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“AN AFRICAN PASTORAL PERSPECTIVE  
ON PRISON CHAPLAINCY”  
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## **Abstract**

Prisons in Africa tend to focus on punitive measures rather than on the rehabilitation and reintegration of inmates into society. In African traditional courts, inmates were not sentenced to be imprisoned but were rather helped to reform. Crime is a great challenge to the growth and development of the African continent. People in the prisons of Africa are in general vulnerable, poor, oppressed and marginalized. From the perspective of liberation theology, the aim would be to give hope to the incarcerated. Prisons in Africa tend to contribute to a culture of delinquency, categorize and isolate criminal types and construct new social subjects. The prison system is flawed and promotes the very reason for the existence of penal institutions.

The study seeks to understand the realities of pastoral care and prison chaplaincy in Africa. It investigates the ways in which pastoral care and prison chaplaincy could play a constructive and life-changing role in the lives of inmates. The study investigates the nature, work, challenges and contributions of pastoral care and chaplaincy in prisons of Africa. The investigation examines what prison chaplaincy in Africa could learn from their counterparts in Latin America, the United Kingdom and the United States of America. The specific situation of prisons in Zimbabwe is highlighted as a case study.

A qualitative research method was selected because its open-endedness fits well with the investigation at hand. Theological reflection opens avenues and opportunities to make voices of marginalized groups heard. Self-reflection and the participation of marginal groups is core to theological reflection as well as to the professed political agenda of most nations. A type of penal institution that is new in spirit, method and objective could contribute to the reform of the prison industry, the global reality of which is at present rather complex and confused.

The practical theological model of Richard Osmer (2008:4) which identifies four tasks of reflection: descriptive-empirical, interpretative, normative and pragmatic is used as a framework for the development of best practice model of pastoral care and prison chaplaincy in Africa. Although prisons in South Africa have their shortcomings, the penal systems and pastoral care services seem to be well-organized.

In the United States model of pastoral care and prison chaplaincy, faith-based organisations are treated equally and federal and state prisons are well structured unlike those in Africa. Pastoral care and prison chaplaincy on the continent of Africa will require an indigenous African-based theology to effectively address the needs of prisoners.



## CHAPTER 1

### INTRODUCTION

#### 1.1 Background

In Africa people who have been imprisoned because of having committed a crime, are generally degraded and treated harshly (Beckner 2012:3). People in custody therefore constitute a social class in society that is vulnerable, suffers much deprivation and is sorely neglected. They are separated from daily and current issues in the society. Though vulnerable and suffering, they are often not regarded by Christian believers as included in “the least of these brothers of mine” (Matthew 25:40) who should be given special love and attention (see Brault 2014:3). Society, including the faith community, tends to simply write them off as thieves, rapists, murderers and sinners who deserve the punishment of imprisonment. The prevailing opinion is that they deserve to be where they are and cruelty and hardship in prison are part of what it means to pay their debt to society. They are left to their own devices as they attempt to survive in a cold, hard and sometimes harsh environment. Some spend days in solitary confinement with no communication with the outside world.

During the Victorian era, religion played a significant role in the penal system. There were chapels in British prisons. Individuals and groups from faith based organisations initiated, ran programs and provided space and asylum for offenders (see Dammer 2002:1375; Beckford 2013:2). Attendance of the chapel services was compulsory. Chaplains provided pastoral care to offenders. Religious thinkers played a vital role in formation of prison systems. Chaplains wielded great power and influence in prisons throughout the nineteenth century. The involvement of religious communities began even before the establishment of penal systems. This involvement expanded as various models of punishment were explored. These models largely focused on the reconciliation and rehabilitation of offenders (Dammer 2002:6). Prison chaplains were an asset toward the greater objective of providing meaningful and life changing services to people in penal facilities. The character of the penal system and the challenges of incarceration called for spiritual, intellectual and religious care to both incarcerated persons and the officials who work there. There were many theological,

philosophical and humanitarian arguments for making space for worship, religious artefacts, religious personnel, religious diets and sacred scriptures in the prison setting (Beckford 2013:5; see Shaw 1995). The aim of evangelising convicts (Opata 2001:119-120) was the justification for the presence of chaplains in prisons. This led to the system of chaplaincy where pastoral care, education and counselling were provided. Many of these reasons for providing care to prison inmates have, however, become contentious.

Contentious issues invite a creative response from penal officials and faith-based groups on the role of pastoral care and chaplaincy in prisons (Beckford 2013:6). One contentious issue is which religion or religions should be selected to work in prisons. Other issues are the academic qualification of chaplains, the selection and appointment processes, the level of training, status, language and the willingness of chaplains to monitor and report on the behaviour of inmates (Beckford 2013:10). In some settings penal authorities deny inmates the right to change from one faith to the other or to practice more than one faith. There are disputes with regard to the access to chaplains, the places of worship, the distribution of religious artefacts and essential items for celebrating services (Beckford 2013:7). The current sensitivity for the equal treatment of religious bodies and the penal institution's neutrality towards faith-based groups place even more limitations on the work. The scarcity of chaplains impedes the work of even the recognised religious groups.

Since 2001 security issues have taken centre stage. In this regard religious services are useful (Beckford 2013:8). The provision of religious and spiritual care helps to mitigate conflict. Programs geared towards the reintegration of offenders into society require the input of faith-based workers who teach the skills needed for finding employment and engaging in positive family relationships. Some faith-based groups, however, provide financial assistance for the work in prisons, but do not participate personally in providing care. The underlying attitude of people not wanting to become directly involved is often that they deem imprisonment a means of curbing criminal behaviour. This makes prison a place for retribution. Such an attitude toward the incarceration of offenders leaves inmates without hope, education and recreational opportunities. This is also the negative attitude underlying the inhumane treatment

(warehousing) of people in penal systems. If education, good health and sustainable livelihood for the future are not made possible for them, inmates lose hope, succumb to depression and leave the penitentiary system with a lack of self-esteem when they are released (Opata 2001:4).

The growth of religious diversity and pluralism has led to questions on equality, justice and human rights issues in prisons (Beckford 2013:1). There is a keen interest in religious practices in penal institutions and the impact they have on the lives of offenders. The secular nature of prisons and the religious diversity of those incarcerated raise crucial questions as to how chaplaincy and religious care services are organised (Martinez-Arino, Garcia-Romeral & Grier 2015:10). Historically, chaplains were seen as the “guardians and reformers of fallen criminals” (Bedford 2001:376). The motivation for attempting to make prisons into disciplined institutions was mainly religious (Beckford & Gilliat 2005:1). Nowadays not every penal institution employs chaplains. It is not uncommon for “contractor specialists” or unpaid volunteers to provide spiritual and religious care to offenders (Beckford 2013:9).

In comparison to healthcare chaplains, military and prison chaplains have a strong institutional focus in their model of service (Todd 2011:98). There is a general lack of clarity among chaplains as to their role, the available models and existing practices (see *Caring for the Spirit NHS Project* 2003:6-8; Clines 2008:1-8). There is much pressure on chaplains to define their role and value. There is a general lack by penal institutions themselves to form and create definition to chaplaincy services. This leaves chaplains to their own devices to adapt practice and find a niche for their own survival. Chaplains and institutions seem to find it difficult to reach a collective understanding of the role and purpose of chaplaincy across various sectors. Chaplaincy activities display diverse and different forms. In most prisons chaplains do hold the monopoly on pastoral care. They fall under the management of the prison administrator. In penal institutions there is often an inequality of pastoral care to offenders, and there are sensitivities surrounding religion and religious differences. The transnational and global migration of people and capital increases the religious diversity to be found in penal institutions in nations such as Canada, United States of America and Great Britain (Beckford 2013:3).

The existence of prison as place of punishment does not necessarily act as a deterrent and reduce crime. It is the opposite as prisons often contribute to a culture of delinquency. Offenders are more loyal among themselves than to society. Prisons, as not for profit institutions, rarely provide skills training as an investment in the future of people who are in prison. The goal is mostly to make them submissive. Without education and skills it is particularly difficult to find work and, even if they do succeed in obtaining employment, they lack the skills to adjust to work imperatives after their release from prison. The prison system is flawed and promotes the very reason for the existence of prisons. Penal institutions are increasingly becoming big business.

Historically, there has been a shift from punishment of the body to that of the soul in attempt to control offenders by controlling people's minds. Methods include ways of naming, judging, isolating people (Foucault 1995:17). The body is subjected to and affected by the operations of power structures (Downing 2008:76). Offenders are coerced by means of constant and intrusive observation. An architectural form that depicts such modern disciplinary power is Jeremy Bentham's panopticon which makes maximum control of prisoners possible by using only minimal staff (Downing 2008:82). Though prisons with a panoptical structure were not built till the twentieth century, this principle of operation has been pervasive throughout modern society. In a panoptical structure cells are built in a circle around a central tower from which the inmates can be anonymously observed and monitored at all times. Inmates are kept in their cells separated from and invisible to others. Panoptical structures isolate them in separate cells, while they are viewed from a central point. They become an object of observation and not a subject of communication (Downing 2008:81; see Foucault 1995:200). Panoptical structures induce fear and the permanent visibility assures the automatic functioning of power (Foucault 1995:201). The panoptical system was crafted to prevent communal strategies of resistance such as riots, revolt and insurrection. The method serves as a means of regulating behaviour. Though the guards are invisible to those in the institution, the inmates develop an impersonal anonymous relationship with those in power and control.

Without the ability to verify the presence of the guards, they soon behave as though they were being watched, without knowing whether they are or not (Foucault

1995:202). Some prisons are hyper-modern and utilise electronic technologies that monitor and control offenders through disembodied and impersonal machinery.

Prisons today retain features belonging to the world of modernity. The disciplinary model is still used in asylums and penitentiary and reformatory institutions. The disciplinary model includes the labelling of inmates as mad, insane, dangerous, harmless, normal and abnormal. The disciplinary model uses techniques with which to order human multiplicities. The effect of disciplinary power is not expressed from a single vantage point but is mobile, multivalent and internal to the core of life. “The soul [becomes] the prison of the body” when the modern approach to discipline aims to produce “docile bodies” that do what the powers want them to and in the way they want them to (Foucault 1995:30). If the soul can be controlled, the body will do as it is told. People who have internalised the control measures of those in power and who have become invisible, are easy to control. It is no longer the body that is tortured, but the soul. When surveillance from the outside has been replaced by rigorous self-policing (Foucault 1995:138), then control is complete. The bodies will be obedient and will conform. The soul is broken.

According to Downing (2008:85) the “discipline and punish” idea underlying a panoptical society is still strong today. It has social relevance and can be found across global communities. Foucault was concerned with those who are excluded by mainstream standards, especially those with a strong personal commitment to oppose the norms and exclusions that define society (Gutting 2005:6). He engaged in political campaigns to empower prisoners to pursue their rights. According to him prisons do not diminish the crime rate (Foucault 1995:265). They rather create delinquents, categorise and isolate criminal types and construct new social subjects.

There is a need for radical change in the kinds of institutions which subject inmates to “civil death” and their coercion by the powers for no greater purpose (Gutting 2005:6). A greater purpose would be self-control and socially acceptable behaviour. From a theological perspective, it is crucial to critique societies’ invisible cruelties and constraints.

The intention with the establishment of the prison system was to contain crime and deter people from committing crime. The way in which this was done was by means of force. Prisons by their nature are dangerous places which crowd people into cells with little privacy. Offenders have to deal with issues such as loss of freedom, fear, shame and guilt. Prisons are complex, socially constructed phenomena. They represent the exact opposite of the generally accepted notion that increased leniency and humanitarian ideals are core to penal reform. One way of assessing the quality of life in a prison would be to enquire as to how religious intervention contributes to the wellbeing of the people (Beckford 2013:2).

This study critiques the prison industry as a whole, rather than plead for specific reforms. Especially in the African context the realities of life in prison are harsh. The pervasive nature of suffering in the prisons of Africa raises serious concerns with regard to human rights violations (Sarkin 2009:1). Penal reform in general faces challenges. Both the lack of interest of the state to improve conditions for people who have been incarcerated and public attitudes make an effort to conduct studies on the penal systems difficult (Sarkin 2008:1). This is especially so in Africa.

Pre-modern punishment constituted a violent assault to the body of the offender. The conviction was that retribution could be achieved through pain. The modern control of the soul serves as a means to more subtly and pervasively control the body. The ideal today is that punishment should lead to an inner transformation and conversion of the heart, to new ways of life. To this end religion, spirituality and chaplaincy are deemed useful by some. However, the reason for wanting to change psychological attitudes in others is still to control bodily behaviour.

The failure of prisons to rehabilitate offenders and prepare them for reintegration into society puts into question whether the original aim of the institution is met. The opposite seems to be the case. The institution rather succeeds in distributing criminals throughout society (Foucault 1995:271-272). In practice the objective of penal systems is not the long-term wellbeing of the persons who are incarcerated or of society, but the short term goal to gain total control over inmates' actions and souls. The overall purpose is detention and discipline. Processes of power often do not work in isolation.

In order to achieve institutional goals penal systems do surveillance of the body, analyse the mind through watching for signs of mental degeneration and documenting these (Foucault 1995:232, 243, 247). Panoptical structures breed and propagate fear in offenders' minds, hearts and lives. Power and knowledge are used to tame and domesticate offenders. Penal systems are unable to craft and deliver programs that are conducive to the rehabilitation and reintegration of offenders. Rehabilitative efforts and restorative justice ventures for offenders and victims to dialogue and make amends are scarce in most prisons. This study aims to challenge power, institutions and structures that dehumanize human beings. The struggle for change in prisons is both personal and political. According to Emmanuel Lartey (2003:136), personal issues have political overtones and political strategies affect persons.

People in prisons are marginalised. Marginalised groups require a voice that raises awareness on their plight of oppression. The character, life and history of the persons who commit crimes are rarely taken into account when they are sentenced (Novak 2005:1). Mitigating factors are not reviewed. Offenders are treated as corporate beings: nameless, faceless and undifferentiated masses to be subjected to the inhuman process of incarceration (Novak 2005:2). This denies them their basic humanity. The social groups in which people are known and cared for constitute a valuable resource for support and therapy. The establishment of chaplaincies in the penal system was aimed at making provision for offenders to atone for crimes, seek restitution and restoration with community (Dammer 2002:1375). Those who live and work in prisons are on the margins of society with the geographical location reinforcing the sense of being on the edge (Holmes & Newitt 2011:71). Part-time chaplains give much of their time to other commitments which makes chaplaincy to be seen as "the edge of an edge" (Holmes & Newitt 2011:71). Chaplains are under pressure to provide religious programs that could assist offenders in their journey of recovery, transformation and restoration (Dammer 2002:6). Prison officials rely on chaplains and spiritual care workers to help them cope with psychological stress and trauma of working in the environment. Prisons are not reasonable, responsive and stable institutions where the level of tolerance and resilience could encourage inmates to respond in positive ways to the regimes in the penal environment and community

(Taylor 2008:1). The global reality of prisons is complex and confused. Pastoral caregivers' lives are constantly faced by unknown challenges. It is expected that prison officials would foster and support self-improving identities as a way to bring meaning to the life of those incarcerated, but this is not the reality in most penal systems (O'Connor & Duncan 2011:590).

