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## Female prison population and the challenges of resocialization in Brazil

*Female prison population and the challenges of Rehabilitation in Brazil*

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### SUMMARY

The female prison population in Brazil has grown in recent decades, exposing the weaknesses of the prison system and the challenges of reintegration. Marked by overcrowding, structural precariousness, and the absence of effective social reintegration policies, women's prisons reflect historical inequalities based on gender, class, and race. Although legislation recognizes the need for differentiated treatment for women, in practice, inmates suffer double punishment: for the crime committed and for transgressing the social roles imposed by patriarchy. This bibliographic study analyzes the profile of incarcerated women, the living conditions in penitentiaries, and the failures of the Brazilian prison system in promoting reintegration, proposing reflections on public policies that prioritize dignity, education, health, and social reintegration. Furthermore, it seeks to understand how factors such as motherhood, family abandonment, and lack of opportunities contribute to the cycle of criminal recidivism, highlighting the urgent need for integrated actions between the State and civil society to enforce human rights and ensure true post-prison inclusion.

**Keywords:** female incarceration; resocialization; prison system; human rights; public policies.

### ABSTRACT

The female prison population in Brazil has increased in recent decades, highlighting the weaknesses of the penitentiary system and the challenges of rehabilitation. Marked by overcrowding, poor infrastructure, and the lack of effective reintegration policies, female prisons reflect historical inequalities of gender, class, and race. Although the law recognizes the need for differentiated treatment for women, in practice, inmates suffer a double punishment: for the crime committed and for violating social norms imposed by patriarchy. This bibliographic study analyzes the profile of incarcerated women, living conditions in prisons, and the shortcomings of the Brazilian penal system in promoting rehabilitation, offering reflections on public policies that prioritize dignity, education, health, and social reintegration. Furthermore, it seeks to understand how factors such as motherhood, family abandonment and lack of opportunities reduce the cycle of criminal recidivism, highlighting the urgency of integrated actions between the State and civil society to implement human rights and guarantee true post-prison inclusion.

**Keywords:** female incarceration; rehabilitation; penitentiary system; human rights; public policies.

## 1. INTRODUCTION

Prison management in Brazil has faced one of the greatest challenges in the justice system contemporary, which is to reconcile punishment with resocialization. Marked by overcrowding, due to structural precariousness and the absence of effective social reintegration policies, the system Brazilian penitentiary has become a reflection of social inequalities and institutional failures of the



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State, because instead of acting as a space for re-education and reconstruction of the individual, prisons were consolidated as environments of exclusion, violence and abandonment.

In addition to the physical deficiencies of prison units, there is a lack of public policies consistent measures aimed at education, health and professional training. Resocialization, a principle provided for in the Penal Execution Law, becomes, in practice, a utopia given the conditions degrading conditions faced by inmates. In this context, women's prisons present a an even more complex reality, marked by gender inequalities and historical neglect of in relation to the specificities of incarcerated women.

The women's prison system in Brazil is a space of contradictions. Although the legislation recognize the need for differentiated treatment for women, institutional practices follow a masculine model of punishment. The inmates suffer from the symbolic weight of the trial moral, are punished both for crime and for transgression of social roles imposed by patriarchy. In addition, they face specific situations of vulnerability, such as the lack of appropriate policies for motherhood, childcare and reproductive health.

Given this scenario, we seek to answer the following guiding question: what are the main challenges faced by incarcerated women in the resocialization process in Brazil, and How can the prison system contribute or fail to achieve this objective?

The reality of incarcerated women in Brazil reveals that female incarceration is a penal, social and political phenomenon. The majority of women prisoners are young, black, poor and with low education, a profile that denounces criminal selectivity and the perpetuation of inequalities historical. In many cases, these women were pushed into crime by contexts of vulnerability, domestic violence and lack of opportunities. In this way, prison becomes the final expression of an exclusion that begins long before the crime.

The general objective of this research is to analyze the reality of the female prison population in Brazil, highlighting the challenges and limitations of the prison system in the resocialization process.

The specific objectives are: To understand the social profile of incarcerated women and the factors that contribute to the increase in female incarceration; analyze living conditions within women's prisons and their implications for dignity and human rights; discuss the flaws in the Brazilian prison system in promoting resocialization; pointing out possible paths and public policies aimed at the social reintegration of women deprived of liberty.

