

Chapter 5

Religion, Reintegration and Rehabilitation in French Prisons: The Impact of Prison Secularism

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5.1 Introduction

What place can religion have in French prisons, in a country which has defined itself as *laïque* (secular) since the 1905 Law on the Separation of the Churches and the State? In order to answer this question, our analysis has endeavoured to focus on religion in its most ordinary forms (Piette 2003) as it is applied and administered in penitentiary institutions. Inspired by the theory of symbolic interactionism, we conducted an in-depth ethnographic study between January 2011 and October 2012, both “from above” (in administrative centres and at the top of religious institutions) and “from below” (in eight French prisons), just as much from the point of view of prison administrations, chaplains of all denominations and prisoners, by observing, among other things, cultural activities or chaplains’ visits to cells, and through face-to-face interviews with prisoners, the Prison Administrations Directorate (members of the directorate, correctional officers, social workers) or other people working in prisons (doctors, trainers, managers, etc.).

The intention of this initial sociological study on the religious phenomenon in French prisons as a whole (Béraud et al. 2013; Rostaing et al. 2014) is to combine approaches both focused on the sociology of prisons and the sociology of religion. It aims to explore, from a comprehensive sociological perspective (Weber 1922), the place and role which prison authorities, chaplains and incarcerated people attribute to religion, in particular in terms of rehabilitation. The point of view that is

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presented will therefore be centred on what happens during and not after the incarceration, nor on the possible role of associations, often denominational, with people coming out of prison.

Since the very introduction of penal prisons in France, at the time of the French Revolution, the legitimacy of a sentence rests on the principle of a “good sentence” which, in addition to providing for the protection of society, will enable the delinquent or criminal person to be transformed through, among other things, labour, discipline or religion. It is in line with optimistic philanthropic theories, which believe in man’s capacity to change, even those who have committed a crime. Opinions in the eighteenth century varied on how this moral healing could be achieved. Some advocated complete isolation, others silence, some labour (forced or not, paid or not), others reflection with a focus on religious guidance, while others again championed education, which then, however, harkens back to the idea of amendment. “Rehabilitation” is the term that is then used to describe efforts aimed at transforming prisoners, in order to “straighten” them or morally “heal” them. Chaplains therefore appear as being able to effectively contribute to the moral reform of prisoners. Already in the 1870s, however, a number of observers seem to concur on emphasising the ineffectiveness of chaplains in the moral reform of prisoners: “Instrumentalised, misled, discredited even, the chaplain emerges from this picture as a weakened figure.” (Artières 2005, p. 197). It is precisely at the time when they are going through a crisis of legitimacy that chaplains are confronted with two waves of secularisation in prisons, which occur between 1880 and 1889 and then between 1900 and 1908 (Langlois 1984). Despite this reference to secularisation, from an historical point of view, there is a strong connection between Christianity and prisons, a connection which associates ideas of amendment or of rehabilitation. The idea of moral transformation, however, gradually mutates into a more prescriptive idea, with connotations of rigour and discipline. It becomes a question of cutting the delinquent away from his pathogenic environment in order to curb his amoral instincts, to keep him constantly occupied, to instil good physical hygiene or to apply strict rules to favour good behaviour or respect for a way of life in accordance with religion. With the increase in the number of professionals, “reintegration” is the term most frequently used in the Code of Criminal Procedure (CPP). This refers to the preparation of convicts for release from prison and their ability to adapt to a new life by finding a job and place in society. If the concept of rehabilitation refers back more to the work of chaplains, the notion of reintegration is more linked to social workers who fulfil their mission within the Prison Integration and Probation Service (SPIP). Yet, the reintegration mission is a by-product in relation to the security mission within French prisons, even though the former mission is what is meant to give the system its entire coherence. For example, the institution employs five times more wardens than social workers who also manage the follow-up process in open environments.