Theological reflection can provide avenues and opportunities for marginalized groups to make their voice heard. Self-critique and the participation of marginal groups is core to theological reflection and the political agenda for nations in the global world (Gutting 2005:90). Pastoral care is valuable even as pastors struggle to cope with what is expected of them in panoptical structures. The public is often unaware of the work of chaplains in penal institutions. According to Coleman (2003:125) penal authorities tend to value chaplains on condition that they fit into the way in which the institution is managed. Prisons globally are challenged to facilitate humanist, spiritual and religious practices that have the potential to craft meaningful identities for incarcerated persons (O'Connor & Duncan 2011:590).

Chaplains have played an integral role in the prison environment since the inception of correctional services. Chaplains participated in the daily workings of prisons and engaged in the discussions on how things should be ordered (see Sundt & Cullen 1998:147; Sundt, Dammer & Cullen 2008:60). As far back as 1800s pastoral workers have had an active presence in the penal history of Western institutions. Throughout the 1800s chaplains spent time preaching to those behind bars and providing religious services to penal institutions. Chaplains were supportive of rehabilitation as they spent time counselling inmates using a combination of religious and secular methods. They saw offender adjustment and rehabilitation as the goal of pastoral care. They searched for methods and styles of correctional treatment that could reduce reoffending (recidivism). Hence, chaplains were agents of social change (Sundt, Dammer & Cullen 2008:61). From 1930s to the 1960s the work of chaplains focused on rehabilitation in conformity with the philosophies of classification and the treatment methods of the time. Religious programs were included in what was considered to be "sound correctional policy" which would protect inmates' rights and guard prisons against litigation. The role of the chaplain has undergone change. It has moved from the



centre of the penitentiary system to the margins (see Sundt, Dammer & Cullen 2008:62). Nowadays when religious ministers enter the prison gates they are often seen as strangers and aliens in a system that was originally created because of religious impetus (Magnani & Wray 2006:22).

Religion moved from a guiding force in the penal system to playing a peripheral role in most correctional facilities (Hicks 2010:54). In Virginia State in the USA in 1871, Judge Christian described prisoners as “slaves of the state” who were “civilly dead” (HRU 1993:8). This view shaped penal policies negatively and also influenced approach to punishment. If this view prevails prison staff and officers do not find it necessary to treat prisoners decently, do not respect their rights as human beings and feel free to abuse them at will. Religion and religious personnel do not have much of an impact on the philosophy and construction of penal institutions any longer (Dammer 2002:3).

The twentieth century saw a decline in the influence of chaplains in correctional services in the West. This was largely due to the rise of rationalism and positivism coupled with the troubled history of the prison system. The role and value of chaplains was questioned. Chaplaincy moved from the centre to the periphery because of an increasingly secular approach to criminal justice. The chaplains’ duties were taken over by trained professionals and specialists (see Skotnicki 1996; 2000 & Sundt 1997). The psychological as well as long-term effects of incarceration create administrative, clerical and legal problems. Chaplains who see themselves as “soul doctors” and “moral physicians” argue that religion could play an important role in fostering a greater sense of morality in prisons (Sundt 1997:46). They therefore should be an integral part of the penal system were the institution to achieve its correctional goals. Prison chaplaincy is a difficult ministry. Many penal officials show little interest in the role that chaplains play in the institution. For them, custodial and security priorities are more important than rehabilitation. Religious personnel try to counter this tendency to neglect the rehabilitation of inmates by providing pastoral care and chaplaincy services. Chaplaincy in the context of prisons warrants further study and reflection on the many variations of chaplaincy and pastoral care that exist across the globe in order to identify and work out what best practice would entail in different contexts. This study specifically investigates the African context of prison chaplaincy with a view to

understand the realities of the continent. According to Beckner (2012:i) studies on the facilitators of religious services in prisons are scarce. Chaplains in Africa rarely write about their work and experiences in the prisons.

At the world conference of International Prison Chaplains' Association (IPCA) 20-25 August 2010 in Stockholm, Sweden, the role of chaplains in correctional services was discussed. Delegates could not come to consensus on the role chaplains should play in the prisons and correctional services of the world. Chaplains could not define the content of their work in relation to other professionals in the penal institution. One chaplain pointed out that there is little training for chaplaincy and that people do little more than complain. Chaplains from Australia appealed to faith-based groups and political leadership of nations to implement chaplaincy programs that advocate and call for support for offenders prior to, during and after incarceration (Carey & Medico 2013:10-11). The place and role of prison chaplains are vital to penal systems (Beckner 2012:i). Historically, chaplaincy provided inmates with a range of religious and secular services with the intention to meet religious, institutional and post-release needs. The influence of chaplaincy can have a positive impact on the lives of inmates. Involvement in religious activities can contribute to the formation of productive individuals and foster positive group behaviour such as peer mentoring. Higher levels of participation in pastoral care and chaplaincy activities can decrease the tendency to identify with less productive behaviour and the values of prison culture (Thomas & Zaitzow 2006:255).

Some countries have a system of professional prison chaplains whereas in other countries clergy and other individuals volunteer their time, energy and resources to provide spiritual care to inmates and officials. The scope and quality of the pastoral engagement varies. Relatively few prisons in the world offer substantive chaplaincy services (Beckner 2012:21). Crime constitutes a great challenge to the growth and development of Africa.

To date the impact of prison chaplaincy in most penal institutions has been rather limited (see Wambugu 2014:1). Often prisoners are not respected as human beings by faith communities that consider them as the dregs of society. Religious practices are

often seen as a hindrance to the orderly running of penal institutions. The world of correctional service workers is rife with fear, suspicion and insecurity. They and the chaplains are at risk working in such environment (see Laurendeau 2006:593; Crawley 2005:3; Gibbons & Katzenbach 2006:388). In practice the correctional officers “set the tone” and determine the quality of life in penal institutions, although courts do recognize the rights and due process protection of inmates (Shaw 1995:25). Knowledge concerning attitudes and beliefs of variety of staff in penal institutions is vital to understand prison life and system of operation.

Chapels and chaplains are not always an integral part of the prison establishment (Shaw 1995:24). Often there is also little theological reflection on what chaplaincy is and what its significance can be world-wide (see Holmes & Newitt 2011:xiii; Carey & Medico 2013:3). Insights on pastoral care with prisoners indicate that, unless there is a change of heart regarding the role of faith accompanied by good management, the aim of rehabilitation of inmates will not be easily reached (see Coleman 2003:125). Works on prison chaplaincy and pastoral care in Africa are largely lacking, so also models of pastoral care that could provide chaplains with a viable approach to their difficult task.

Chaplaincy is viewed as a “sector ministry”. It focuses on a specific section of society and is beyond the scope of community life. Chaplains serve in prisons, schools, tertiary institutions, hospitals, shopping malls, airports, work places, battlefields and barracks (Holmes & Newitt 2011:xvi). They function at the margins of faith community leadership in places where persons who show little affiliation to faith groups are to be found. They offer faith communities the opportunity to engage with those who do not show any faith affiliation and those who have left such groups. It is a difficult task to reach the unreached. In this sense chaplaincy is a missionary and marginal venture. For spiritual care workers, the change from the pastoral environment of a parish to that of a prison is rather drastic and requires paradigm shift. They are in need of pastoral care models that reflect this paradigm shift.

Chaplains in Africa are challenged to try and find meaningful ways to carry out pastoral work in prisons. The context in which chaplains operate is constantly changing. The nature of chaplaincy can also be explained in terms of liminality: it functions in the

space between heaven and earth, reveals the possibility of alternatives, embodies and serves as a threshold between the inmates and prison officials. The chaplain's presence opens the door between two realms of the secular and the divine. The idea of liminality is relevant to contexts such as the military and hospitals where chaplains guide people to confront and cross the threshold between life and death. In the context of prisons chaplains confront and cross the threshold between life and death, between freedom and imprisonment.

Ministry in general focuses on the importance of forgiving personal relationships, knowing, being known, listening attentively and respectfully to people's stories. In the setting of incarceration, not much significance is given to the character and life history of the inmates, and to circumstances that led to the crime. In the sentencing process there is no compassion and mitigating factors are not taken into account. Inmates are dehumanized, treated as nameless, without a face or a group identity, without human dignity (Novak 2005:1). Some chaplains do settle down to routine service and, much like the wardens and inmates, they grow to accept the institution as it is and then find ways to make a positive contribution (Romeril & Tribe 1995:383). It is imperative for these practitioners to understand and articulate religious (spiritual) and secular (moral) beliefs about human nature and society. Their assumptions about humanity will influence the treatment and quality of pastoral care that prisoners receive (O'Connor & Duncan 2008:84). When inmates are treated as "bad people" who stray from the right path, it leads to the "punishment and control approach". If they are seen as "good people" who, through circumstances in life, learnt to do evil, the "treatment and change approach" is the result. Rehabilitation and reintegration is a pastoral and spiritual responsibility as pastoral care empowers excluded, dehumanised and marginalised people with the goal to restore their dignity and give them hope for the future (see Ramsay 2004:3, 82).

Chaplains can have a negative effect on people in prisons if they assume the role of a protective, kind, sympathetic parent, while officials take on the role of the stern, disciplinary parent. Prison chaplains are faced with two challenges: they should both identify with penal institution and work in harmony with its methods and objectives, and retain their identity and association with the faith community. Professional chaplains

and religious services staff with vision, knowledge, skills, aptitude to engage, train and supervise variety of volunteers are scarce. Professional chaplains have the expertise to determine “what is effective” and “what is not” in the journey to help offenders avoid crime (O’Connor & Duncan 2008:87).

Chaplaincy often does not succeed in making a sufficiently positive impact on people who have been incarcerated. Therefore the field warrants the attention of scholars, faith communities and governments. The place of pastoral care and religion in correctional settings is an issue that needs honest and creative attention, according to Magnani & Wray (2006:132). Prison officials, the public and society often expect of chaplains to serve divergent roles and carry multiple identities in penal environment (see Shaw 1995:41, 42; Williams 2006:3, 4). The use of description, analysis, theory and criticism are insufficient to address the role of chaplains in penal environment. According to Ford (2011:3), their role has not been constructively, practically and responsibly crafted for the common good of all in the prisons. This study aims to contribute toward such an effort with a specific focus on prison chaplaincy in Africa.

## **1.2 Problem statement**

The prison system in several ways remains the most ineffective and dehumanising of social institutions. Despite efforts of prison officials to improve penal programs, inmates feel unsafe and powerless (Magnani & Wray 2006:321; see Selke 1993:116). Policy directives often lead to harsh and cruel conditions for inmates because the aim is to deter them from reoffending. Social control policies in correctional services continue to focus on the enforcement of security rather than on positive life change for inmates. Manipulation, stratified and sensitive emotions, loneliness, hopelessness, bitterness, hostility, despair and distrust are common features of prison life (Griffith 1993:89). Incarceration denies prisoners participation in human community. The power of the “sword” and “cage” (imprisonment) are tools of human governance (Davis 2003:84; see Griffith 1993:89).

Prisons have a severe impact on inmates and on the lives of people related to them. They do not succeed in improving inmates’ views, opinions and attitudes towards life. Education is both the responsibility and the opportunity of prison authorities (Davis

2003:42). Efforts to rehabilitate and reform prisoners will remain futile, unless prison systems envision character formation, industry, habits, better attitudes, improved capacities, abilities, interests and social processes that enhance rehabilitation (Taylor 2008:185,186). Imprisonment should provide avenues for self-reflection and self-reform.

Vocational training programs, the bedrock of rehabilitation efforts, have not been effective because the culture and setting of prison creates an environment that is not conducive to bringing about change and transformation. Imprisonment damages inmates. Only few have the capacity to remain psychologically balanced and pursue a worthy cause afterwards (Newell 2007:45; see Coyle 2002a:35, 38). The goal of religious programs is the rehabilitation of inmates and a decreased recidivism. When religious programs fail to produce results they are of no value to the institution.

The possibility for people to practice spirituality and religion in prisons is an area of growing concern. Most African faith-based groups as well as governments do not acknowledge and incorporate pastoral care in the programs and policies that aim to provide inmates with the means to cope with the challenges of prison life. The scarcity or total absence of pastoral care programs can have negative impact on inmates (O'Connor & Duncan 2008:85). Traumatized individuals need relationships with warm and concerned human beings who are actively involved with them in an empathetic and responsive manner (O'Connor & Duncan 2008:86; see McCann & Pearlman 1990:93). Faith communities could also contribute to social reform and care for the rights of inmates through effective pastoral engagement. Unfortunately, faith-based groups sometimes concur with prevailing culture that those in prison deserve to be there and should suffer for the crimes they have committed (Byassee 2006:20).

For some, chaplains are part of the prison system and should therefore first please the wardens and then only serve the prisoners.

On account of this image prisoners find it difficult to trust and confide in chaplains, since they see them as "complicit" with penal officials. Some inmates view chaplains as "cops" who work in unison with the correctional service. On the other hand, some penal officials view chaplains as "bleeding hearts" who listen to the stories of inmates

and do not understand the realities of the system (Byassee 2006:20; see Romeril & Tribe 1995:383). However, there are chaplains whose pastoral work with inmates, provide hope and contribute to transformation (Shaw 1995:66, see Romeril & Tribe 1995:384).

An impediment to effective pastoral work with inmates is the prevailing paradigm of punishment and vengeance. Faith-based groups in general have an “ambivalent attitude, ambiguous theology” towards chaplaincy and pastoral care to prisoners (Byassee 2006:20). Theological reflection on chaplaincy in the context of prisons in Africa is still in a budding stage. This study focuses on pastoral care and chaplaincy with prisoners in Africa. The aim is to reflect on how pastoral care, counselling and chaplaincy are carried out, and what the impact of this work is on offenders and penal institutions. The empirical part of the study consists of structured interviews with four chaplains in Zimbabwe. Areas of their work that will be probed includes prison chaplaincy, their experiences regarding religious care, their interaction with other faith communities, inmates and penal officials. The study will examine relationships and experiences between penal officials, chaplains and inmates. The results of the interviews will be brought into conversation with the literature in the field.

### **1.3 Literature overview**

In the history of penal practice religion has played a major role in shaping the way in which inmates were treated while in custody (Garland 1990:203). The pastoral care approach engages with offenders with goal to strengthen them in their humanity and dignity. Should this process succeed, recidivism can be reduced. There is increased acceptance and demand for religious programs and counselling in penal systems. Studies reveal that participation in religious programs could improve institutional management and curb or reduce criminal behaviour among inmates (Worthington et al 1996:448). Imprisonment without attention to the inner psychological, social and spiritual forces which challenge inmates’ lives, does not achieve positive results (Beckner 2012:xvii). Religious programs are cost-effective because they rely on volunteers and are self-directed (Thomas & Zaitzow 2006:256). Renewed interest in pastoral care and religious programs precipitated the establishment of faith-based

prisons in Texas, Oklahoma, Kansas, Iowa in the USA, Brazil, Ecuador, England, Wales and Scotland (Beckner 2012:4).