The theme was chosen due to the growing concern about the increase in the number of women incarcerated in Brazil and the inhumane conditions to which many are subjected. is a phenomenon that, although quantitatively inferior to male incarceration, reveals



**Year V, v.2 2025 | submission: 20/10/2025 | accepted: 22/10/2025 | publication: 24/10/2025**

social and psychological dimensions, requiring a specific approach that is sensitive to the particularities of gender.

This research is justified by the need to give visibility to the reality of imprisoned women and the ineffectiveness of resocialization policies applied in the female context. A critical analysis of this scenario contributes to the formulation of fairer, more humane and effective public policies.

The subject discussed has social relevance because it exposes the flaws of a system that, instead of to regenerate, reproduces exclusions and violations. The incarcerated woman symbolizes, in many ways, the failure of the State to guarantee equality, dignity and opportunities.

This study is bibliographical in nature, based on works, scientific articles, institutional reports and official documents that address the issue of female incarceration and resocialization in Brazil. From this theoretical basis, we seek to understand the phenomenon under a critical and interdisciplinary perspective, relating it to constitutional principles and human rights.

The analysis that follows is based on the premise that prison, when not guided by values humanitarian and educational, becomes a mechanism for perpetuating social exclusion. Thus, understanding female incarceration is also understanding the unequal structure of a society that punishes, above all, its most vulnerable women.

## **2 THEORETICAL FRAMEWORK**

### **2.1 Women's Prisons and the Paradox of Resocialization in Brazil**

The reality of women prisoners in Brazil reveals a serious contrast between the discourse of fundamental rights and practices observed in the prison system. Before analyzing this condition from a human rights perspective, it is necessary to understand the broader context of crime in the country — a scenario in which prisons, instead of acting as spaces for recovery, they consolidate themselves as schools of crime.

Some Brazilian prisons have become environments of degradation and violence, where offenders are subjected to conditions of modern slavery, learning new techniques of crime instead of being reintegrated into society. The result is a cycle in which the individual enters the prison system and, upon leaving, returns even more vulnerable (Batista, 2021).

The national prison system is facing a structural crisis. Its main function—to resocialize the prisoner — is far from being fulfilled. Among the numerous problems, the following stand out: overcrowding, poor hygiene conditions, lack of medical care, absence of



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work and study opportunities and the scarcity of reintegration activities. Added to this is the devaluation of professionals working in prisons, exposed to degrading conditions.

Overcrowding is the central axis of this crisis. It is a chronic problem that makes any resocialization policy unfeasible. Overcrowded cells facilitate the spread of contagious diseases, such as tuberculosis, and transform coexistence into an inhumane experience. In women's prisons, this reality becomes even more serious, as women, in addition to physical violations, they face the denial of rights related to motherhood, health and dignity (Santos, 2021).

The theory of resocialization, although noble in its essence, comes up against a paradox: how re-educate someone for freedom in an environment of complete absence of freedom, humanity and respect? Prison, as a punitive instrument, preserves social order, but does not fulfill the promise of transforming the individual. Prison, as it is structured, does not resocialize, it reproduces and widens the social gap.

It is urgent to rescue the original meaning of article 1 of the Penal Execution Law, which determines that the sentence must guarantee the social reintegration of the convicted person. Resocialization will only be possible when the Brazilian penal system invests in education, professional training, monitoring psychological and social. Through this structural transformation it will be possible to reduce recidivism and restore to punishment its humane and restorative character. Prison must cease to be the end of the line and become the beginning of a reconstruction of the individual and the society that produces him.

## **2.2 Women's Prisons in Brazil**

Women's prison management in Brazil carries its own complexity, marked by contradictions between what the law determines and what happens inside prisons. The order legal recognizes gender differences in criminal enforcement, ensuring that men and women serve their sentences in different regimes. However, understanding the conditions in which they live incarcerated women is essential to understand how these fundamental rights are, many sometimes formal.

The Penal Enforcement Law (LEP), the main regulatory framework for the penitentiary system Brazilian law, provides specific provisions for women. Article 82, § 1, determines that "women and those over 70 years of age will be taken to a specific establishment suitable for their condition personal". This differentiation seeks to ensure physical and mental integrity, recognizing gender as a central element of criminal execution (Santos, 2021).



**Year V, v.2 2025 | submission: 20/10/2025 | accepted: 22/10/2025 | publication: 24/10/2025**

In article 83, § 2, the law also establishes the creation of nurseries, allowing mothers incarcerated women breastfeed and care for their children for at least six months, a step forward humanitarian that recognizes motherhood as an essential part of a woman's dignity (Batista, 2021).

