



October 2012

## Abstract

# Religious and Spiritual Care in Prison. Rights and the right to worship in penal institutions in Lazio

Research carried out by the *Centro Studi e Documentazione su Religioni e Istituzioni Politiche nella Società Post-secolare (CSPS)* of the *Università degli Studi di Roma Tor Vergata*, with the financial support of the *Presidenza del Consiglio Regionale del Lazio* and the *Garante dei Diritti dei Detenuti del Lazio*.

Though there is little debate in Italy about the provision, from a pluralist viewpoint, of spiritual care in prison and respect for the freedom of religion, it is of crucial importance in a multicultural and multi-religious society. It is clear that Italy too finds itself more and more in just such a position, so much so that religion is becoming increasingly less identifiable with Catholicism alone. The issue appears especially significant if we take into account certain transformations in the public sphere with respect to religions, starting with two sociologically crucial data: a) religions remain central factors in today's collective life despite what we learn from simplistic theories of secularisation; b) their importance goes beyond the private and individual: they continue to concern collective identities, groups, within the public, social and political spheres.

With these basic premises in mind, and making use of tools of sociological analysis, we look at ten penitentiaries in Lazio. The research highlights for the first time the methods prisons use to provide religious and spiritual care for those of different confessions and guarantee inmates the 'right to worship'. Our research also looks at suitable innovations in policy and practice. We proceed with interviews of the main figures in the institutions under consideration, those involved in the daily life of the prison, as well as those more directly involved in the practice of religious and spiritual care. Overall, 103 interviews took place with prison directors and deputy directors, educators, prison guards, psychologists, cultural mediators, volunteers and obviously, chaplains and ministers or representatives of the different confessions who visit prisons on a regular basis. In this study, the researchers' objective was to look at how those interviewed consider the role of religion in prison, and how and how much these conceptions influence the implementation of the right to religious and spiritual care.

The Report then organizes the main results of the research into two sections: the first is an analysis of the different perceptions the interviewees have of the relevance of religion in prison and of the demand for spiritual care on the part of inmates. The second, on the other hand, offers a detailed description of the reactions of the institutions, starting with the perceptions of those interviewed concerning certain crucial areas of religious and spiritual care as recognised by international literature on the issue.

In consideration particularly of the latter and more substantial part of the Report, we then summarize the main results and offer ideas for intervention, on the basis of this evidence, for a full implementation of religious and spiritual care in prison.

### **Data concerning the religious identity of inmates.**

Religious identity does not usually fall within the information the prison staff gathers about inmates the moment they enter prison (first time round or from another institute) nor does it seem a relevant aspect later, when educators or other figures involved in the rehabilitation process (psychologists, social workers, cultural mediators, etc.,) get to know more about the inmates. The reason for this choice can be found in the tendency to see religion basically as an inmate's business, thus personal and private, and in the impartiality the staff has to manifest with respect to individual differences. The problem is that the predominance of this perspective tends to hinder awareness-building about the variety existing in religious affiliation and therefore the information gathering needed to plan for a systematic implementation of the right to worship.

### **Communication of rights concerning religious practice.**

What we also found lacking was an intentional and systematic provision of information for inmates, about their rights concerning religious practice.

On the whole, it is felt that this type of information usually circulates among the inmates themselves; or that they can find it themselves in the internal regulations; or that each inmate can ask prison guards or other figures on a personal basis. Furthermore, institutions use noticeboards to inform inmates of the existence of the initiatives of faith advisers who already offer spiritual care. As with the previous point, the limited information-gathering activity concerning religious and spiritual care – at least of a systematic nature, prior to possible requests by single inmates – reflects an idea of religion as something personal, which, as such, finds its own space more in individual requests than in the lexis and official behaviour of penal institutions. In this sense, we might point out that the possibility inmates have to make use of religious and spiritual care in prison depends, among other factors, on the availability of accurate information about the prison regulations and what is on offer at the institute they now find themselves in.