In the English and Welsh penal systems religious services focus on preserving the rights, decency and dignity of inmates. Their main concern is not to change the criminal attitude or behaviour but to ensure and preserve their dignity and humanity (Her Majesty's Prison Service 2002:1). The increase of religious groups in penal system could serve the interests of penal systems and chaplaincy (Beckford & Gilliat 1998:214). The "Baptist Experiencing God" program in Angola prison is credited for reducing violence, prison escapes, and providing stability to inmate culture (see Frink 2004:36). In the USA with the inception of correctional services, chaplains were part of system.

Chaplains visited offenders, provided pastoral care, served as teachers, librarians and record keepers (Dammer 2002:3). They also acted as ombudsmen for offenders when human rights violations occurred. Their presence was often not welcome in penal environment. Some saw it as a stumbling block to the rigid control and security needs of institution. Correctional services, with its focus on teaching and providing psychological and other services, often see chaplains as naïve, easily manipulated by inmates, prone to conflict among themselves and unable to really bring about change in the lives of offenders (Dammer 2002:4). Chaplains, on the other hand, see prison officials as responding to the symptoms while ignoring root causes of crime (Beckner 2012:xxvii).

The aim of pastoral care with prisoners is transformation and the acceptance of God's love for them which will enable inmates to discover who they really are as human beings (Thomas & Zaitzow 2006:251). Chaplains have the rare opportunity to enter prisons and engage with the spiritual, emotional, social and physical needs of inmates. The Clinical Pastoral Education movement came into existence in the 1920s and 1930s and brought changes to the field of chaplaincy. The movement applied the principles, resources and methods of religious institutions to the challenges of prisons. The result was competent professional chaplains focused on rehabilitation. Chaplains were educated and skilled to fulfil a variety of functions. Their task was to develop



religious programs, provide pastoral care, conduct religious services, assists troubled inmates and journey with them during challenging circumstances such as bad news from their families. Chaplains coordinated and organized physical facilities, volunteers, visits, services, rituals and trained penal officials (Dammer 2002:4).

In developing countries where conditions in prisons are difficult, chaplains are “men and women of great courage and determination”, committed and willing to face the odds in the environment (Allard & Allard 2010:331). Prisoners are often perceived as contemptible members of society, despairing of life and unloved by society. On entering prison they lose much of their dignity, self-respect and hope. They feel excluded from the wider community, even after release. While some inmates see religion as “social custom” and “ritual” that is not vital to lives, others appreciate the nurturing value of it (Beckford 2001:375). Most inmates fail to realize that being in prison has religious dimensions as they are lost and in need of redemption and hope. The sanctuary of the chapel offers prisoners a place of absolute confidentiality where they can speak about their deepest fears and anxieties. During such conversations the gospel is shared. This could have a positive influence on the lives of offenders.

People from various backgrounds and walks of life are found in prison. Chaplains are challenged to be faithful to the spiritual dimension of their ministry despite the hostile and the negative environment in which they work (O’Connor & Duncan 2008:90). Chaplains assess prisoners’ reality from a theological perspective. They combine secular and religious methods of counselling as they work with inmates, inculcating a sense of personal responsibility and guiding them to make good decisions. Their aim is to communicate, identify and show solidarity with inmates (Chui & Cheng 2013:156; see Sundt & Cullen 1998:284).

Chaplains are an important resource for providing a humanising presence in prison. The challenge is to bring hope and light into the darkness of prison life and culture. Studies by Gendreau, Little & Goggin (1996), Sundt, Dammer & Cullen (2002), Thomas & Zaitzow (2006:253) raise concerns about the effectiveness of religion in changing people’s character and behaviour. Religion is evaluated by considering the extent to which its influence changes inmates and their socially unacceptable

behaviour (see Opata 2001; Kinney 2006). Committed religion could help inmates develop bonding mechanisms and better self-control. Chaplains can assist with conflict management between staff and inmates. Studies have shown that pastoral care and chaplaincy promote higher spiritual involvement, lower prison infractions, contribute to a sense of security, reduce stress and increase holistic development (see Idler 1995; Barringer 1998; Ellison et al 2001). Pastoral care that is offered to prisoners, ex-inmates and families in developed countries often range from regular religious services to information sharing and educative classes (Beckford 2001:374).

In Hong Kong, chaplaincy includes pastoral care conversations, visits, teaching, religious worship and recreational activities. Religion is the bridge between prison and society (Chui & Cheng 2013:158). Chaplains are appointed by the executive of the penal institution. "Passes" are issued to allow regular visits with chaplains of the Christian faith given greater privileges than people of other faiths (Chui & Cheng 2013:162). Studies done on the work of religious and spiritual care workers in Hong Kong prisons show that there are gaps in the services rendered (Sundt, Dammer & Cullen 2008:78). The way chaplains from the Roman Catholic and the Protestant traditions approach pastoral care with inmates, differs (Marinez-Arno et al 2015:9; see Sundt, Dammer & Cullen 2008:79).

Prison chaplaincy serves the institution, provides support for inmate rehabilitation and facilitates treatment where necessary. The goal should not only be to lock up criminals and protect society from inmates, but also to provide spiritual and pastoral care and, by so doing, contribute to the transformation of prisoners (Sundt, Dammer & Cullen 2008:80). Religious activities provide inmates with sense of direction and help them reach their life goals.

Chaplaincy services encourage inmates to turn away from a life of crime and be aware of the consequences of bad choices (Chui & Cheng 2013:156).

Studies by Yu (1991); Shaw (1995); Young, Gartner, O'Connor, Larson & Wright (1995); Larson & Pitt (1997); O'Connor, Ryan & Parika (1997); Prison Fellowship (1999) are pioneer works on pastoral care and prison chaplaincy. They critically review both penal institutions and the role of chaplains. Hallinan (2001); Davis (2003);

Burnside et al (2005); Magnani & Wray (2006) and Taylor (2008) also explore the place and role of chaplaincy in correctional services. Almost every prison in the United States of America has a team of chaplains responsible for enabling inmates practice their faith (O'Connor & Duncan 2008:84). This, however, is not the case in Africa. Studies are now also needed in an African context to examine the intensity, duration, priority and frequency of pastoral care in prisons and its influence on behaviour, character and attitudes of inmates. Like their counterparts in other parts of the world chaplains in Africa penal systems are not only spiritual leaders but also carry out variety of duties. Chaplains are not an integral part of most prisons. Chaplains are challenged to balance their call to ministry on the one hand with their task to render services in a place of social control and security on the other hand (Sundt & Cullen 1998:293). According to Beckner (2012:26), it is difficult to ascertain whether chaplains in correctional services are “keepers of the law” or “keepers of the cloak”. Chaplaincy aims at creating a new social identity that would replace the negative label of prisoners as criminals, give their time of incarceration some purpose and meaning through empowering powerless inmates to become agents of change who serve their cultural environment, community and country (O'Connor & Duncan 2011:591). Inmates are given language and a framework for forgiveness that helps them acquire a sense of control over a future that is uncertain.

Studies by Beckford & Gilliat (1998) and Beckford (1998, 1999, 2001, 2003, 2005 & 2013) on the role of religious diversity in England and Wales stand out as reference points in the field of pastoral care and prison chaplaincy. Becci (2011), Becci et al (2011), Becci & Purdie (2012), Becci & Knobel investigated the place and role of religion in Germany, Italy and Switzerland. Furseth (2000), Furseth & Van der Aa Kuhle (2011) studied the Scandinavian context of chaplaincy while Sarg & Lamine (2011) focused on penitentiary systems in France. Gagnon (2008), Beckford & Gilliat (1998) carried out similar studies in Canada and USA respectively. These studies show that prisons are environments to examine how multiculturalism is dealt with politically. They explore whether inmates' rights are recognised, to what extent there is religious freedom and what the scope of the chaplaincy service is. Results indicate that the recognition of the right to religious freedom and the right to chaplaincy are not

sufficient. In France, according to official state policy towards religion, prisons tend to relegate religious practice to the private realm.

In England and Wales state policy makes room for religious minorities, though they do not have equal status with the Church of England (Beckford 2005; see Beckford et al 2005; Spalek & Wilson 2001). Beckford (2013:1) calls chaplaincy “a contentious issue”. Increasing religious diversity in prisons faces the challenge to cope with the demand for chaplaincy services and pastoral care from various religious groups. Competition is intensified because state resources have to be shared (Beckford 2013:9). According to Beckford (2013:8), penitentiary officials imposing limits on the practice of religion is also an area of controversy. Religious personnel, pastoral care workers and chaplains received are often limited by time and space for their activities (see Gagnon 2008).

Even among homogenous populations institutional arrangements also hinder equal religious practice. Switzerland, Germany, Italy, Norway have intermediate prisons with facilities for individual and collective religious practices (Becci 2011; Becci et al 2011; Furseth 2003). In Spain some minority faith-based groups do not get any resources from the state for prison chaplaincy services, religious groups must apply for permission to carry out pastoral work. This is not always granted (Martinez-Arino, Garcia-Romeral & Griera 2015:12).

This study considers areas where controversies and negotiations between different religious groups and state officials come into play. The literature on the work of clergy in prisons emphasizes blurred boundaries and role confusion in this ministry (Holmes & Newitt 2011:136; see Irvin 1997).

Studies which explore the work of chaplains, guide inmates to regain their dignity, examine the significance of religion for their lives, are necessary in Africa where adequate attention is not given to pastoral care and chaplaincy that could facilitate successful inmate adjustment and rehabilitation. Opata (2001:v) sees the prison, staff, volunteers, chaplains, families, victims, courts and parole administrators as part of the social system that is responsible for bringing change and transformation to penal institutions.

Pastoral care, counselling and chaplaincy can help to change attitudes, although it is a difficult task to try and convince inmates to accept responsibility for their crimes. The experiences of chaplains could inform the contribution of faith communities to this work. Through these experiences volunteers can learn how faith can grow and ministry flourish in an environment that is secular, negative and hostile (Holmes & Newitt 2011:xviii). Prison chaplaincy is a distinctive ministry of liberation that deepens the theological and spiritual formation of prisoners. It provides an opportunity for the incarcerated to talk about their history and life without fear (Williams 2006:11, 14).

This study investigates chaplaincy departments, operation, structures, roles, tensions and demands. The United States of America models of chaplaincy and pastoral care have spread throughout the world, with varying degrees of assimilation and application. This study evaluates the contribution of chaplaincy to the culture and life of prisons in Africa. It reflects on the role of chaplains who can serve as meditators for people at the edge of culture and life (Holmes & Newitt 2011:71). The study investigates the balance between the religious perspectives and aims of chaplains and their integration into the management structures of prisons. Critical issues that relate to prison chaplaincy in Africa which is at a developmental and budding stage will be discussed. Literature on pastoral care with prisoners in Africa is also at an emergent stage. The study undertakes a global view of chaplaincy in order to identify best practices that could apply to the continent.

#### **1.4 Research gap**

Data on the daily operations of institutions such as prisons, hospitals, military and educational systems is not always readily available.

Often, penal institutions should receive more attention from the media than from social science studies (O'Connor & Duncan 2011:591). Sociological assessments on religious diversity and practices rarely include residential institutions such as prisons, hospitals, military and schools (Beckford 2001:370). Most studies on prison chaplaincy come from the perspective of chaplains and faith-based communities. The institutions which employ chaplains, their guidelines for pastoral caregivers and expectations regarding prison chaplaincy are rarely investigated (Holmes & Newitt 2011:117).

Literature on the legal struggle of prisoners in the USA for the right to practice the religion of their choice is extensive but the paucity of research in the area of chaplaincy and pastoral care is regrettable even though prisons are sites for extensive missionary and pastoral work (Beckford 2001:372). Pastoral care and chaplaincy offer room for multi-faith chaplaincy teams to do an “inclusive” theological reflection with respect for difference in the context of prisons in the global world (Ford 2011:4).

Not much is available on effective and suitable metrics with regard to chaplaincy. Studies partially address the importance and benefits of prison chaplaincy in penal institutions (Holmes & Newitt 2011:134). Investigating chaplaincy can be difficult when the researcher attempts to compare institutions that have effective chaplaincy services as an integrated part of the institution and for which there are resources for the rehabilitation of inmates while some prisons lack such provision. Differences regarding staff, client satisfaction, clinical outcome and academic results can impact negatively on the institution. Practically, interactions of variables could make study impracticable (see Swinton 2002:9).

Chaplains are concerned about the pastoral and spirituality needs of human beings, these dimensions are not easy to capture and grasp by standard scientific methods. This scenario calls chaplains to reflect seriously and theologically on possibilities of expanding understandings of science to include the dimensions of spirituality and humanity that are often hidden from them (Swinton 2002:10, 11). Religion is an aspect of penal life, culture and problems often ignored by the media, politicians and researchers. The lack of attention to religion in prison settings suggests a decline in the influence of the work of chaplains in penal institutions (Beckford & Gilliat 2005:1-2). Trends in theological reflection and studies reveal a lack of depth concerning studies on pastoral care in prisons (Sundt & Cullen 1998; Opata 2001; Ford 2007).

This study aims to contribute insights to pastoral care in the context of prisons in Africa. According to Shaw (1995:153), chaplaincy in penal institutions is central to the ministry of faith groups. There are some studies on the work of chaplains and volunteers in a Western context, where religion is regarded as one of the main factors that contribute to the rehabilitation and reintegration of offenders (Johnson, Larson, Li

& Jang 2000; O'Connor 2002; Kinney 2006). This, however, is not the case in an African context, where studies and theological reflection that explore pastoral care issues regarding people who have been incarcerated are scarce. There is growing number of studies in the USA and the United Kingdom that investigate the value of religion and faith-based programs in prisons (see Baier & Wright 2001; Clear & Sumter 2002; Kerley, Matthews & Schulz 2005).

The effect of chaplains' work regarding the rehabilitation of prisoners has not been sufficiently investigated (see Chui & Cheng 2013). Secularization and increasing multiculturalism have led to changes in chaplaincy and pastoral care in prisons. Where the role of social workers is clear and distinct, that of chaplains remains largely undefined (Thomas & Zaitzow 2006:155). The ways of bringing change to the penal institution are often neglected in sociology and crime related studies (see Dammer 2002; Thomas & Zaitzow 2006). Some penal systems have attained high levels of success in responding positively to religious diversity through sensitive management and cooperative forms of multi-faith chaplaincy (Beckford 2013:3). Penal systems both in the developed world and in Africa have to deal with people from a diversity of faith backgrounds.

This study examines and compares the work of pastoral care workers from different affiliations. The role of chaplains and the effects of prison on staff and inmates are investigated. Chaplaincy is a grey area to those in correctional environment, which is often seen as dehumanising (see Arthur 1994:380-383). Faith communities which support the philosophy of retribution are slow to provide or offer inmates forgiveness (Beckner 2012:xxviii-xix).