In this context, what role does the prison administration attribute to religion in general and to chaplains in particular in reintegration issues? To begin with, we will first present the specific French framework with its peculiarities and the rather marginal position occupied by religion in prisons as well as the meagre means allo-

cated to chaplains. We will then explore the different stances adopted by chaplains, whether they be universalist, secular, denominational and occasionally moralistic, which are not mutually exclusive. Then finally we will analyse by which process religion can constitute a biographical turning point and sometimes help convicts to exit criminality.

5.2 The Context of Prison Secularity: Low Ambitions in Matters of Reintegration

It is in accordance with the principle of secularity, deriving from Article 1 of the Constitution, that religion is taken into account by prison administrations. Secularisation, much more than a legal principle, refers to a specific conception of a public regulation of religion, which is the legacy of a turbulent history. Although, historically speaking, the 1905 secularisation law contributed to restricting the rights and means granted to chaplains, today it is used to respect the principle of equality and the rights of religious minorities to practice their faiths.

5.2.1 *French Singularity*

The rather marginal status granted to religion and its representatives in prisons, is reflected in the poor resources allocated to them and by religious actors being represented more as external participants than partners. Nevertheless, the 1905 law has not severed the strong link between prisons and Christianity (Liwerant 2006). The architecture of old establishments and the presence of chapels—even if many of them have been converted into cells—are proof of this Christian past (Rostain et al. 2014). Another important trace of this Catholic heritage is undeniably to be found even today in the presence of a few nuns working in women's prisons (Rennes and Fleury-Mérogis), paid by the directorate. Inside women's prisons, nuns have also played a moralising and rehabilitative role. The Amor Reform in the 1950s then facilitated the vast entry of diversified personnel (teachers, medical staff, paramedics, social workers) as well as people from civil society (cultural representatives, chaplaincy members, visitors), each of them fulfilling a rather positive function, focused on the rehabilitation of the person, which occasionally fuels an element of competition between them. The role of chaplains has been significantly reduced in this field.

Another French peculiarity manifests itself in the difficulty of finding a place for new faith groups. Six faiths are officially recognised (Catholic, Protestant, Muslim, Jewish, Orthodox and Buddhist) and are permitted to propose religious activities that come in addition to social activities available in prison. Taking into account this new pluralist religious landscape often turns out to be more restrictive in comparison to prevalent trends in European countries or the USA. The manner in which religion is treated in French prisons distinguishes itself by a kind of minimalism,

which is often reflected in the random character of worship facilities in prisons, the poor status and low remuneration of chaplains, as well as the limited cooperation between prison administrations and religious figures on reintegration issues. The places allocated to worship have often been forgotten or sacrificed for the sake of rationalising space in prisons which, due to the increase in the number of inmates, is in great demand. The wave of construction initiated by the “15,000” (places) Plan, launched in 1987, did not include provisions for worship spaces. The “13,000” Plan, launched in 2002, takes into account religious elements and provides multi-faith places of worship, although they are very small and require arrangements to be made between different religious groups and thus proved as a better plan. According to our study, religion in prisons is a fairly minority phenomenon, even though we do not have any statistics on religious practice, since statistics of this kind are forbidden in France. In this regard, the absence of religious and ethnic statistics in France is one of the republican traits which contribute to the difficulty of evaluating the needs of faith groups. This also applies to the status of prison chaplains, which is far less favourable than in England and Wales where there are not only many chaplains, but they are civil servants who are well paid (Beckford and Giliat 1998). However, a significant increase is to be noted in the number of prison chaplains, which has doubled over the past 15 years, an increase which by far outstrips the growth in the prison population. This increase is a consequence of religious pluralisation and concerns in particular Muslim chaplains, although also ministers of older faiths have been increasingly appointed. The management of this plurality represents a challenge for prison administration, which in accordance with the 1905 law, must ensure non-discrimination in the free exercise of religion. Does this particular context offer prison administrations an opportunity to increasingly envisage religion as a vector of reintegration?