### **The work of chaplains.**

Religious practices associated with Catholicism depend mostly on factors like the individual personality of the chaplain, his habits and routines, the resources – temporal and spatial, but also human, economic, etc., - available to him. These are aspects which vary significantly from prison to prison and depend on the setting

and contribute to delineating a variety of chaplaincy 'styles'. In most cases, the chaplains guarantee regular visits, and concentrate on one or another aspect of their duties, according to their personal 'styles' : from economic and material to human and relational support, plus the more specifically spiritual and religious. In prisons in Rome, especially, the chaplain has the support of a well-structured group of volunteers internal to the Catholic community (priests, nuns,

lay volunteers, etc.,). Overall, the chaplaincy, possessing a certain autonomy, plays a significant role in the organization of prison life in a variety of ways. A reliance on the chaplain's space for action – more than that enjoyed by other religious figures – is part of the particularly close relation between him and the director or, more in general, the prison staff. As for the behaviour of penal institutions, on the one hand, the prison delegates to or 'capitalizes on' the chaplaincy. On the other, it uses the chaplaincy to make up for the lack of resources available to prison structures in responding to the needs of inmates. In this framework, the management of religious and spiritual care for other religions means only partial participation and 'facilitation' on the part of Catholic chaplains. We see here orientations, practices, which change according to the confession in question: the chaplain usually acts as a mediator or also organizer in the work of Orthodox religious ministers with whom he shares the chapel. He appears less involved in the work of protestant ministers, and he seems to have little to do with Jehovah's Witnesses: indeed a certain tension, even explicit, is noticeable between the chaplain and the latter. Furthermore, chaplains often concern themselves with the needs of Muslim inmates, and indicate that they have found little help in the Islamic community outside. On the whole, the chaplains we met tend to consider the implementation of spiritual care for different religions on the basis of mainly doctrinal issues and, more generally, the nature of relations historically established between the Church and other religious traditions. And this helps little in attempting to achieve a more balanced estimate of those needs associated with the right to worship.

### **Ministers and/or representatives of 'other religions'.**

With respect to the number and variety of those confessions with their own religious ministers with authorised access to the prisons in Lazio (data supplied by DAP), the actual visits on a regular basis (at least once a month) we were able to document in the ten prisons under consideration, at the moment of our visit, indicate that support for other religions is in fact limited. The ministers encountered were mainly Jehovah's Witnesses (33), a variety of Protestants (6) and the Orthodox Churches (4). What was clear, considering also the large numbers of Muslim inmates in the prisons studied, was the absence of Imams in the ordinary work, during the year, of religious care (authorised Imams are in certain cases present only during the period of Ramadan).

The reality of this situation fuels the need for 'secondary paths', moving towards a clearer, more accurate implementation of spiritual care for the many Muslim inmates (inmate leaders or cultural mediators who act as Imams or reference points for strictly religious needs). It also proves unhelpful in dealing with issues of security and control on the part of the penitentiary administration who have to consider the risk of proselytism and fundamentalism in prison. Furthermore, there is a clear difference in Lazio between the 'centre' and the 'periphery', or between what happens in Roman prisons and in provincial centres. Institutions like Rebibbia and Regina Coeli, part of an urban reality which offers a diversified and vital framework of organizations and religious and secular associations, have more ministers and/or representatives and initiatives of a religious nature.

The presence of ministers and/or representatives of the different religions is regulated by a number of legislative provisions, depending on the presence or absence of specific agreements with the Italian State the 'facilitation' of the chaplain (which often counts for Orthodox inmates) and how religious activities are considered by the penitentiary staff (for example, with Buddhism, certain initiatives fall within the therapeutic work envisaged by prison jurisdiction since their actual religious nature is not fully acknowledged).

With reference to both chaplains and religious ministers/religious representatives of other religions, we can single out four different types of assistance: relational care, based on the priority of human contact; spiritual-type care, i.e., guidance in a personal itinerary aiming at interior growth; pastoral/catechetical care, teaching inmates about the founding principles of different

religious systems; legal/religious care, concerning required behaviour in conditions of reclusion with respect to religious rules.