There is a gap between the idea of prison as a punitive institution and the prophetic voice of the faith community (Griffith 1993:ix). In Africa it is generally thought that tougher laws and longer prison terms will reduce crime. The result of this thinking is that life is often made intolerable for those who are incarcerated.

Studies by Hicks (2008), Sundt & Cullen (2008) explore chaplaincy and pastoral care from an inclusive, cross-denominational and multi-faith perspective that contributes to the understanding of diversity in correctional ministry. This study examines global

perspectives on pastoral care and chaplaincy and then focuses specifically on Africa. The contribution of the study is a focus on spiritual guidance, moral formation and the ethical implications of crime and criminal behaviour in the context of prisons in Africa.

### **1.5 Purpose and relevance**

The study examines ways in which chaplains and pastoral caregivers minister to the incarcerated, explores the outcomes and benefits of such engagement. The context of the study is Africa, since the penal systems in African countries differ in many instances from those in the Western world and elsewhere. The objective is to investigate the policies of African prisons and what their programs entail. The study aims to describe the situation and the effectiveness of the work that is done in prisons. From a theological perspective the reflection will focus on the moral and religious aspects of the work and what the outcome is for those whose benefit this work is done (O'Connor & Duncan 2008:90).

The study aims to contribute to awareness on the issues of penal services and prison chaplaincy specifically in Africa. There is a need of critical analysis of the current situation. The study explores what is done elsewhere in the world, identifies aspects that could be relevant also to Africa, and reflects on how this can be applied in the African context which has its own particular challenges and practices. The aim is to contribute to a creative chaplaincy practice in Africa which can be part of the effective management of penal institutions. The goal is to acquire a deeper knowledge and understanding of the philosophies underlying the practices of incarceration in Africa and how pastoral care can contribute to more positive thoughts and constructive results than is currently not the case.

The study suggests ways in which chaplaincy can contribute to the rehabilitation of people and the transformation of practices and procedures.

The study examines how the ethical principles of love and compassion can be brought to bear on penal systems in order to affirm people's humanity. This will be conducive to the growth and development of those who have been incarcerated. It examines the possibilities of pastoral care in the penal environment in Africa. In this context there are conflicting expectations with regard to chaplaincy. Some chaplains and faith



communities share the negative attitude of society towards lawbreakers and criminals (see Shaw 1995:42). The vengeance oriented culture that is associated with incarceration calls for a moral and spiritual approach to people whose daily experience is one of enforced idleness, abuse and neglect. Prison chaplaincy is a specialized ministry that often does not receive much recognition. Many faith-based groups have a minimal interest in prison chaplaincy. Some consider prison chaplains as outsiders to the daily workings of established faith-based community. The position and the role of the prison chaplain is often “misunderstood, overlooked and under-valued” (Beckner 2012:i).

The philosophy undergirding the practices of most prisons is rarely discussed. Such knowledge could contribute to penal policy transformation and effective management of institution. Some penal officials support the rehabilitation of offenders. They do not see prisons as only punitive and custodial institutions (O’Connor & Duncan 2011:590; see Cullen, Latessa, Burton & Lombardo 1993; Johnson 1996). Studies on the impact of faith-based programs are essential since there is a general lack of policies and procedures for the integration of pastoral care and chaplaincy into the prison environment (Beckner 2012:12). Prison chaplains and others are often uncertain of what chaplaincy in such environment entails.

Religious diversity is a challenge to penal management. Chaplains can contribute to the development of penal systems that support the cultural, ethical and religious diversity found among inmates (Beckford 2001:371, USA Department of Justice 1995:3). Concerns are the increase of recidivism through repeat inmates, the lack of support from faith communities and the lack of concern of the public with regard to inmates in penal systems in Africa. Studies are not beginning to assess and evaluate the effect of religious programs on the adjustment as well as coping mechanisms of inmates and the relationship with the rate of recidivism (Taylor 2008:179). A type of penal institution that is new in spirit, method and objective could contribute to reform the prison industry (Taylor 2008:185). Skills should be taught to enable inmates who are released to readjust to society, rebuild their family, find employment and become constructive members of the community.

## 1.6 Methodology

Practical theological reflection requires different approaches and methodologies to ascertain emerging trends (Willows & Swinton 2000:12). Theological reflection includes critical conversation between context and tradition, understanding and ways of beings. It is a method that forms the heart of practical theological engagement. It is the task of practical theology to ask questions that relate the understanding of and insight into the realities of human existence (Ballard & Pritchard 1996:27; Willows & Swinton 2002:14). Mucherera (2009:ix) argues for a particular approach to pastoral care in response to the destructive impact of colonial Christianity on indigenous African communities where cultural values, religion and humanity of African peoples were marginalised.

Practical theological reflection on pastoral care and chaplaincy in Africa will include investigating convictions and choices with regard to the penal system to come to a deeper understanding of what ministry in a penal institution would entail. Practical theological methods facilitate the exploration of dilemmas and existential realities. Three types of knowledge are relevant to practical theological investigation: knowledge of the other, knowledge of the phenomena, and reflexive knowing (McLeod 2001:3).

Knowledge of the other is achieved when the study focuses on particular individuals and explores ways in which they view and interact with the world. Knowledge of the other feeds into practice and enables the understanding of experiences (Swinton & Mowat 2006:34). Knowledge of the other gives voice to particular groups and allows previously hidden experiences and narratives to emerge and gain public space and voice. Knowledge of phenomena investigates categories and events. Reflexive knowing is when researchers pay attention to the processes underlying human constructs and understand the world in which they live. According to learning theory, meaningful learning occurs when individuals engage in social activities that reveal the realities of their life (see Kim 2001:3; Swinton & Mowat 2006:82). Learning theory is based on the principle that behaviour and learning results from reinforced practice (Lartey 2003:83). In this study, attention is also given to patterns of behaviour and schedules of reinforcement that control inmates in prisons.

Practical theology is a constructive theological discipline with a social constructionist epistemology. Social constructionism assumes that truth, knowledge and ways of knowing are constructed by communities and individuals. The importance of culture and context in the understanding and construction of knowledge is emphasized (Kim 2001:2). According to social constructionist views reality is constructed through human activity. It does not exist prior to or outside social invention. Knowledge is a human product that is socially and culturally constructed (see Kukla 2000; Young & Collin 2004). Social constructionist theory assumes the existence of multiple realities with meanings that emerge from shared interactions of individuals in community and human society (Swinton & Mowat 2006:35). The meaning of reality is flexible and open to negotiation depending on circumstances, perception, knowledge and power structures (Swinton 2001:97).

The heart of theological reflection questions relationship between theory and practice with critical, interrogative enquiry into the processes and procedures that relate resources of faith to issues of life. The self, one's interior life, is the primary space where theological awareness is generated and nurtured (Graham, Walton & Ward 2005:6). Theological reflection turns life into texts: "living human documents" that are authentic accounts of lived experience presented in ways that can be read and analysed (Graham, Walton & Ward 2005:18). The living human documents are dialogical with perspectives of their authors and witness to conversational encounters with other worldviews. The self is formed through intimate relations with God and community.

Reflexivity (theological reflection) opens up the social, institutional and political contexts where practitioners function in order to better understand the environment and the mode of operation. Value systems, spaces of faith, a sense of vision, justice come into focus. Practice is the origin, centre and end of theological reflection. This makes of theology a discipline that is transformative and practical (Graham, Walton & Ward 2005:45 & 171).

Feminist and liberation theological perspectives challenge theologians to listen to the voices of oppressed, marginalised and disempowered people, to understand and

interpret different voices of the world. Postcolonial theory is used to understand the political, social, economic and cultural contexts of Africa that contribute to the problematic situation in prisons.

The practical theological model used in the investigation is that of Richard Osmer (2008:4) which identifies four tasks of practical theological interpretation: descriptive-empirical, interpretive, normative and pragmatic. The descriptive-empirical task is the task of gathering data in order to come to an understanding of patterns, dynamics, episodes, situations and contexts. In this study the aim is to come to a better understanding of what is going on in the field of prison chaplaincy in Africa. The interpretive task draws on theories to understand the reasons for the patterns and dynamics. Interpretation is done in dialogue with the empirical data in order to explain why certain actions and patterns occur in chaplaincy and pastoral care with inmates in Africa. The normative task is accomplished through employing theological concepts for the interpretation of the context, for identifying ethical norms that could guide an appropriate response to the situation and to learn from existing “good practice”. The pragmatic task identifies strategies of action to influence the situation in a desirable way.

The four tasks of Osmer (2008:4) are used as a framework for the development of a best practice model of prison chaplaincy in the context of Africa. Spirituality and religion touch the core of humanity. That is why this aspect of being human should not be neglected in an environment where damage has been done and is being done to the core of humanity.

The work of chaplains in a penal environment can contribute to reforming penal institutions in a continent plagued with challenges. Models are developed over years and continue to evolve.

The study searches for deeper meanings regarding the nature, purpose, intention and assumptions of people in prison. A qualitative method of investigation is chosen because it is open-ended and employs wide range of approaches including empirical, political, sociological, pastoral, gender-oriented and narrative-based (Swinton & Mowat 2006:22, 29). The focus of a qualitative study is on how society is interpreted,

understood, experienced, and constituted. It is based on methods of data generation that are flexible and sensitive to the context where data is produced (Mason 2007:3, 4).

Qualitative research depends on methods of analysis, explanation and argument that involve understanding complexity, detail and context (Mason 2007:5). Qualitative work is circular because it can bend on itself to modify understanding and direction (see VandeCreek, Bender & Jordan 2008:84-87). This is suitable for pastoral care studies which can fruitfully adopt a multi-method qualitative approach (see Becci & Purdie 2012; Crewe 2006). In his study on prison life Becci (2011:69) particularly chooses a multi-method qualitative approach because perspectives on prison life are often compartmentalised and could develop in opposing directions. Triangulation makes sense if the goal of the study is to highlight ambiguities and disruptions in penal environment.

This investigation with pastoral caregivers in a prison environment chooses for qualitative research methods because such methods provide the opportunity to understand the issues at stake through listening to the narratives of the caregivers (Denzin & Lincoln 2005:70). This will shed light on the environment in which the participants live and work. By means of the participants' insider knowledge new routes and events can be pursued, and the people involved in them can be described and explained (Morash 2006:238). The qualitative research method also provides pastoral caregivers and chaplains with a bridge to cross from the practice of ministry to understanding the meanings of services to the incarcerated.

The crux of qualitative investigation is to interpret the data by identifying themes, patterns, ideas, concepts, behaviours, interactions, incidents, terminology and phrases that facilitate understanding through organizing them into categories which summarize and bring meaning to the text (see Mason 2007:6-8). Research findings emerge from frequent, dominant and significant themes in raw data without restraints being imposed through structured theoretical orientation (Maree 2010:99). Qualitative investigation understands the actions and practices in which individuals and groups engage in life

and meanings ascribed to experience (Osmer 2008:49). There are no absolutes involved, only an open honesty and fidelity to the effort.

Data for this study is gathered by means of an investigation of the pertinent literature from all over the world and from a variety of disciplines and the empirical part of the study focuses on one specific African context, namely Zimbabwe. Four participants will be asked specific questions as to their work experiences in prisons. The goal is to understand what is done in pastoral care and chaplaincy programs, why it is done, whether intended results are achieved (Roberts & Powers 1985:100). The empirical data gleaned from these interviews will be brought into conversation with the literature. From a practical theological perspective, critical reflection will be done on the practices of faith community chaplains to enable participation in God's redemptive practices in a changing world (Swinton & Mowat 2006:6).

Yu's (1991:59-69) appraisal of the role of the prison chaplain as prophet, priest and seer of context, setting and challenges of prison chaplaincy is used as point of departure in this study. According to Yu (1991:69) Samuel appears a classic model for prison chaplain as he is viewed in the light of priest, prophet and seer. He took over priestly functions from Eli; was called and commissioned as prophet and his task as seer was firmly established in Israel (Yu 1991:69). Samuel's pastoral task can be viewed from three perspectives, namely that of priest, prophet and seer.

Prison chaplaincy in the context of Zimbabwe will serve as a case study to come from the insights from literature on the broader context of chaplaincy in various parts of the world and in Africa to a specific context and specific practices.

The goal is to understand the role of prison chaplaincy in penal environment with a focus on the African context. The Zimbabwe context of pastoral care and chaplaincy will be examined to generate empirical knowledge. The prison system, social, economic and political situation of the nation will be explored. This is done to explain the situation of its people and describe the role of pastoral care and chaplaincy in penal environment. The principle "fit for purpose" informs the choice for the case study of pastoral care and prison chaplaincy in Zimbabwe (Rule & John 2011:5, 6). The case

study will provide a disciplined way of attending to respondents, enable them understand what happens in the field, context and continent (Osmer 2008:39).

Questions to the respondents focus on aspects of pastoral care and chaplaincy such as psychological and emotional care, spiritual care and counselling. Data gathered will be processed to show emerging trends. Interpretations will be tested with some studies in the field. Qualitative data collection, processing and reporting are treated as connected, not as a number of successive steps, following Seidel's (1998) method and model of: noticing, collecting and reflecting on information in interlinear and cyclical fashion. The data will provide summary of what has been observed in terms of words, phrases, themes and patterns. This will aid in the understanding and interpretation of emerging trends. According to Shreier (2012:1, 5) this requires some creativity, a descriptive and systematic approach. The process will remain flexible. Data is treated as "texts" for interpretation from which meaningful actions can emerge (see Shreier 2012:5). Content analysis aims at making sense of the data gained from the respondents without disturbance from the interviewer (Krippendorff 2013:xii). The process investigates data from different angles to identify key issues in the text that contribute to understanding and interpretation of raw data.

### **1.7 Clarification of key terms**

The term "inmates" represents those who are in prison because of crimes committed. It represents the incarcerated (people in custody) in the penal environment. Terms such as "prisoners", "offenders" and "criminals" will be used interchangeably with inmates when referring to their criminal activities and the consequences thereof. "Inmates" is also used simply to indicate the physical situation and location of people. As a less pejorative term than "offenders" or "criminals", "inmates in this sense will be used interchangeably with "person" or "people" in custody. The focus of a pastoral approach is on people as human beings and whose humanity should be preserved and protected, irrespective of their physical circumstances of the mistakes they made in life. "Inmates" is used in the context of dignity, humanity and rehabilitation.

"Prison", "correctional facilities" (services, system), "penitentiary system" and "penal system" (institution) are used interchangeably to refer to the place where people

(inmates) serve their sentence. Prisons serve as detention centres for those who commit crimes

“Survivor” is used to represent the marginalized, incarcerated, victims of crime.

Africa is a continent with diverse challenges and controversies

Pastoral care is holistic attention given to people in various situations

Chaplain is a non-denominational cleric such as a minister, priest, pastor, rabbi, or imam or a lay representative of a religious tradition attached to a secular institution for the purpose of pastoral care.

Crime is an offence against individuals, community and state.

Humanity is the quality of being humane, kind and benevolent.