However, reality is far from ideal. Since the creation of modern prisons, punishment applied to women has always had a moral character: it sought to shape behavior and correct deviations from patriarchal norms. As Cury and Menegaz (2017) observe, while the penalty The masculine one aimed at productivity, the feminine one aimed to fit women into social roles “acceptable”. Thus, the female body and behavior became direct targets of control institutional.

Brazilian women's prisons face serious structural deficiencies. overcrowding, unhealthiness and lack of hygiene compromise the health and dignity of inmates, making any serious attempt at resocialization impossible (Pereira, 2015). Physical illnesses and mental disorders multiply in precarious spaces, aggravated by family abandonment and isolation emotional. Public policies aimed at health and social assistance, when they exist, are insufficient and discontinuous.

In addition to material conditions, there is the symbolic weight of moral judgment. As they point out Carvalho and Cardoso (2019), the criminal woman is convicted of violating the law and breaking the gender expectations. Society judges an incarcerated mother more harshly than a father, reinforcing stereotypes that associate femininity with docility, purity and submission.

Data on female incarceration reveals another crucial aspect: social vulnerability. Most of the women in prison are linked to drug trafficking — many sometimes due to the influence of companions or the lack of economic alternatives (Zaninelli, 2015). They are mostly black, poor and have low levels of education (Silva, 2015). This profile shows that the prison system reproduces, within its walls, the same inequalities as State failed to fight outside them.

The inefficiency of prison management is revealed in the gap between norms and practice. The LEP establishes rights, but they are not fully complied with. There is a lack of investment, training consistent servers and educational programs — fundamental pillars for social reintegration (Klanovisk; bugai, 2019).

Braga and Alves (2017) highlight a disturbing paradox: while the State fails to guarantee health, food and education to free women, tries to offer these same rights within prisons — spaces that, by nature, violate freedom and dignity. Thus, the prison



**Year V, v.2 2025 | submission: 20/10/2025 | accepted: 22/10/2025 | publication: 24/10/2025**

becomes the only place where some women have minimal access to basic rights, exposing a distortion in the function of the State.

Among the tools for transformation, education plays a central role. According to Souza (2019), access to education allows you to rebuild self-esteem and develop autonomy, becoming the path more solid for resocialization. However, the lack of effective structure and policies means that the right to education is a privilege for a few.

The reality of Brazilian women's prisons is marked by exclusion, abandonment and systematic violation of human rights (Cury and Menegaz, 2017). For the prison system fulfill its resocializing role, it is necessary to break with the punitive logic and adopt a management humanitarian and gender-based, ensuring dignified conditions, education, health and respect for motherhood. Without this transformation, prisons will continue to reflect and reinforce historical inequalities. a country that still imprisons women for their vulnerabilities.

### **2.3 The Advance of Female Incarceration in Brazil**

The number of women in prison in Brazil has always been lower than that of men, but this numerical difference hides an alarming phenomenon, the accelerated growth of incarceration feminine in recent decades. The traditional image of women as fragile, caring and "immune" to crime is being replaced by a harsh reality — that of thousands of women confined in inhumane conditions, forgotten by the State and judged with double the weight of gender bias and criminal punishment.

In recent decades, the rate of female incarceration in Brazil has grown at an alarming rate. faster than men, revealing a worrying trend of expansion of the system prison aimed at women.

According to data from SISDEPEN (National Penitentiary Information System) for the second half of 2024, the country registered a total of 909,067 people fulfilling sentence, considering both home regimes and prison establishments. Among of these, 674,016 people were held in physical cells — that is, deprived of liberty in prison units. In this universe, the female population totaled 29,137 women, evidencing the continuous increase in the incarceration of women in Brazil (Brazil, 2024).

Despite this growth, the Brazilian State still demonstrates negligence and indifference given the reality of women's prisons. There is a lack of official data, accurate diagnoses, and policies effective public policies.



**Year V, v.2 2025 | submission: 20/10/2025 | accepted: 22/10/2025 | publication: 24/10/2025**

The description of the female prison environment is, in general, a succession of violations of human rights. As Batista (2021) observes, women prisoners face problems that go beyond the deprivation of liberty: facing invisibility. The structure of prisons is designed based on the male model, ignoring the specific needs of women. Basic situations, such as access to sanitary pads, medicine, adequate food and hygiene become daily struggles.