Finally, the information educators and prison guards but also in many cases directors, have about entry authorisations and the effective presence of religious practitioners in their structures does not always seem to be accurate. And institutional moments associated with 'reception' of religious workers by the prison are all too rare: preliminary meetings with the direction and/or the prison staff, as well as information procedures and 'orientation' which habituate the religious workers to the rules they have to expect in doing their job within the specific space of the prison.

### **Worship and the liturgical calendar.**

Worship and adherence to traditional ritual can in certain cases be a problem as far as reconciliation with the routines and needs of the prison are concerned and this might include security precautions. At the same time, we see a certain flexibility and availability on the part of the penitentiary staff in assuring the realisation of such ritual. This double consideration concerns for example: Orthodox ritual, often adapted by ministers, especially its length, in accordance with **the setting**, and celebrated in Catholic chapels, - which means coming to an agreement with the chaplain and a lack of autonomy in the organization of these spaces; the rite of baptism, concerning basically inmates converted to Protestantism or those who become Jehovah's Witnesses, requires considerable organizational effort and risks resistance on the part of the staff, though this is usually overcome; specific rituals, as with the commemoration of the death of Christ by Jehovah's Witnesses, when it is not always possible to respect the time of the rite according to tradition (after sunset). An example of the celebration of a rite in prison is also the observance of Friday prayers according to the precepts of Islam. Considering the availability we were able to note of specifically dedicated spaces (the following point), our reconstruction shows how in only a couple of penal institutions this moment in the religious life of the Muslim is respected - at least as far as collective worship is concerned. In these cases, however, the lack of officially recognised Imams is dealt with thanks to a form of 'self-organization' of the rite by the inmates themselves. More concern on the part of penal structures is to be found instead in the observance of rules envisaged for the period of Ramadan. For a number of years now the institutions we investigated have been offering initiatives which allow participation in this rite by Muslim inmates – in the framework of a wider process initiated at a national level and particularly active in Lazio – and these institutions are usually well enough prepared to arrange the necessary conditions, for example respect for the daily fast, the observance of prayer times (inmates participate less in other rehabilitation activities) or the concluding ceremony of the fasting period. In this case, it is thanks to the intervention of external communities like UCOII (*Unione delle Comunità Islamiche in Italia*) and ALCUMI (*Alternativa Culturale dei Marocchini in Italia*) and the support of the *Amministrazione Penitenziaria* and the *Garante dei Diritti dei Detenuti del Lazio*. However, where the support of Islamic communities is weak or absent, the organization of Ramadan by the prisons is inspired more by a voluntaristic 'meeting the inmates halfway' attitude in satisfying their requests rather than a structured organizational process, the result of a robust pluralistic culture of the right to worship. Furthermore, especially significant in prisons in Rome is the intervention of the chaplain and Catholic associations in the realisation of this Islamic celebration.

### **Space for religion and prayer.**

The issue concerning space for worship and prayer is particularly important. The situations in the ten cases we studied is rather inconsistent. There is always a chapel (Catholic) – with one exception – and in certain institutions actually more than one. (see the case of *Regina Coeli*, where

the chapel actually occupies the central space, the heart, of the prison (the *prima rotonda*). But available space for worship for non-catholic confessions proves more problematic. We might mention the prison in Civitavecchia because of the pleasant spaces available to Buddhists, while in another couple of structures –in Cassino and in Viterbo – small rooms (or ex-prison cells) have been made available to the inmates for Friday prayers, or more explicitly set up as a mosque. Prayer, acknowledged by many workers as a part of the interior life of the inmate, therefore usually takes place within the space of the cell or in the improvised spaces given over to social relations.