Spirituality is a broad concept with room for many perspectives and includes a sense of connection to something bigger than human life. It involves a search for meaning and fulfilment in life.

Morality has to do with beliefs about what is right and what is wrong in any society. Ethics, rights and wrongs, system of values, principles of conduct and correctness issues that affect life in community.

Practice is the actual application or use of an idea, belief, or method, as opposed to theories relating to it. It also means to live by the customs, beliefs, and teachings of a religion.

Punishment is the infliction or imposition of a penalty as retribution for an offence. It is a change in human surroundings that occurs after a given behaviour or response which reduces the likelihood of that behaviour occurring again in the future. It is the behaviour and not the one who committed the offence that is punished. However, punishment is often mistakenly confused with negative reinforcement.



## 1.8 Chapter outline

Chapter 2 investigates African culture and worldview in order to understand the context of chaplaincy and pastoral care with people incarcerated in Africa. Identity, cultural, social, economic and political issues are explored to better understand the context of prisons in Africa.

Chapter 3 is on the understanding of crime, punishment and Christian spirituality in Africa. The impact of crime and its consequences on the growth and development of the continent will be examined.

Chapter 4 explores the situation of pastoral care and chaplaincy in three contexts: the United Kingdom, the United States of America and Africa. It traces the history and development of pastoral care and chaplaincy in the Western world, paving the way to explore and compare it with pastoral care and chaplaincy in Africa.

Chapter 5 presents the data collected from semi-structured interviews from chaplains in Zimbabwe.

Chapter 6 concludes with the findings, recommendations and avenues for further theological exploration in the field of pastoral care and prison chaplaincy.

## CHAPTER 2

### AFRICAN CULTURE, WORLDVIEW AND PRESENT REALITIES

#### 2.1 African identity and religiosity

##### 2.1.1 Introduction

This chapter is on the cultures and worldviews of the continent of Africa. Though there is a great diversity to be found among African cultures, there are also binding factors which distinguish the African context from that of other regions such as the West, the Middle-East and Orient. With this in mind the chapter investigates African identity as well as cultural, economic, political and social aspects in order to come to a better understanding of the broad philosophy of life and culture of African people in general. This provides a framework for understanding issues that relate to crime, punishment and spirituality. According to Deng (1998:141-146) an investigation of the history of Africa can provide a framework for the integration of African social values and institutions. According to Omoegbon (2010:55), the study of African cultures and history can provide a roadmap for future development.

African religions, cultures and worldview influence the economic, social and political realms in Africa and the African diaspora. The connections between gender, race, culture and religion in the social experience of those at the margins of society are relevant to this study. In order to explain the likelihood of whether a person will perpetuate crime or not, it is necessary to consider the wider political, economic, social and cultural contexts in which they live (Andrews & Bonta 2007:174). Cultural and social values define what is and what is not acceptable in terms of behaviour in African traditional life. Individual personal factors could also propagate crime. Rehabilitation should be meaningful to offenders in order to motivate them to want to improve the quality of their lives. It should also point them to available opportunities so that there is a way forward possible for them (Zhou 2013:169).

Religion is of integral importance to African people. It concerns both the deep roots of their own life and their connections to human existence. It integrates the various aspects of life into coherent whole (Schuurman 2011:273-274).

Religion in African traditional life pertains to all of existence or being (Mbiti 1999:15). According to Mbiti (1999:1), African people are “notoriously religious” because religion permeates all aspects of life. He puts it as follows: “To live is to be caught up in a religious drama” (Mbiti 1999:1). It is therefore not easy or even possible to isolate its role as there is no clear cut distinction between the sacred and secular in African thought patterns (Lartey 2013:26). African religious traditions are synthetic not analytical (Lartey 2013:26). This means that the whole of human existence is a religious phenomenon and to exist is to be religious in the universe. A religious worldview informs the philosophical understanding of African myths, customs, traditions, beliefs, morals, actions and social relationships (Mbiti 1999:15). African worldview accounts for the religiosity of its people in economic, social and political life (Chtando et al 2013:5-7; see Kalu 2010:11-15). Religion guides conduct and behaviour. It is organised and practiced in community and is not a private matter. It is the whole that brings the different parts into unity. There are no divisions between matter and spirit, soul and body, religious practice as well as daily life (Kunhiyop 2008:226). Underdevelopment, reliance on foreign aid, political oppression and human degradation still plague Africa several decades after the withdrawal of colonial powers (Sarkin 2009:2). Given the place and role of religion in Africa, religion could be utilized for positive social transformation and the development of the continent.

The context of the continent varies from the north to the south and from the east to the west. Jefferson & Skinner (1990:9) describe it as an “ancient continent”, Cooper (2003:xi) as the “cradle of civilization” and “birthplace of the first humans”. European conquerors and settlers saw African people as subhuman savages who could not be “civilized” (Sarkin 2009:2). Africa reveals mixture of diverse languages and cultures. African history presents various scenarios, ruptures, continuities, adaptations and innovations although the continent is made up of a race of people with progressive history (Cooper 2003:11-12). Adesanmi (2011:v) argues that Africa cannot be simply defined, generalized and stereotyped because Africa is very complex. The world is just starting to know Africa.

Insights from social sciences and anthropology contribute to the understanding of Africa as a continent that is in a continuous state of evolution.

According to Radelet (2010:iv & ix-xi) Africa has long been viewed by journalists and people outside the continent as a “dark and hopeless” continent with no good news. However, in Africa “one size fits does not fit all”. The continent is diverse, has a diversity of histories and has a huge economic potential. Africa is not “a hopeless continent” and cannot be treated as single entity. Hardship and strife in some countries cannot cancel out real and sustained gains in other parts of the continent.

The global community’s tendency to generalise when it comes to Africa should be turned around. Categorising Africa as “a hopeless continent” is misleading and damages the image of the continent (Clarke (2012:187). Stereotypes mislead the global community. Africa is in fact “a work in progress” (Clarke 2012:206). Africa is not one country but a concept, often used to hide fear, deny history and separate dreams for better future (Adesanmi 2011:x). Katongole (2011:66-67) points out that nation-state formation in Europe was a process. In Africa it became a project led by departing colonialists and others whose motives were to make the continent look modern and to facilitate independence. Africa was projected as “a continent without a history” until the Europeans came. However, this is not the case. Africa has a long history which includes the histories of its diverse races and peoples.

Change and growth are realities of African history in a postmodern world (Jefferson & Skinner 1990:15). The written history of Africa started with European “discovery” of various places, rivers, lakes. The justification for “the civilizing project of colonialism” was that Africans had no previous experience of social existence (Clarke 2012:207). Under the colonial dispensation African local history was devalued as “folklore, animism, paganism, barbarism”. This could not be absorbed into the colonial project. Africa’s wealth of ethnic cultures was termed “tribalistic and retrogressive” (Davidson 1994:99).

African philosophical thought influenced the way in which people dealt with challenges (Oduor 2009a:7). African art expresses African philosophy, character and aesthetics. There is a blend of the old and the new in African art and architecture. Africa is a continent with a greater diversity than China, North America and the European Union.

To write and speak about Africa as a single and uniform entity is short-sighted, risky and demeaning (April & Shockley 2007:xxii & 48). The concepts of collective personhood and interconnected identity should be explored to counteract the idea that poverty and strife overshadow Africa's rich diversity and simplicity (April & Shockley 2007:301). Africa's diversity and simplicity constitutes its blessing and weakness (April & Shockley 2007: 303). Personal, structural, ethical and geographical factors complicate the social, economic and political situation in Africa (Katongole 2011:58). Africa is a continent rich in diversity with significant differences in history, economic potential, geography, culture and political systems (Radelet 2010:11). Africa is a continent of contrasts with old and new existing side by side in Africa's large cities (Jefferson & Skinner 1990:118-119). Africa is expansive with varieties of cultures, languages, peoples, political institutions and systems of incarceration (Sarkin 2008:7). It is difficult to generalise and evaluate issues and challenges facing prisons in Africa because these are many and varied. This chapter discusses the social, political, cultural and economic factors that influence policies and practices. The chapter concludes with a reflection on the possible options and opportunities the new challenges could offer the global community.

### **2.1.2 Postcolonial reflection**

The postcolonial era reflects the reality of nations that have suffered colonial domination and now have to make their way as independent nations in the world. Postcolonial theory, a postmodern intellectual discourse, analyses the cultural legacy of colonialism and imperialism in previously colonised contexts, including Africa. Relations between the European nations and the regions they once colonised are investigated (Castel 2001:294). Postcolonial theory can be found in various disciplines, such as history, anthropology, philosophy, linguistics, film, political studies, architecture, human geography, sociology, Marxist theory, literature, religious and theological studies (Young 2001:69).

The goal of postcolonial theory is to account for and combat the residual effects of colonialism on cultures (Young 2001:69). Postcolonial theory is concerned with how the world can move beyond this period together and towards mutual respect (Isasi-

Diaz 2004:340). A key goal of postcolonial theory is to make space for multiple voices to be heard, especially those that were previously silenced by dominant ideologies (Castle 2001:293). Postcolonial theory revisits the colonial past of exploitation, dehumanisation and the destruction of cultures on the continent (Rukundwa & Van Aarde 2007:1190). Postcolonial theory engages the psychology of both the colonised and the coloniser in a process of decolonisation and brings them to account and accept responsibility for past actions, choices and work done (see Young 2003:139; Castle 2001:294-308). It is imperative in the context of oppression that social forces, developmental ideas and methods should not separate faith and life (Wimberly 2006:136).

Emmanuel Lartey (2013:122) suggests a paradigm shift in order to restore the African foundations of postcolonial criticism. He provides a practical theology with roots in African culture and spirituality. This theology invites Africans to take active part in the “counter-hegemonic” postcolonial activities of God on the continent using an approach to pastoral care that is personal, community capacity building and transforms culture (Lartey 2013:123). Lartey (2003 & 2013) is concerned with human liberation, the creation of a world that is just and compassionate. His vision for practical theology calls African pastoral caregivers and counsellors to complete the process of “postcolonializing God”. He maintains that Africans can build on their exemplary spiritual heritage of synthesis and openness in religious formation and practice that can provide valuable insights concerning human understanding of God on the continent. According to Lartey (2013:ix) postcolonial practices and theory should seek out submerged, ignored and rejected voices that articulate authentic African experiences (Lartey 2013:xviii). These voices should be given space at the postcolonial table because they are creative, call for action and produce new forms of being, institutions and practices. The voices should weave together disparate materials into innovative forms and practices. This requires generating and using new practices, methods and materials to develop and promote various forms of activities that transcend the status quo. The activities include pastoral care that involves community organisation and action, care for the sick and dying, homeless and abused by providing medication and shelters, voluntary work and feeding the hungry. The

resources of different faith traditions could enrich and complement what is lacking in others (Lartey 2013:12). Preparing for such work should take the form of training in pastoral skills of listening, respect, empathy, warmth and consulting others. African religious beliefs as well as practices continue to inspire and influence the lives of people in the world. African religious cultures influence much of the continent's thoughts, practices and life of those in the diaspora (Lartey 2013:100). Culture and history hold people together and gives them a sense of identity and destiny.

The thought and spirituality of a people is destroyed when the cultural values that hold them together are done away with (Tetteh 2001:28). The spirit of Africa can be found in its cultures. African traditional religions consist of beliefs and practices that embody a complete knowledge system of the divine. African religious culture is found in the lifestyle of its people which constitute the bedrock of politics, marriage, work, health and communication (Lartey 2013:105). Libation, for example, is a mode of prayer in traditional African societies that emerged from a culture of hospitality and recognition (Lartey 2013:114). The art and practice of libation embodies cultural, religious and ethical resources shared by African peoples. It is a cultural vessel through which the essence of prayer is passed on and practiced (Lartey 2013:115). Postcolonial reflection emerges at the end of a process which began with mimicry (imitation), moved into improvisation and attained full meaning through creativity (Lartey 2013:128).

### **2.1.3 Pastoral care and counselling in Africa**

Traditional concepts of pastoral care and counselling in the past took on a Western, white and middle-class dimension (Lartey 1997:viii). These traditional concepts preferred psychological theories to theological and social analysis. There was little sensitivity to political issues and theological interpretation of the lived experience of the oppressed and marginalized. Pastoral care and counselling, especially in the Western context, focused on therapy with hurting persons from an individualistic perspective (Lartey 1997:80). Wimberly (2006) and Lartey (1997, 2003, 2013) agree and confirm that the shortcomings of past counselling modes in the Western and developed contexts are ethnocentric, show socio-political apathy and theological weakness. This

leads to individualism and psychological reductionism. To depart from individualistic notions and practices, Larney (1997:95) emphasises that the personal is political and the political is personal. It is important to include the socio-political dimension when evaluating people's situation. They and the issues with which they struggle are embedded in their social environment. Pastoral care should consider social dynamics and cultural implications. The gospel story offers a new story that overcomes the old one and enables people to take political action. If practical theology is to influence development, it should be at the forefront of creating liturgical rituals that draw on the worldview and practices of Africa. A postmodern approach would be to build identity on spiritual and religious foundations rather than on market-driven values (Wimberly 2006:16). The nature of pastoral care especially in the context of Africa should draw on the spiritual and anthropological preferences of the continent.

Practical theology in Africa should vigorously pursue and engage in the activities of deconstruction and postcolonializing God (Larney 2013:129). Kasambala (2004:160) proposes a six-phased model for interpreting African stories and history: discerning, clarifying, interpreting, supporting, reflecting and responding. This model will be applied in a following section.

## **2.2 African spirituality and culture**

Religion is an important facet of African life. Social, economic and political activities are coloured with religious expressions, symbols and rituals (Agbiji & Swart 2015:1). African religious life is expressed in various ways, helps people to understand the world and enables them to live with a sense of continuity and order. God created the world, according to most African myths and legends. Ancestors form a bridge between humans and the gods (divinities) of the land. Ancestors help people to live as they should and remind them of duties to the gods and one another. Ancestors are consulted about the continuity of the lives of their descendants (Jefferson & Skinner 1990:70-71). Gods and ancestors are held in high esteem and respect in traditional societies.

According to Mbiti (1990:92), African ontology is anthropocentric as everything is interpreted in relation to human beings who hold a central position. God is responsible



for the origin and sustenance of human beings. Everything with regard to morality, meaning and principles come from “God” (understood as the Judaeo-Christian God of colonial heritage and as indigenous African deities). Traditional African society does not separate the sacred from the secular because spirituality and morality are inseparable (Magesa 2010:71).

The hope of African people is centred on God, humanity, religion, the reconstruction of the village and re-authoring African life stories from subjugation to hope. According to Tetteh (2001:26) Africa can contribute “spiritual civilisation” to the world. It is only when Africa has arisen and made its vital spiritual contribution that true civilisation would be realised on the planet.

Religious beliefs influence every sphere of African life. They bring meaning to events in the community. Religion is part of everyday life and is a central part of African children’s upbringing. Life evolves and revolves around God. Communication is understood to be “communion and communal” (Adesanmi 2011:74). Africans believe that human beings were created to be in relationship not only with God but also with one another. Hope is a by-product of this relationship (Mucherera 2009:77).