Reports of babies being born in bathrooms, contaminated meals, overcrowding and lack of ventilation and natural light make up the cruel portrait of this reality. Such conditions defy the principle of human dignity, provided for in the Federal Constitution, and disrespect the provisions of the Penal Execution Law, which determine humane and differentiated treatment for women.

The problem, however, stems from an institutional blindness: the Brazilian penal system continues to apply to women the same punishment parameters created for men, without consider the impact of incarceration on their lives, bodies and family ties (Souza, 2019). This logic has perpetuated a patriarchal penal model, which punishes both crime and gender.

On the international scene, Brazil occupies fifth place in the world ranking of female prison population, behind the United States, China, Russia and Thailand. Also noteworthy is the presence of foreign women, who account for 53% of prisoners, coming from countries such as Bolivia, Paraguay, South Africa, Peru, and Angola. This data highlights the global nature of phenomenon, related to migratory vulnerabilities and transnational trafficking networks and exploration.

The increase in female incarceration is not a statistic. It reflects flaws. structural flaws in Brazilian public policies, which prefer to punish rather than prevent. Instead of investing in education, employment and protection against domestic violence, central factors in criminalization of women, the State chooses to expand incarceration, perpetuating the cycle of exclusion and suffering.

The growth of women's prisons therefore reveals a penal system built by and for men, which ignores the specificities of the female experience and reinforces inequalities historical differences of gender, class, and race. Addressing this reality requires more than superficial reforms: it is necessary to rethink the very logic of punishment (Santos, 2021).

A humane justice system must look at the imprisoned woman not as a threat, but as a product of the failures of a State that abandoned it even before the crime. Resocialization and dignity cannot be exceptions — they must be the starting point for a new paradigm of justice.

### 3. CONCLUSION

The prison reality of women in Brazil is a portrait of the structural inequalities that permeate Brazilian society. Women's prisons reflect the accumulation of historical exclusions linked to gender, race and social class. Brazilian prisons, instead of promoting resocialization, became places of suffering, invisibility and increased punishment, as spaces where human dignity is violated and the State reveals its failure to guarantee basic rights.

Prison management demonstrates a chronic lack of planning, investment and social sensitivity. There is a lack of humanized management policies, focused on individuality and specific needs of incarcerated women. The lack of trained professionals, overload of prison officers and state negligence create a scenario where control and discipline replaces care and re-education. The prison administration, therefore, still operates under a punitive and masculinized logic, far from the principles of reintegration and social justice.

Conditions in women's prisons are, for the most part, degrading and incompatible with the notion of human rights. Overcrowding, lack of hygiene, lack of assistance medical, psychological and legal issues make up a cruel and inhumane reality. Many units prisons do not even offer adequate conditions for motherhood, violating rights guaranteed by the Penal Execution Law. However, the scarcity of job opportunities and study prevents any genuine progress towards autonomy and social reintegration.

Public prison policies aimed at women remain incipient and disjointed. Although there are laws and guidelines that seek to ensure respect for the specificities gender, in practice these measures are rarely implemented. The absence of programs consistent educational and professional practices perpetuates the cycle of exclusion and recidivism. The State, by Instead of offering paths to transformation, it insists on models of incarceration that reinforce the stigma and increase the marginalization of women after serving their sentence.

The Brazilian Prison System, in its current structure, demonstrates an ethical and functional. It punishes, but does not rehabilitate; isolates, but does not educate; controls, but does not reintegrate. The function resocializing penalty, provided for in the legislation, became a distant promise, devoid of practical sense. Reforming this system requires a paradigm shift, replacing the logic from punishment to reconstruction, with a focus on dignity, education and social inclusion.

The reality of prisoners, therefore, is the reality of women who carry in their bodies and stories the weight of exclusion. They are victims of a State that failed before, during and after the incarceration. Resocializing these women means recognizing their trajectories, their vulnerabilities, and their rights as citizens.



**Year V, v.2 2025 | submission: 20/10/2025 | accepted: 22/10/2025 | publication: 24/10/2025**

In short, the transformation of the female prison system in Brazil depends on a commitment effective with the humanization of penalties and the creation of public policies that go beyond punishment by exclusion. Resocialization will only be possible when prison ceases to be a space of erasure and become an environment for the reconstruction of the entire society that insists on forgetting them.

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**Year V, v.2 2025 | submission: 20/10/2025 | accepted: 22/10/2025 | publication: 24/10/2025**

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