Despite the clear inadequacy of many penitentiary structures and the dramatic problem of overcrowding, the egalitarian acknowledgement of the right to worship should be reflected in a more egalitarian distribution of space for different religious confessions. It is precisely the overcrowding emergency which makes it clear how the differential assignment of space for one activity rather than another reflects the importance accorded to the different needs and rights of the inmates. Furthermore, we should take into account the fact that the space given over to worship in each religious tradition answers to specific rules and characteristics which envisage not only a given collocation within a wider structure but also an internal organization which contemplates for example certain arrangements (sacred symbols and artefacts), the availability of facilities for ritual ablutions , etc.

### **Diets.**

Respect for precepts concerning food is in certain traditions especially, an essential aspect of religious observance. Diet, differentiated according to religion, seems, as a principle of religious care, to be recognised and implemented before others in Italian prisons; the penitentiary administration itself, at a regional level too, has in recent decades supported the creation of a system we can now define as standard. In all the prisons studied, this service is available, and is offered enthusiastically\*\*\* to those inmates requesting it.

On the whole, the request for specific menus – a motivation which concerns the majority of requests for differentiated meals – comes from Muslim inmates (statistically, for the smaller institutions, an indicative average of 50 requests per Islamic meal, per day. ; in the two biggest institutions considered, *Rebibbia Nuovo Complesso* and *Regina Coeli*, the number of requests rises respectively to 250 and 190 units; the demand goes up in almost all the institutions, during the period of Ramadan). However, our findings indicate at the same time certain critical points concerning its realisation: seldom are directors and/or deputy directors of the institution aware of the dimension and type of demand coming from these inmates. The issue is dealt with in many institutions, at an operational level, in the kitchens: the recognition of the request for this facility among inmates does not always follow formal procedures; and – a factor which counts more – the production of alternative meals is carried out following ministerial tables which indicate both the daily quantity and type of food which for different religious traditions, have to be considered admissible, or, vice versa, should be avoided when organizing the menu. Therefore the cuisine properly adherent to religious traditions tends to be totally absent, like halal for Islam or kosher for the Jewish faith: these envisage specific procedures for the butchering of the animals and imply strict rules for correct preparation of the food. The consumption of ‘typical products’ of different religions, furthermore, depends on the individual initiative of those inmates who can order and purchase this type of produce by using the supplementary rations service.

### **Sacred texts and items of worship.**

The exercise of the right to worship in prison concerns also the freedom of the inmate to use sacred objects and texts, wear religious symbols and display them in the space circumscribed by the cell he occupies. Dressing in and keeping religious symbols and objects in personal spaces

does not seem to be a particularly controversial subject in prisons we observed although certain sacred objects – little known or indeed unknown - as such, do lead to preoccupation on the part of prison guards.

However, concerning the introduction of sacred texts into prisons, there is some ambiguity and criticality. In the first place, the information given and possibilities offered to different religious ministers by institutions is not clear. In the second place, with respect in particular to the Koran and its distribution to inmates, we see that once more, the direction and the staff in many cases do not seem to be aware of the situation (it is difficult for example to have a clear idea about the presence and number of copies of these sacred texts in the library or how to deal with requests coming from interested inmates). As a result of the shortage of Imams, often other individuals (often chaplains, but also volunteers, cultural mediators, the educators themselves, etc.,) intervene in response to this request and the chances these different figures have to distribute copies of the Koran are not always the same. Finally, a fear that distributing copies of the Koran, especially in Arabic, might lead to extremism and proselytism in the Muslim inmate population, is perceptible. This preoccupation can mean difficulty for penal institutions: they might end up – unconsciously even – encouraging inobservance of the right to worship. The prison guards themselves indicate for example, the need to conciliate the necessary conscientiousness asked of them during cell searches and sensitivity towards the sacred nature of objects like the Koran – but the same goes for other items of worship – during the accomplishment of this task.

### **The issue of body care and personal hygiene.**

Concerning hygiene, illness or sexuality, there are a number of factors linked to the question of the body which religious traditions tend to regulate strictly.