Religious communities could be utilised to foster economic and political activities and sustain civil society in Africa (Agbiji & Swart 2015:10; see Tsele 2001:215). Religious communities can serve as a vehicle for social, economic and political development and could unite people. Communal life promotes African values and communal activities form the core of indigenous spirituality and morality (Agbiji & Swart 2015:10). Poems, dances, proverbs and songs communicate African customs, life and history. Drums are both the musical instrument and a means of communication in most African societies. Music is used to recreate the life of the community, offer prayers to the ancestors and the gods of the land, and to celebrate the passing on of loved ones (Jefferson & Skinner 1990:88 & 93). Patterns of human society vary from one place to another and across cultures making the social complex and dynamic.

In the colonial era missionaries were interested in the cultural and religious life of Africa. Their work paved the way for the conquest of Africa. Missionaries brought with them their own ideas on family, child bearing and marriage. Polygamy, which was the

norm in African societies, was more often than not unacceptable to missionaries. They preached against polygamy and required those in polygamous marriages to release the “extra wives” and adopt monogamy. They often failed to understand what the bride token (bride wealth) entailed. It is a central part of African social life that involved families, is a token of respect and a statement of mutual cooperation (Jefferson & Skinner 1990:106, 109).

Despite the challenges, Africans have not lost faith in God, family and community (Mucherera 2009:134; Katongole 2011:1). Mbiti (1990), April & Shockley (2007) and Mucherera (2009) explain that the African worldview is hierarchical in the sense that the “hierarchy of being” permeates all spheres of life. Religion is an important component of “Africanness”. It contributes to moral, social, economic and political transformation (Agbiji & Swart 2015:1).

A billion and more people inhabit Africa with Sub-Saharan Africa having the fastest growth rate. Population concentration is the heaviest in the Gulf of Guinea, Ethiopia, the Rift Valley, Niger, the Nile River area and South Eastern Africa. Vast spaces of the Sahara and Sahel are home to over fifty million people, whereas open terrain elsewhere has a low demographic density (Clark 2012:90). African social and political organisations are similar. There is no separation between the community and the workplace as the Africans lives in a wide space. Elements of indigenous African thought systems have their origins from interactions with the wider society. Africans live in community, readily share with one another and are hospitable to strangers and visitors. Parents are not solely responsible for raising their children. Community participation is part of the growth and development process. For African people who have been incarcerated as punishment for a crime committed, their religion and cultural upbringing provide structures by means of which they can reconstruct their lives (Magnani & Wray 2006:72 & 105). As children they probably would have been exposed to positive tenets of communal life and faith communities.

This could have given them a sense of belonging and fulfilment, something which prison life cannot provide.

African culture is a social one. People live out their lives in the company of others. Most African societies believe that an individual's personal identity is rooted in the community (Mucherera 2009:81). To be human means to belong together, share beliefs and participate in ceremonies, rituals and festivities of the community (Mbiti 1990:2). African people cannot detach themselves from the religion of the community because that would mean breaking away from their roots. Life in community offers security, consolidates kinship and fosters co-existence.

The spatial and physical presence of religion is important to African people. Sacred spaces are sites where not only the presence of the divinity, but also social relationships can be found, nurtured and sustained (Gilliat-Ray 2010). Africans live in community and share the challenges that come with daily living. They are interdependent and support one another to face life's challenges. Team spirit (working together) is essential among people as they struggle to survive amidst many challenges. The old African adage, "I am because we are, since we are, therefore, I am" (see Mbiti 1990:106), is a popular saying among African people. It expresses interdependence and an attitude of sharing. No one has to survive alone because survival is a collective and communal matter. Life is meaningful when lived in solidarity of belonging with members participating in the life of the community. Individuals see themselves in the light of the community to which they belong as well as communal relationships. The community is involved in raising the young ones and bringing them to a stage of maturity and responsibility. Another common saying, "It takes a village to raise a child" (see Mucherera 2009:81), points to the involvement of the community in giving individuals identity. When relationships are harmed rituals are performed to right the wrongs.

Through initiation rites youths are taught what good behaviour entails, and what the expectations of the community are. If they are well-versed in this, it should prevent them from breaking community norms and values (Kiriswa 2002:30). Through "masked" rituals young people are taught African traditional life, the laws they should follow and the principles they should uphold upon reaching maturity (Jefferson & Skinner 1990:94).

African communal life contrasts with Western individualism. However, there is a tendency among African elites to share their personal and class fortunes among themselves, with relations and loved ones rather than develop the people and the country. The market place is where goods and services are exchanged, but also where people socialize, exchange information and make new friends. Communal life in traditional Africa gives everyone room to talk, listen and offer wise counsel, especially during difficult situations (Kiriswa 2002:26). These are the avenues to healing and healthy relationships. Emphasis is laid on interpersonal relationships and moral support for every member, family and clan.

African people believe that the private, public, social, economic and religious dimensions of life belong together. Their demands should not conflict with the demands of a quality life for the members of the community (Jefferson & Skinner 1990:42 & 44). However, some politicians in the large nations of Africa these days resort to stealing the continent's resources to the detriment of the development of all (see Adesanmi 2011:89, 101, 114). Civilization, secularisation and modernism are stumbling blocks to African value systems and communal life (Nneji 2011:4).

If social conditions are neglected and deteriorate to the point where the vast majority of people live on the margins of society, the justice system cannot deal with the challenges that face penal institutions (Ward & Maruna 2008:177). Culture implies a value system and a way of life of a particular people or society. African people have and share similar worldviews, values and outlooks that identify them. One can discern commonalities in African cultural practices that show some historical and human experiences derived from the African environment. Culture embodies ideas, values, meanings that surround institutions, practices, forms of social relationships, belief systems and customs. It is about how physical life is structured, experienced, understood and interpreted (Lartey 2003:31).

Culture is the foundation of every society's development because it integrates the vision, values and customs of the people (April & Shockley 2007:xx).

Traditional societies struggle to adapt to a fast changing, scientific and technology oriented world. The problem Africa faces is a social system that has not been

restructured from the bottom up to respond to the social needs of the majority (Katongole 2011:105). A common thread binds Africa: socially oriented people and suppressed humanity that fails to focus on “others first and the self, last”. Civil strife, tribalism, poverty, corruption and violence are endemic to Africa’s social life (Katongole 2011:47).

Colonialism subjugated and marginalised the cultural values, religion and humanity of African peoples. Missionaries with a Western cultural agenda distorted, replaced and even destroyed indigenous African cultures with the intention of evangelising them and purging them of their heathen practices (April & Shockley 2007:xxi). The impact of Western culture on African traditional cultures is great. African cultural values and practices were lost with the advent of Western technology and the media (see Mucherera 2009:ix). Colonialism, neo-colonialism and slavery contributed to ways of thinking that have been to the detriment of the continent.

It is difficult for African people to preserve their culture and not be totally subsumed into the global village (Nneji 2011:2 & 7). Cultural changes due to colonialism, urbanisation and the adoption of Western cultural and ethical standards did not have a positive impact on the continent, but rather contributed to the problems of Africa. African traditional values are in a constant state of change because of the influence of Western ideology, technology and the media. Africa faces the challenge of reconnecting its diverse cultures and securing social cohesion. African people continue to face the challenge of communicating with and living meaningfully in a multicultural world (Dames 2013:1). African scholars (see Stremlau 1999:64; Ajulu 2001 & Mbeki et al. 2004) propagate a return to African values and indigenous knowledge systems which follow the precepts of “ubuntu” which means “I am who I am through others”, in order to recapture a sense of belonging and community on the continent. The very essence of “ubuntu” is distorted through the patriarchal nature of cultural misinterpretations and the globalised “social reengineering” that seeks to make the world homogenous, in conformity with dominant Western models (April & Shockley 2007:xx, xxiii).

Africa today is a mix of traditional and modern life as the continent has undergone much change in its contact with the West. Conquest and colonialism had serious consequences for traditional African cultural values (April & Shockley 2007:305). According to Theron (2008:7-9), African patterns of social behaviour could be responsible for material backwardness of the continent. A communal sustainable lifestyle could be a solution to economic and environmental challenges. An important characteristic of African culture is the belief things and people have connections that bind them together (April & Shockley 2007:48).

Legitimacy and authenticity are key evolving issues related to reclaiming African values (Fourie 2015:1). Africa cannot progress and develop if there is no sense of belonging and a community spirit among its people and nations. The African Union aspires to use culture and its values as a vehicle of social, economic and political integration. Culture, it is hoped, could serve to hold African people together and strengthen their unity in diversity (see AU 2008). Conversely, culture should not be used to divide African people and separate them from the rest of the world. Culture should help Africans make sense of themselves, assert communal roots, revisit the troubled past, forge a better, safer and prosperous way forward through a shared and collective African vision.

The task of the African Union should be to show to the world that Africa is “the cradle of humankind” with a rich cultural diversity and heritage. African people often do not succeed in extracting what is useful and discarding what is dysfunctional of Western insights and knowledge so as to create that which is relevant to its context. Most African societies find it difficult to equip and educate their youth with strong value systems and norms that would enable them face the challenges that abound in the global world. African educational systems are often behind those of other developing nations. The situation is critical in countries where people have lost faith in the state educational systems. In traditional Africa, education, work and life were bound together. Some African societies have noticed that European education does not achieve the goal to train Africans to succeed, adjust and adapt to changing world patterns (Jefferson & Skinner 1990:110). Through educational development and economic performance young people become responsible citizens who transmit new

values to society (OECD 1998:82). The rehabilitation of the school system is urgent but difficult to achieve. The inadequacy of education is a serious threat to the long-term development of the continent. The lack of quality education weakens social cohesion and the ability of production systems to develop in a manner consistent with growth and international competition (OECD 1998:83-84). Africa continues to suffer stunted growth and is yet to catch up with the rest of the world (Nneji 2011:6).

African people, like African Americans, seek to blend the best of traditional cultural values with the best of modernity. This is not an easy task as they look to the future with the hope to realise their dreams for the continent (Jefferson & Skinner 1990:100 & 120). African practices of coping with life are embedded in community life. Through rituals and sacrifices people support one another through any form of distress (Kasambala 2004:159).

African cultural resources have the potential to promote positive leadership behaviours and management practices (Kuada 2010:15). Punishment is a complex social function, not just a means of repression. Imprisonment is a political strategy and weapon that works in collaboration with other forces of knowledge and control in facing national issues. Despite the erosion of traditional practices through forces of modernity and globalisation religion has a vital role to play and contribute to the progress and development of the continent. Religion provides a frame of reference through which existing value systems of society can be critically examined. Such values include the sanctity of life, human dignity and equality (Tsele 2001:213). Religion is vital for building moral values such as honesty, integrity, patience and tolerance (Kalu 2010:36; see Tsele 2001:210-211). Values can contribute to the development of economic and democratic political systems in Africa.

### **2.3 Economic realities**

Under colonial rule Africa did not have the opportunity to develop multiple, diverse and dense economic connections with the rest of the world. Colonial powers exploited the natural resources and this led to the construction of the necessary infrastructure for transporting goods (Cooper 2003:204). Africa has a large portion of the natural resources of the world. In spite of that the continent and its people remain in abject

poverty and misery. This includes disease, human rights abuses, food scarcity, a lack of and adequate provision of water and electricity and a lack of basic necessities. With regard to foreign investment, Africa does not fare well in the global competition for international capital.

With poverty comes all manner of psychological and physical indignity. Relief programs do not succeed in empowering African people to overcome the numerous challenges. They create dependence rather than contribute to skills development by means of which poverty could be overcome (Agbiji 2012:116, 117; see OECD 1998:4; White & Tiongco 1997:133). Although poverty is generally diminishing, the political and economic turnaround remains fragile. Large numbers of people continue to live in poverty and misery, education and health systems remain substandard, the business environment is weak, there is a long way to go with the issue of corruption and rule of law in Africa (Radelet 2010:5). Similarly, religious charities provide only temporary relief and in the long run contribute to perpetuating unjust economic, social and political institutions that continue to impoverish African societies (Swart 2006:24, 25).

Religious institutions are often used by political, economic institutions, powerful individuals locally and internationally to do relief work. This further complicates the crisis of poverty and corruption in Africa (Agbiji 2015:8). Religious leaders offer spiritual solace which often has the effect of pacifying people and keeping them from rising up against unjust economic, social and political systems and practices. Spiritual encouragement should not detract from raising awareness which leads to responsible action. Tracey (2012:90) points out that, between the 18th and 19th centuries in Europe and the USA, religion enabled the suffering masses to overturn social injustice and fight oppression.

Repeating past failures regarding economic strategies remains part of the landscape of Africa's political economy. Most sub-Saharan African countries are among the world's poorest nations; with nine countries ranking among the seventeen most corrupt nations in the world (NEPAD 2012:14). Given that poverty and corruption are rife in Africa, the question is whether Africa's religious life gives impetus to these phenomena or whether religion can play a role in the liberation of African societies from the vices of



poverty and corruption (Agbiji & Swart 2015:1). Africa continues to expand its influence without giving thought to the basic ethics of productivity and economic growth (Clarke 2012:254). Capital accumulation and financial capacity levels are low in most countries.

The movement for democratic change has its shortcomings and progress is irregular. Bad leadership and governance as well as a lack of political goodwill keep Africa poor. Leaders steal resources and undermine economic opportunities. Poverty and other economic vices make it hard to build the legal, administrative and political institutions that could improve governance (Radelet 2010: 22). The Organisation for Economic Cooperation and Development (OECD) promotes policies aimed at economic growth, employment, a higher standard of living, contributing to sound economic and world trade expansion. Study on West African countries (OECD 1998; Clarke 2012) show diverse economic pathways, a very small middle class, increasing numbers of rich people and increasing number of African people who live in abject poverty (see OECD 1998:82-84; Clarke 2012:4). Some African countries struggle to develop adequate economic policies, manage the national budget, scarce resources, and establish efficient systems of governance (Radelet 2010:13; see Clarke 2012:18-19). Africa's economies reflect a mix of ancient, subsistence, medieval, survivalist and shifting modernity tendencies (Clarke 2012:30).

Food shortages result from policies regarding economic models oriented to the outside world that neglect the suffering population. Medical and educational systems are set up in such a way that only the elite minority benefit. There is a large gap in the living standards of those who have and those who do not (Katongole 2011:105). Most governments do not operate according to what is best for their country and peoples, but rather according to the conditions for aid and loans by the International Monetary Fund (IMF), the World Bank and other donor agencies. For centuries Africa has been excluded from sustainable development and poverty alleviation schemes (April & Shockley 2007:119). Despite the great variety of natural resources the majority of African people do not benefit from the riches of their environment. Poverty is acute even in resource rich communities.