5.2.2 Religion Not Conceived as a Vector of Reintegration

The issues of the connection between religion and reintegration in the prison framework have barely been investigated in France. Moreover, when it comes to the adjustment of sentences, the invocation of one's religion as evidence of moral reform does not have the same positive effects it has on the other side of the Atlantic. There is no mention of the issue of religious practice in the activity reports of the Prison Administrations (PA) Directorate between 1950 and 1998, which nevertheless review aspects of prison life, which are deemed relevant to reintegration, such as educational, sociocultural and sporting activities. It was not until 1998 that half a page was devoted to “religious activities”: Ten lines under the heading of “context” recall the great principles of the CPP and deal with chaplains in the “Spiritual Assistance” section of a chapter devoted to “preparatory actions for the reintegration of convicts”. Another paragraph limits itself to listing the numbers of chaplains. There is no evidence until then of any kind of policy to take the religious element into account in prisons. From 2007 onwards, however, the annual activity report from the PA Directorate is substantially enriched because an entire page (p. 44) is now

devoted to the issue under the heading “Access to Religion”. The editor insists on the “triple obligation”: neutrality, “the establishment of access to religious practice for the members of the prison population who are unable to exercise their religious freedom” and to resist “all forms of proselytism and sectarianism” (PA Directorate 2007, p. 44). Prison administration distances itself from any involvement in religious life and endeavours to control excess. A brief presentation of the principal religions now forms part of the training of prison wardens, who are thus initiated into respecting religious practices.

The manner in which religious actors intervene in the field of reintegration has also been impacted by prison secularisation. Even though the provisions of the CPP regarding chaplaincies appear in the preparation for the social reintegration of convicts section, suggesting that chaplaincies can facilitate reintegration, there is no mention, however, of any concrete actions which these religious actors might specifically undertake to meet that objective. This void leaves it up to pluralist associations to set up actions for the maintenance of social bonds, vocational training or access to employment or the housing of people coming out of prison. Only a few of these various associations claim any clear denominational identity or close links with Catholic chaplaincies. As a whole, they provide material help to destitute people, endeavour to limit isolation by visiting prisons and exchanging correspondence, and offer teaching in prison or accommodation for those being released from it. Even though each chaplaincy works in liaison with selected partners, there is no global “reintegration” action programme that has been organised or structurally coordinated to prepare and support inmates before their release and return to civilian life and, in the long term, their release from prison.

From that point of view, this concept of the participation of religious actors in reintegration has strictly nothing to do with what may happen in the countries of, among others, North America where *faith-based prison programmes* (activities promoted by religious associations) have developed considerably since the Bush administration (Dammer 1992; Sundt and Cullen 2002; Kerley et al. 2005). Broadly speaking, at the request of the Federal Government, these programmes consist in delegating the prison sentence mission to religious actors. The religious organisations thus become responsible for the prisoners that request it, and follow up on this monitoring even in the postprison phase. Here we find a symptomatic manifestation of the strong link that persists between religion and rehabilitation in American penology (Ignatieff 1978). The term “rehabilitation” with its religious connotations suggests that the prisoners could be changed morally after being subjected to a specific regime.

Numerous studies have been conducted in the USA in an attempt to discuss or measure the effectiveness of these faith-based programmes, in order to ascertain if they reduce recidivism (Johnson et al. 1997), if they facilitate rehabilitation (O'Connor and Perreyclear 2002) or reduce deviant behaviour in prison (Camp et al. 2006). According to the authors, upstream religion would tend to prevent the commitment of a crime, and the faith-based programmes offered to prisoners during the terms of their sentences tend to help to avoid the commitment of offences in prison, reduce recidivism on re-entry and favour social reintegration. The idea, even

though it is far from proven, that religion protects against crime and delinquency, and that it favours desistance, i.e. the halting of a delinquent path, is very much alive. This issue is rarely raised in France. Only one book compiled by M. Mohammed (2012) raises the issue of exiting delinquency, without establishing a direct link with religion. Reference to religion is only made in two articles whereas reintegration through employment or life as a couple seems to be the most frequent option.