However during our investigation of the ten prisons, the strict central link between body and religion did not emerge, or if it did, it was only partial. Overall, those interviewed, who were invited to reflect on their own experience, did not perceive it as a problem but there were a number of exceptions. For example, we were told about cases of: availability of showers at times not envisaged by prison regulations (which might be a problem for example for Muslims and their hygienic norms) ; ignorance, on the part of direction and medical staff, about religious norms in relation to medical treatment and resulting cases of incomprehension and difficulties in ‘mediating’ with inmates; difficulties in responding to ‘individualised’ treatment, also on a religious basis, because of a lack of medical staff, etc. Examples like these clearly indicate the importance of the issue of bodily care: our findings tell us that the religious significance they assume is something of a grey area. It can probably be explained only if, as we have already said, we see religion as a mainly interior and spiritual issue. However, though this dimension is relevant, the importance of the relation between religion and prison is understandable only if we are aware of the deeply religious significance which, in many traditions, daily attitudes assume in spheres which are also material (public, corporeal, spatial), impacting significantly on social and institutional life. Overall, those practices carried out (or not) in the prisons we investigated reflect a widespread vision of religion as an individual issue, limited to the inmates’ private and interior sphere. This vision, which implies an overall underestimation of the public and collective aspects of religions, is associated with a lack of attention in organizing and assuring facilities, preventively with respect to the emergence of a demand.

Institutional policies and behaviour in the areas indicated prove in fact to be conditioned by the intention to satisfy, case by case, the requests coming from individual inmates (with the help of a variety of workers with remarkable mediation skills and a strong sense of solidarity), when they are expressed, rather than springing from deliberate, planned strategies of institutional

implementation of the right to worship, in its different guises, in a pluralist setting. What we hope to see is a change from a voluntaristic attitude, which receives single requests from inmates, to a 'pluralist culture of the right to worship' in prison, which takes account of the public dimension of religions and which does not wait but actually solicits the emergence of a demand which might be obstructed by shortage of supply and the objective subordination of the inmate. This kind of change should, we feel, proceed through a consideration of innovative responses and practices, among which:

- the realisation and distribution of materials, like booklets, translated into a number of languages, which can be given to inmates on arrival, and which serve to communicate rights and responsibilities including worship (this happens in only some cases) or the systematic publication of lists of religious ministers not only present in the single institutions but also with authorised entry possibilities;
- offering courses for the staff, at every level and independently of their role, and external workers - among whom religious ministers themselves – which will offer accurate information not only about the belief systems which characterise different traditions but also practices associated with different conceptions of the sacred, so as to favour a full implementation of the right to worship;
- a consideration of the adequacy of the Catholic chaplaincy service in the current context and a possible broadening of this service in a multi-religious sense: legislation on religious freedom or at least, the extension of the system of the *Intese*;<sup>1</sup>
- the planning of multi-faith spaces and/or meditation rooms, with the involvement of the interested communities, which guarantee a more extensive and more suitable organization of the space given over to different religious confessions;
- and finally – but this is actually a starting point, a prerequisite compared to the other areas of intervention – the registration of religious affiliation of prisoners when they arrive, using methods which are non-prejudicial to privacy, thus predisposing, preventively too, with respect to the emergence of requests, the necessary facilities for an implementation of the right to worship.

Contacts: [info@cspuniroma2.it](mailto:info@cspuniroma2.it)

---

<sup>1</sup> The *Intese*

The Italian Constitution establishes that the relation between single religious confessions other than Catholicism and the state is regulated by the stipulation of specific agreements or *Intese*. Once signed by the religious representatives and the Italian Head of State, access to prison is not subject to controls or authorisations by the penitentiary authorities, a procedure envisaged instead in the case of representatives of other religions. The *Intese* currently in force concern the Valdese Church, the Assemblies of God in Italy, the Union of the Seventh-day Adventist Church, the Jewish Community Union, the Evangelical Christian Baptist Union, the Lutheran Evangelical Church and , more recently the Orthodox Archdiocese , the Mormon and the Apostolic Churches.