Africa continues to suffer from outside exploitation. Mining resources are spread across vast areas of Africa and are the reason for constant conflict on the continent. Signs of underdevelopment are seen in weak economic institutions and political parties in countries such as Nigeria, Zimbabwe, Ghana, Togo and Malawi (Agbiji 2015:10). In order to survive in a global economic system the continent is yet to be competitive in a globalised world (Clarke 2012:155, 166). The stereotype of “nothing good comes out of Africa” leads to a constant devaluation of African lives and a nonchalant attitude to whatever is African in the global economy (Clarke 2012:193). The assumption that “Africa is no man’s land” puts resources at risk and facilitates the thriving of corruption, exploitation and a “politics of the stomach” (Katongole 2011:82), which is what the greed of many African leaders who exploit the continent’s resources for their personal benefit rather than utilize them to benefit the suffering masses, is called.

Multinational corporations, private investors are doing profitable business in Africa without giving thought to what could benefit the economies of the African states. African academics and Western politicians decry the failures and misdeeds of private investors, foreign aid agencies and corrupt leaders (Radelet 2010:11). Consequently, in some African nations a mix of affluence and miserable living conditions prevails against a background of paradoxical conditions: uneven economic growth, natural wealth, social problems and a lack of development (Clarke 2012:230). Concerned leaders as well as the people of Africa look on helplessly as multinational agencies loot the continent’s resources while most of its citizens live in miserable poverty. In rural areas especially people hardly have access to basic necessities and working conditions are harsh. The vast majority of people continue to suffer from scarcity of basic human needs: food, safe places to sleep, access to quality and sustainable education and health care.

Society is caught in a revenge loop with little hope for change (Magnani & Wray 2006:17). Strategies to provide viable livelihood and build social capital especially in rural areas that can curb the rate of urbanisation and promote the return to traditional livelihood and community life, are scarce. Such situation can contribute to crime among lower socio-economic groups where unemployment is high and income is low

(Ngubane 2007:33). Addressing the growing needs of the unemployed youths should be treated as matter of urgency and priority by African governments (Shaw & Reitano 2013:23). Reducing inequality and promoting a sustainable livelihood for people should be a priority for African states (Shaw & Reitano 2013:23).

Africa is not “poor” as portrayed by some scholars; it is poorly managed and yet to be developed (OECD 1998:82-84). Its natural wealth has not been fully unlocked. A better future for the continent is possible (Clarke 2012:16). During the first decade of decolonisation the economy grew in some West African states. Infrastructure was created by the imperialists to facilitate their exit from Africa (Herbst 2000:13-14). The period 2000-2008 saw Sub-Saharan Africa register the highest Gross Domestic Product (GDP) due to high commodity prices, increased macroeconomic policies and structural reforms in most countries (IMF Report 2012).

Africa is struggling with economic growth since 25% of national economies fall under middle income nations (World Bank 2012:10). Many African nations carry a heavy burden of debts from loans secured from donor agencies, suffer from an outflow (often illicit) of financial, personnel and natural resources (Boyce & Ndikumana 2008:11). Civil strife in nations such as Eritrea, Somalia, Sudan, Democratic Republic of Congo, Rwanda and Uganda cost Africa so much in terms of resources. As Africa slowly grows economically the wealth is not equally distributed but continues to increase the continent’s already sharp income disparity (African Development Bank 2012:2, 3).

The control of the economic and private sectors in Africa by leadership warrants attention and further scrutiny (Fourie et al 2015:14). Africa is still being exploited, which weakens the potential for growth and development (April & Shockley 2007:308). Spreading democracy in Africa provides the opportunity for criminal money to make its way in and out of the continent. During colonial rule Africa did not have the opportunity to forge diverse economic relations with the rest of the world.

Radelet’s (2010:12-13) study on foreign aid, economic growth, financial crisis and trade policy in Sub-Saharan Africa show that Botswana has made some success and is unrivalled in its economic growth. Seventeen countries: Botswana, Burkina Faso, Cape Verde, Ethiopia, Ghana, Lesotho, Mali, Mauritius, Mozambique, Namibia,

Rwanda, Sao Tome and Principe, Seychelles, South Africa, Tanzania, Uganda and Zambia are considered emergent nations. Their population is 300 million, which represents about half of the continent's population. These countries have achieved steady economic growth, deepening democracy, strong leadership and the poverty rate has declined. However, their progress and growth are threatened by China making inroads into the continent and also by climate change, diversification, the global economic crisis and HIV/AIDS (Radelet 2010:iv, ix-xi). The unequal distribution of wealth and the disparity of income contribute to social unrest and violence in some parts of Africa. Economic growth has not solved the problem of fragile states (Shaw & Reitano 2013:21).

China continues to make inroads into Africa with the intention to do business and provide opportunities for governments to develop their economies. Some economic analysts predict that by 2050 the economy of Africa will have grown to the scale of that of South America (AFDB & GFI 2013:32). The cost of conflicts in Africa between 1990 and 2005 amounted to more than 284 billion dollars. Such conflict turns back a country's economic clock by 10-15 years on the growth cycle (Katongole 2011:82). Most African people are unaware of and unconcerned with the risks and costs of conflict. The impact of slavery, colonisation, westernisation and globalisation irreversibly changed the continent (April & Shockley 2007:306). Emerging economies desire to access resources from the continent. The expansion of Chinese economic activity in Africa is a growing concern. China's influence in Africa is a visible sign of growing interests by external actors who exert pressure on the continent in the quest for limited markets and resources (Melber 2009:56).

The Chinese state and privately owned multinational companies can be seen especially in the energy, telecommunications and construction sectors. The Centre for Chinese Studies (CCS 2007:viii) points out that policy makers and influential opinion leaders craft and design measures that are not beneficial to the impoverished sectors of the African population. Economic, political and social deals do not necessarily improve governance in Africa (Melber 2013:15). Chinese foreign policy is attractive to autocratic leaders and oligarchies who wield power in most of Africa. China provides grants and loans to undemocratic regimes with questionable human rights records

(Henderson 2008:12-13). The Western world has not proven that it is concerned with human rights violations despite claims that they are committed to defending human rights (Breshl & Taylor 2008:33). Double standards and hypocrisy prevail when it comes to maximising profit. The “new scramble for Africa” is more driven by national interests, competition for markets and natural resources than by the noble sentiments expressed in policy documents and press statements (Habib 2008:274). As a consequence, short-term gains prevail over long-term stability (Holslag et al. 2007:507). Transparency and accountability are not core values in African-Chinese relations and protocols (Melber 2013:16). China seeks a stable and secure investment environment in Africa (Mohan & Power 2008:37).

The concern is that China’s loan strategy can lead to a development trap and a new form of the African dependency syndrome. China’s socio-economic transformation includes the privatisation of large sectors of the economy, free trade, the development of infrastructure, all guided by market principles. This does not differ much from Western development discourse. Chinese engagements accommodate Western norms rather than move Africa towards Chinese norms and away from Western influence (Melber 2013:23).

Raine (2009:234) points out that there is no conflict between the interests of China in Africa and the development of good governance and democracy on the continent. The interaction between Africa and China brings into question the role and policies of African governments. This could contribute to good governance. The establishment of a high level continental coordinating body to guide and cautiously implement the Chinese-African cooperation agenda is crucial for the progress and development of the continent (Le Pere 2008:35-36). Foreign bodies tend to adopt a holistic approach that would promote their efforts, support direct investment and offer direct assistance to sectors of the African economy. There is a strong emphasis on infrastructure development and resource production (Melber 2013:18-19). Africa is working towards harmonising bilateral and multilateral donor activity. This could enable African governments to improve regulatory frameworks, policy, practices and procedures (Le Pere 2008:34).

There is a need for an “enlightened selfishness” as the guiding principle for partnerships that could bring about the maximum good for Africa (Ampiah & Naidu 2008:338). The question remains whether decisions and policies will benefit the poor, oppressed and marginalised in Africa or will political regimes simply join the ranks of those who exploit the continent as they dance to the tune of major role players (Melber 2013:21). Grant & Barysch (2008:104) are optimistic that the major global players can find sufficient common ground to act through a defined framework of shared interests. The European Union and China stand the best chance of fruitful cooperation through multilateral channels since it is possible for them to draw up new international rules that increase the chances of multi-polar relationships for the common good of the contracting parties concerned. A carefully monitored process of engagement could contribute to a mutual and coherent Africa-China policy on issues affecting the life and future of the continent.

The economic situation has a direct impact on penal services in Africa. Penal governance and management are expensive. Living costs responsible for sustaining and maintaining inmates are high and expenses increase annually. Both in the developed and developing nations prison management is a major drain on the resources of a country. Where resources are scarce the impact is great. The effect is that funds allocated for prisoners are often diverted to solve housing, educational, healthcare and poverty alleviation problems (Blumstein 2002:472). Limited resources impact on prisons in Africa for them to reach the goal of minimum international standards. Economic constraints constitute a serious impediment to prison reform in Africa.

## **2.4 Political realities**

### **2.4.1 Introduction**

Politics is not only about the struggle for power and the management of society but also about daily and ordinary practices of life (Katongole 2011:15, 120). The task to ensure peace, democracy and development is the domain of politics. Koenig (2007:912) points out that political issues centre on shared principles, freedom, normative practices with selective cooperation.

Such cooperation will include that of the religious communities, especially in a predominantly religious context such as the African continent. In Africa, religion, moral values, wealth and social progress constitute communal values (Agbiji 2015:9). In the pre-colonial era poverty was not a major problem in Africa since the notion of material wealth for personal gain was foreign to traditional societies. To be wealthy in Africa meant to be surrounded by people (community), to be healthy and ethically sound, and to be in tune with the creator, the ancestors and the community (Narayan 2001:40).

Africa has been marginalised due to global systems of power that categorise its people as “nameless, desperate crowds of hungry, sick and poor people with elusive dreams of the dawn of a new day” (Katongole 2011:168). Politics in Africa does not promote the realisation of common goals. The breakdown of societies in Africa can be linked to the mismanagement of central power which leaves the continent and its people in the cold. Political and administrative leadership is not adequately prepared to manage change. According to Mangu (2008:2-3) the lack of development in Africa is related to the capacity of the state and the legitimacy of its leadership. Legitimate and responsible leadership could reinforce state capacity and promote development. This is possible through a strong constitution and democratic institutions which are the result of open, free and fair elections. The widespread violence in Africa through military coups, civil unrest, state repression and insecurity is due to competing interests and power struggles.

Leadership problems form the heart of Africa’s conflict and stagnation (Fourie 2015:1; see Radelet 2010:127). According to Mangu (2008:18) post-colonial states in Africa cannot sustain the legitimate authority to lead the continent as a consequence of the absence of legitimate, democratically elected leadership in constitutional and democratic states. Constitutions do form the principle of rule of law in Africa, but they are not sufficiently respected or upheld. The authenticity of the leadership is related to and is connected to religion, ethnicity and African values (Fourie et al 2015:23). The fight for political spoils is a feature of Africa’s political elite. The consequence is that government leaders succumb to tribalism, violence and the looting of resources that advance their own personal interests and the interests of their groups.

Although much has changed in the African environment, the continent is still faced by the challenges of modernity, violence and plunder.

The future of Africa is difficult to discern. The media report protracted civil wars, the overthrow of governments, gross misrule, famine, disease and poverty across the continent (Radelet 2010:11). Africa is rich in resources, talents, energy and spirit but is not rich in leadership potential. Most of its rich countries are poorly managed. Africa has some well-educated leaders whose goal is good governance but most of them have failed because of centralised power that prevents the effective functioning of basic systems of accountability, checks and balances (Radelet 2010:5). Poor leadership, poor management of people and resources, as well as dictatorship stifle democratic progress, and promote insecurity and the abuse of human rights. Most leaders in Africa desire to catch up with the lifestyles of those in developed nations while the people of the country are trapped in misery and poverty (Katongole 2011:20, 31, 52, 79-80, 83 & 105). The heritage Africa would want to bequeath to future generations should be good leadership. A leadership philosophy that balances African and Western, female and male management practices is crucial for the future of Africa. Africa is in need of authentic and credible leaders who are interested in the welfare of the suffering people. Leaders should lead in solidarity with their subjects (Fourie et al 2015:23).

Africa is in crisis. The continent is rife with conflicts and confusion and the future is uncertain (Jefferson & Skinner 1990:106). It is faced with the powerful and influential giants of Europe, the USA and China in its struggle for survival. These giants continue to dictate the pace of Africa's development and future realities. African political elites are challenged to chart a new course that can deconstruct the powerful influence of these giants for the majority of people who live in poverty and misery. The role of African states, political office bearers and civil societies is weak compared to the strong middle and business class influence of Western nations on the continent. The United Nations Development Programme indicates that Sub-Saharan Africa has the world's lowest rate of human development (UNDP 2014:33). The breakdown of the African cultural heritage, family and community values, adverse political, social and economic atmosphere affects life in general.



## 2.4.2 Political evolution of African states

African historians often divide the history of the continent into the pre-colonial, colonial and post-colonial era. The pre-colonial and post-colonial eras are marked by the struggle for independence. Knowledge of the past informs future social, political and economic engagement. African political institutions were ignored, manipulated and destroyed as the European nations took over control during the scramble for Africa. The colonialists selected kings and chiefs who could enable them rule Africa with success. Political objectives were achieved through indirect rule. The kings and chiefs were used to open the way to the resources of Africa for colonial forces.

The evolution of Africa was achieved step by step and in multiple processes. The decolonization of Africa began with Ghana in 1957 and ended with Guinea Bissau in 1974. Politics in Africa, especially the institution of nation-states, has not worked well. Disillusionment with some independent African governments led scholars to conclude that the “nation-state” in Africa is a western imposition, a direct determination of the post-colonial by the colonial and a complete demolition of the pre-colonial (Cooper 2003:15 & 204, Dames 2013:1). Models of governance foreign to Africa and without answers to challenges facing the continent and its people were implemented. Before colonial leadership African societies were diverse. Some were kingdoms and others empires. The “king” or “emperor” had authority over his subjects who were mostly loyal to the throne. Traditional norms regulated life in community. Culprits were tried and punished by the village and tribal courts. Colonial powers took away the authority of most kings and emperors. Few kingdoms and empires survived (Clarke 2012:29).

Africa is yet to critically assess its origins and roots in the effort to build nation-states. Although much has happened to change Africa, significant elements of times past remain (Clarke 2012:152 & 156). Stories constitute the very heart of African cultural, economic, religious and political life. The story that drives modern Africa is one of personal ambition and greed. This story drives nation-states into turmoil (Wrong 2001:10-12). Traditional political systems with potential to enhance and strengthen community life were weakened and destroyed (Jefferson & Skinner 1990:111-112). Deliberate efforts were made to deny the continent its history and place in the global

community. The nation-state in Africa has elements of a story of alienation from its own social history. Africa's present reality is that peoples, economies, states and systems have been adapted over time.