5.2.3 The Personnel: Religion Appeases, but Does It Contribute to Reintegration?

In the field, however, our investigation noted that religion enjoys a certain legitimacy and even receives explicit recognition for some form of social usefulness. Secularism in the prison world is distinguished by a form of appeasement and pragmatism, which distances it from the ideological debates and tensions that can be observed in other types of public institutions, schools in particular. This is evident in particular in the *topos* of “any religion that appeases” which manifests itself in a kind of bureaucratic common sense with regard to it. As far as the prison personnel are concerned, “Anything that can help and calm the prisoners helps us too...”.

But in what way can it participate in the rehabilitation of prisoners? Wardens talk more about the logic of maintaining order through religion. The positive influence of religion is hailed for its effects on prison life. Therefore they say things like: “keeps them occupied on Sundays” (worship is often the only activity on weekends), “it calms them”, and “religion does them good”.

But the statements of many of the personnel during the course of our investigation revealed their doubts on the authenticity of the religious beliefs of prisoners. To them, “if they really believed, they wouldn’t be in there...” Religious belief is considered to be a convenient faith, an illusion entertained by the prisoner who thinks it will fix everything, that God will help them keep in check. The personnel’s criticism is most often targeted at the Islamic faith, at those who “think they can become virgins again through prayer and can’t even manage to complete the Ramadan”. In addition to this criticism, they mention the issue—mainly in relation to the Islamic religion—of proselytism and the radicalisation of certain prisoners.

Religion can therefore catalyse tensions between prisoners and the personnel. These tensions often concern “lay” wardens (of the Gallic category, for example fierce supporters of secularity) who feel that “there’s too much religion about in the name of freedom of religious practice”. These staff members then criticise the space that is allotted to denominational activities, a space that is growing and adding to the workload. The development of other cultural activities seems preferable to them, and vocational training is deemed to be more useful than religious practices in matters of social reintegration.

There is, however, recognition of some social usefulness of religion even though this is more on the grounds of security than from the point of view of reintegration. Some staff members, many of whom are believers or practising wardens, would therefore have a greater tendency to evaluate the influence of religion on prisoners.

With the backing of testimony, they even attribute long lasting changes to religion, transformations that can lead to a new relationship with the prison institution. It can even be a source of personal rehabilitation by virtue of the ethical and moral points of reference that it can give prisoners, thus enabling them to put their lives back into order, to give them a meaning and to even project themselves in the future. Religion is considered to be a moralising tool that should have a beneficial effect on reintegration and the prevention of recidivism.

However, wardens insist on the fact that religion only interests a small portion of the prisoners. A number of them express their doubts on the durability of the religious fervour beyond the prisoners' release, and have little faith in the potential role of religion in matters of reintegration. The fact that religion is not explicitly conceived of as a vector of reintegration by the institution and its personnel does not mean that it is of no value in the dynamics of rehabilitation and reintegration, particularly from the point of view of chaplains.

5.3 Chaplain Practices Focused on Personal Rehabilitation

Twenty years ago one could have thought that chaplaincies were in decline, partly condemned by the secularisation process and the professional specialisation of prison staff. Our field study revealed a developing institution and a reactivation of the function of chaplaincies with the entrance of new religions, in particular Islam. There are more than 1200 chaplains operating in French prisons. Even though Christian chaplains are to be found in the country as a whole with an average of three catholic representatives per establishment and at least one protestant per prison, this is not the case for Muslim or Jewish chaplains, who often have to spread themselves between several establishments, or for the newly integrated religions that still have few chaplains. (In 2013, for example, there were four Buddhist chaplains in French prisons as a whole.)

An ethnographic approach enabled us to observe chaplains in their working context and in action (in their places of worship, in cells, corridors, at meetings and in training sessions), and this enabled us to gain a better understanding of how they define their mission.

