remind ourselves of what feminism is: emancipation for all, not just for women. Feminism is not about women becoming ‘like men’ (it never was) but about eliminating forms of gendered oppression in institutions and culture. All the evidence suggests that this benefits all of society and not just women.

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