5.3.1 Humanising Agents, but Not in Charge of Reintegration

The chaplain is a person who is not a member of the prison staff; he/she is a civilian and "external" figure to the prison world while moving freely through prisons since he/she has keys to cells in most of the establishments. He/she is often seen as an impartial figure, devout and often benevolent. He/she is a resource as a person who can bring information, goods, spiritual or social assistance, but above all, a presence, as Jean-Bernard puts it:

To be a chaplain is above all to be a presence in the broadest sense of that term. (...) We're there for them, we're there for free. We have to be available to go see them in their cells, listen to them. (priest, jail 1)

Chaplains have often valued this free listening, which differs from that of other professionals. As Jean-Paul (Catholic chaplain, jail2) points out, they have the time: Thus they can “spend five minutes or two hours in a cell with a prisoner”. Their mission, however, is difficult to determine. It is not clearly defined in the CPP, as Pierre-Paul explains:

I would say that the Code of Criminal Procedure sets a clear framework. It states clearly that the chaplain is neither a psychologist, nor a social worker, nor a warden, nor a judge, nor a friend. He is there to provide spiritual and moral support. How can that be put into practice? I realised that it was very easy to break out of the framework. You can very swiftly feel the urge to be a social worker. Which is what I did when I wanted to find work for a prisoner who was about to be released.... And in doing so, I overstepped my function. (Protestant chaplain, prison1)

Chaplains therefore have a different role to those of social workers and therapists. It is therefore a question of avoiding any competition or indeed conflicts with other agents and professional, to find one's “right place” in the division of labour. Thus, Marthe undeniably feels a certain pride for the appeasement she manages to provide, from the blessings she gives to the prisoners she visits, including those who suffer from psychological or even psychiatric disorders. However, she takes care to ensure she places herself on another level to that of the psychologist. Similarly, Roger, the Catholic chaplain in the *Maison Centrale* prison (MC2) considers “the issue of reintegration is one we deal with without it being ours”. According to him, the chaplain does not provide any “concrete help”, but through his work he contributes to “the rehabilitation of the person”. On talking about her long experience as a prison chaplain, Isabelle Le Bourgeois (2006, p. 133–134) above all sees herself as a humanising factor and refuses to take on the responsibility of reintegration:

First of all, we are not responsible for the reintegration of prisoners when they leave prison. Nor do we have any explicit responsibilities as nurses. That's not exactly our task. We are there in the name of the Gospel: “I was in prison and you visited me”, Jesus said (Mt 25, 36). Our intervention is therefore aimed at helping people to rediscover that part of humanity which is temporarily or long-lastingly enclosed behind walls, the part experiencing profound human misery and which reveals the power of evil present in all of us in a more visible way.

Above all, chaplains offer a non-bureaucratic relationship within the prison organisation (Becci 2012). “We see the prisoner as a human being, not just a number in the register or a file”, one pastor insists. Therefore, in the eyes of the inmates, they are defined and perceived as re-personalising and humanising figures, by re-including the prisoners in a joint humanity:

The chaplain is a person who is sent into prisons to meet prisoners, to share a piece of humanity with them, rediscover a common dignity as children of God and tell them that salvation is for all of us. (Bernadette, regional Catholic chaplain)

According to this presentation, we get the impression of a meeting without any stakes. Thus, according to the national Catholic chaplain, the approach to spiritual

assistance is “a free meeting without any stakes, without any obligations for results”. Behind these general terms, there is a great diversity of professional practices among chaplains in terms of their clientele and mission definitions.

5.3.2 *Occasionally Moralistic Stances*

A high number of chaplains endeavour to be impartial in their actions: not to judge and to be prepared to hear everything. They insist on the horizontal nature of the relationships they have with prisoners. And in a significantly different way, others veer towards a more vertical and top-down stance of a normative and moralistic nature, as a continuation of the educational role. They therefore often appear as teacher-chaplains, in reference to the figure of the Imam teacher (Jouanneau 2011) who is in charge of ensuring the prisoners’ good knowledge of religion. This is how Karim and Marouan, both of whom were trained in the Great Mosque of Paris, describe their roles, in particular with regard to incarcerated people, who start to practice their religion again after having lapsed for a long period. A very good example of this kind of evolution is to be found in young people of North African origin, who have abandoned the practice of their faith, often during their adolescence, and then return to Islam. Having noted the poor knowledge of the young inmates they meet, the chaplains aim not only to offer them a basic religious socialisation but also, for Marouan, to combat interpretations which they deem to be false and even to teach *laicity*. Both of them devote a part of their services to giving lessons and aim to promote the practice of a moderate form of Islam. In this way they also contribute to controlling certain forms of radicalisation, but more mundanely their mission involves teaching inmates how to read the Koran, pray, do ablutions and to initiate one’s self in the duties of a Muslim.

The regional chaplain told me: “Broadly speaking, our goal is to teach inmates how to pray, do ablutions, simple things. How to pray in groups. In other words, the basics: That’s how I function. I already know that if an inmate manages to pray correctly that’s already not bad. On top of that they’re there to learn, it’s not to go into any depth.” (Karim, jail1).

This more moralistic stance is also reflected in conversations. This is the case of the Protestant chaplain in prison3, a former teacher, whose leitmotiv to the recidivist inmates he visits is the following: “Shouldn’t you just take out a subscription to prison and finally decide to put an end to all this bullshit!” Chaplains therefore appear as being able to effectively contribute to the moral reform of prisoners. Thus, they participate in the mission to reform the prison population. According to Farid, on the basis of the motivations of Muslim spirituality, it is a case of disseminating an ethic that is designed to get the inmate back “on the right path”:

Our mission is religious and educational. Because religion is a way of educating people (...). Yes, it’s a way of educating people (...). Because religion prohibits us to steal, hold people up, it forbids us to drink alcohol to avoid all our problems, forbids us to sell drugs, leads us to respect our neighbours, respect the elderly.... Religion—not just Islamic religion but all religions—pushes us to respect others and to respect ourselves. (Farid, Muslim chaplain, prison2)

Chaplains' statements do not always allude to a direct reintegration mission, even though they may contribute to it on the sidelines, and the presence of the religious element in prisons appears as a sign of the failure of the re-socialisation project. Chaplains participate in the personal rehabilitation of inmates, a vital stage in the social rehabilitation process due to desistance. Their solicitous approach places them on a level at which prison professionals have largely failed: to open up to "the possibility of forgiveness (...) the fruit of a possible renewal" (Caillé and Fixot 2012, p. 8). It is a question of giving meaning back to life, even to those who have committed serious crimes in order to enable inmates to establish a link with the period before, during and after their incarceration. Chaplains may sometimes accept to act as witnesses in the trial of an inmate they have followed, in order to talk about the path they have taken and to therefore publicly account for the work the person they have accompanied has done on him/herself. Irrespective of their religions, all the chaplains we met had some nice stories to tell about inmates who, through their contact, managed to reorganise and even transform their lives during the period of their sentences. But often the role of a chaplain is comparable to that of a "nurse, who in a palliative care service, gives out medication that eases the pain without curing the disease." (Le Bourgeois 2006, p. 9)

5.4 Religion as Identity Support for the Prisoners

Imprisonment entails an upheaval for the inmate: It is an ordeal, a painful experience, which distances them from normal social life, an experience one does not emerge from unscathed. It marks an interruption in the ordinary course of life and implies diving into a totally alien world. It means a lot more than the simple deprivation of freedom: It results in the deprivation of belongings, heterosexual relations, autonomy and even security (Sykes 1958). Incarceration entails a triple ordeal. On one hand, the inmate is subject to an enveloping institutional take over within a restrictive organisation. This organisation imposes a limiting spatial/temporal framework on the inmate and strict regulations. It maintains people in a position of permanent subordination with a prolonged loss of responsibility, which may result in a certain inability to assume ordinary responsibilities. Being arrested, incarcerated and sentenced can, on the other hand, undermine a person's sense of identity: By being perceived differently by other people, they perceive themselves differently as well (a feeling of degradation). Finally, incarceration and prison conditions constitute an infringement on dignity due to the impossibility of maintaining any intimate spaces (Rostaing 2006, p. 39).

Religion in a prison environment constitutes a personal resource and a shield to protect one's self from others. It also represents a right for prisoners, the right to practice their religion freely, which the prison administration must guarantee. It brings instrumental or useful benefits, such as the search for security, material comfort, access to external people or to social relations (Clear et al. 2000, p. 64–69). It offers a structuring framework, which facilitates life in prison; an opportunity to

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