Traditional African leadership is based on the idea of theocratic symbolism. Rulers are acknowledged as the divine representatives of the gods of the land. Reproachful words against their personality or leadership is prohibited. A king or chief does not rule by accident and chance but is given the right to do so by the gods of the land. Hence, conspiracy against and the disrespect of kings, chiefs or elders are regarded as serious offences (Jefferson & Skinner 1990:63). Forces beyond what is human give leaders the authority to make war, attack the enemy and defend their territory. African traditional rulers are "sacrosanct". Those who disrespect their authority are fined, admonished and sometimes expelled from the community (Jefferson & Skinner 1990:64). African kings are regarded as father, judge, counsellor and priest by the people (Adewale 1994:60). Kings are custodians of the land and not the owner. They possess the "goodness of a god", are generous, clever, strong, brave, and bring peace and prosperity to the people (Jefferson & Skinner 1990:65).

There are instances of those who did not rule well losing the power to lead and being stripped of their authority. Bad and wicked kings could be dethroned, exiled or even murdered. For example, the power of the Ashanti king is controlled by a council of elders who make sure that the king does not abuse his rule, subjects and followers. The people should be able to not live their lives and conduct their affairs without the king's absolute control. In rural areas elders and heads of the family govern the daily life of community. The succession of kings ensures continuity (Katongole 2011:67-68). African life is lived in community. The king does not rule without the chiefs who, in turn, rely on the elders and heads of the family (Jefferson & Skinner 1990:69). Evolution is a slow process due to the unsettled politics, the variety of nation-states, the difficult terrain, the many interest groups, and the continuous adaptation to changing world economic structures and dynamics (Clark 2012:30-31, 52, 57).

African states continue to live with outside interference in their social, economic and political life. This leaves the continent in a state of anxiety, poverty and misery.

Most African leaders are reluctant to step down from power for a new generation of leaders to take over. Some manipulate the constitution in order to prolong their reign. This story of modern Africa is one of ambition and greed. An example of this is the Democratic Republic of Congo. Wrong (2001:10-12) points out that the Congo is “a paradigm of all that was wrong with postcolonial Africa”. The Congo’s has rich natural and human resources on the one hand while on the other hand there is economic and political collapse. This reflects the tragic waste, selfish ambition, greed and crippled potential that is the story of most African countries.

The “Arab Spring” led to the fall of some military regimes in North Africa (see Lartey 2013:viii). “Arab spring” and the change of political leadership in Egypt, Tunisia and Libya constitute a deviation from the established pattern of politics in Africa (Clarke 2012:153-154). The Republic of South Sudan got its independence in 2011 after years of political struggle with Northern Arab African people. Politics and the radical nature of religion in some African countries, such as Nigeria, Rwanda, Egypt, Kenya and Sudan, often lead to violence, death, social injustice, poverty and hardship that is difficult to eradicate from the continent (Kalu 2010:270-271). Religious riots and Islamic terrorist attacks in Nigeria, Kenya, Egypt and Sudan show the negative impact of religion on the continent. These trends as well as tendencies result in the deaths of innocent citizens and the destruction of resources that could have been used for the development of the countries in Africa.

Commitment to democracy, shared decision making as a community, restorative, transformative and peace-making justice are often lacking in African states (Radelet 2010:4; see Magnani & Wray 2006:60). According to Radelet (2010:12), most emerging countries in Africa have embraced democracy. Their rating on a range of governance indices are improving. The differences between the despair and misery of the 1980s cannot be compared to the hope, enthusiasm and energy of present day Africa. There is an emergence of a new generation of private and public leaders whose goal is to complement and strengthen one another. Six countries, Benin, Liberia, Kenya, Malawi, Senegal and Sierra Leone, have made promising but less dramatic and sustained change in this direction (Radelet 2010:14). These countries on the threshold are spread across Western, Eastern, Central and Southern Africa. Some

are coastal countries while others are landlocked, their colonial histories are varied (Radelet 2010:15).

Changes are taking place on the political, economic, social level as well as in governance across Africa. Democracies are replacing dictatorships. Finding good leadership that is sustainable requires freedom of speech and political discourse, free and fair elections, transparency of government actions, checks and balances through legislative and judicial systems (Radelet 2010:13). Political and economic progress in Africa is fragile considering the fact that of the 49 global countries classified as least developed, 34 are in Africa (Karuombe 2003:3).

### **2.4.3 Prisons and politics**

In the microcosm of correctional facilities, political challenges as well as the conflicts and negotiations of multicultural societies are reflected (Bedford 2013:1, see Bedford & Gilliat 1998:11). In the 1700s prisons were humane institutions that provided a dignified alternative to public floggings and executions. In the 1790s Quakers developed a theory through which correction rather than punishment was central. Vocational training, long sentences and parole were introduced in 1870s. In the 1940s the focus was on rehabilitation, in the 1970s the idea of rehabilitation as the goal of penal systems was questioned on account of the reality of the harsh treatment of inmates and poor prison conditions (Pierce 2006:60). Penal systems provide custody, utility and service to offenders. Rather than serving corrections and rehabilitation they facilitate the punitive dimension of revenge, retribution, deterrence and incapacitation (Pierce 2006:61). Various ideologies, the rationale for punishment rather than rehabilitation opened the way for chaos, confusion and disorder that are common features of prisons.

Where correctional services across the globe have been under scrutiny, studies on prisons in Africa are needed in order to gain the necessary knowledge to deal with the current unsatisfactory state of affairs in most penal systems. Theological reflection can bring about a shared commitment to understand penal worries and can provide new insights for pastoral care with human beings who wrestle with several life threatening issues.

Studies by Beckford & Gilliat (1998) and Becci (2012) investigated the relations between the state and religion with regard to the conditions of incarceration. Beckford's (2013:8) findings show that prison officials impose limitations on the practicing of religion. This leads to much controversy. The reason given for limitations is security. Institutional arrangements for homogenous populations also hinder equal religious practice. In Western countries religion is often granted a special status with accompanying legal and economic benefits. The right to religious freedom is recognised in these state institutions (see Koenig 2007; Ferrari 2008). Religion and politics attract public interest when it concerns the daily life and running of prisons (Yeung 2011; see Beckford 2001:7). In the past prisons subjected even minors to brutal confinement and used inmates as means of cheap labour. In the late nineteenth century penal systems were not only the place for the solitary confinement of victims of colonial oppression but also served to display European superiority over indigenous African peoples (Sarkin 2009:2).

Today a lack of political will and leadership hinder the realisation of rehabilitation as the major goal of penal policy in Africa. There is a need for socio-cultural change before prisons in Africa will succeed in cultivating an environment that values the humanity and the dignity of inmates. Penal reformation in Africa faces the following stumbling blocks: mechanisms to preserve state secrets, a vulnerable civil society and a lack of enthusiasm from the public with regard to prison issues (Sarkin 2009:1).

European prison systems abolished torture during the late 1800s while colonial prisons increasingly relied on this practice as means of silencing indigenous people and reinforcing their racist agenda. Torture and capital punishment were condoned in European nations through labelling African people as “uncivilized, infantile and savage” (Pete & Devenish 2005:3). With regard to the present, Sarkin (2009:2) formulates it as follows: “Despite corrections of brutality to racist and colonial policies of the late 1800s, penal oppression persists at alarming rates and appalling depth in postcolonial Africa.”

Revisiting the purpose of prisons is necessary if Africa wishes for better conditions for those incarcerated. Prisons should be tested for efficacy (Taylor 2008:xi-xiii). Prisons

are generally infamous due to violent crime, drug violation, illegal gambling and illicit sexual behaviour (Thomas & Zaitzow 2006:242). At present prisons are “punitive” by nature. With this go some attempts by inmates to escape from the environment, human rights abuse, disease and sickness (Williams 2006:11). The reality of penal confinement has been and remains one of pain. Time spent in prison harms and corrupts inmates (Sundt, Dammer & Cullen 2002:369). The “punishment concept” has prevailed throughout human history. It is universal practice to deprive inmates of their rights and isolate them from society against which they committed crimes. Imprisonment is for the purpose of punishment in accordance with their crimes. As prisons are viewed as “unsafe violent social jungles”, the construction of knowledge, beliefs and norms by workers in such a milieu is dictated by the dangers and risks they experience (Wacquant 2001:11).

Tension exists between formal and informal rules, regulations and elements of the penal system and informal networks that prisoners create (Taylor 2008:79). As prison populations increase with inmates serving long terms there are two main challenges: the rehabilitation of inmates and the punishment for the crimes committed. The ideal would be for inmates to acknowledge their crimes, be guided to search for and discover the good which lies in them (Coyle 2002:29-30). High rates of incarceration and recidivism in the global world suggest that corrections have failed in their mission and goal to reform and rehabilitate inmates (see Haney 2003; Zimbardo 2005). Violence is a daily occurrence in penal settings. The contact prisoners have with the outside world is crucial for them in order to be able to adjust and cope with the harsh experiences of prison. Outside ties can help to mitigate the “pains of imprisonment” (Taylor 2008:ix-xiii). Communication with the outside world can be a source of stability, and reduce loneliness and alienation. Spiritual activities can help to heal the feeling of isolation, loneliness and alienation. Despite the increase in the number and variety of religious programs, studies that assess their impact during incarceration and after release are scarce. Such studies are crucial, especially in the context of Africa (Zaitzow & Johnson 2006:243, 246).

Prisons should be able to offer security, care and a reasonable level of sanitation. The penitentiary systems should at least enable rediscovery and transformation in order

that released prisoners can become law-abiding persons who can obtain a useful occupation (Matthews & Francis 1996:1-2). According to Stern (1993:259), prisons should be secure, stable, safe, just, caring, decent, productive and positive. Prisoners should be treated with respect, fairness, openness and as individuals with rights.

Good communication, activities and a high staff involvement are ways in which better relationships between staff and prisoners can be fostered. Talking and listening are essential. Prisoners should be given the time to communicate their feelings and concerns (James et al 1997:122). Existing policies and strategies have failed to achieve a reduction in the rate of repeat inmates returning to prison.

In Africa, punitive and harsh measures tend to make offenders incorrigible. Prison reform will involve providing educational possibilities, skills training, food, recreation, medical services and the timely release of inmates. If this were done properly inmates could be rehabilitated. In the context of prisons in Africa, a shortage of well-trained staff hinders good governance of the penal institution. Staff shortages have a negative impact on prison officials and bring about additional challenges to an already problem laden institution (Tapscott 2003:9). Incompetent staff can worsen the existing state of affairs (Department of Correctional Services Report 2004:18). When prisons lack sufficient staff, inmates are confined to cells for longer periods, which increase the problem of overcrowding. Inadequate staff hinders the design and delivery of rehabilitation programs thereby adding to the challenge of congestion and recidivism (Sarkin 2009:8). Good governance is essential to maintain an acceptable public health baseline in the prisons of Africa. Increased staff and efficient methods are necessary to ensure effective waste disposal, good food, increased rations and adequate measures to fight the spread of disease. Public health personnel are needed to teach inmates how to avoid contracting communicable diseases. The challenges facing prisons in Africa could be minimized through implementing adequate training programs, recruiting additional staff, adequately supervising, directing and disciplining staff (Sarkin 2009:8). These measures can improve staffing problems, foster better prison governance and create a climate where prisoners' rights are protected.

Good prison governance is difficult to measure due to a paucity of literature that describes what constitutes good practice, especially in areas such as administration, management and the proper functioning of the prison social system. Good prison governance would be measured through an enabling policy framework, the available resources, the extent to which management has the ability to implement policies in a transparent, accountable and ethical manner. According to Coyle (2002:42), the success of prison is often measured by the public through the absence of failure. Prisons are well managed when there are no escapes or riots.

Particular skills are necessary to manage prisons properly. In the past basic legal and administrative skills acquired either through civil service or the military, were sufficient to manage prisons (see Coyle 2002:17). However, modern prisons cannot be managed by means of archaic methods. Certain skills that are particular to the penal environment are required. The Kampala declaration on prison conditions in Africa, the fourth conference of Central, Eastern and Southern African heads of correctional services, the Arusha declaration on good practice and the Ouagadougou plan of action (Prison Reform International 2003:6) stress the importance of effective administration and competent leadership that will contribute to the transformation of the entire penitentiary system on the continent of Africa.

The character of prisons, including governance, policy and practice, is largely shaped by society. Politicians, when responding to public demands, could influence resource allocation and this would have an impact on the treatment of prisoners. Where the demand is for punishment rather than rehabilitation, this is translated into sentencing regimes that manage penal systems with focus on security and retribution.

According to Walmsley (2002:3; 2003:70), the past decade has seen a significant increase in the challenges facing prisons in most countries. Changes with regard to crime issues, demography, social structures, the economy, unemployment and poverty lead to a growth in the prison population. Prisons in most parts of the world are in crisis due to challenges that face the penal institution. Challenges are not limited to developing nations but also extend to Western nations (see Cavadino & Dignam 2006:43).



The size and growth of the prison population could be due to legislative measures, the criminal justice system and court decisions. According to Coyle (2002:27), the widespread increase in prison populations is due to the justice system. An increasing number of inmates are sent to prison for longer periods of time. Courts make greater use of prisons for punishment purposes. In most countries, particularly those in the developing world, an increase in the prison population is not accompanied by an increase in the resources to accommodate and administer correctional centres. This then is the reason for overcrowding (Walmsley 2003:73).

The world's prison population stands at over nine million. One in every seven hundred persons is incarcerated (Walmsley 2003:5). The USA, China and Russia hold about half of the world's prison population. Africa with about 54 countries has 300 prisons with over a million prisoners. Algeria, Nigeria, South Africa, Sudan, Tanzania and Uganda have about a hundred prisons. African prisons hold about 10% of the global population with South Africa having the highest rate of imprisonment in Africa and 14th highest in the world as far as detention rates are concerned (see Walmsley 2003:67, 68). The construction of more prisons does not solve the problem of overcrowding because a range of other measures is required (Stern 2002:1). The construction of private prisons is costly and ineffective.

The increase in the prison population is not linked to an increase in crime but is due to changes in sentencing regimes, an inefficient administration of justice especially with respect to pre-trial detainees. Most inmates are from poor and disadvantaged communities. Imprisonment is often due to poor or non-existent legal representation and sometimes also to the inability to pay the fines related to crime (Coyle 2002:52). Prison reform would include coming up with new forms of public management for the running of detention centres. Prison management involves managing human beings, staff and inmates. There are issues that go beyond effectiveness and efficiency (Coyle 2002:71).

Politicians, academics, media and the general public in Africa are concerned about the incidence of mismanagement and corruption that occur in penal systems. In order to understand prison governance, it is necessary to examine the regime that is in place.

The effective running of prisons in Africa does not only involve administrative efficiency but also the extent to which society understands and engages in the challenges of fighting crime, incarceration and the rehabilitation of inmates. Access to social, economic and development resources, judicial reform, oversight of penal system, monitoring the progress and supporting the initiatives could contribute to improve prison services in Africa (Tapscott 2005:3).

The public in Africa tends to see incarceration as retribution and punishment. The aim of government officials is to prevent crime, protect society from criminals, and rehabilitate and reintegrate them into their communities. The social, economic and political atmosphere of a nation determines the state of its prisons. In a situation of rampant crime, both the public and politicians call for “getting tough with criminals”. The emphasis is then on punishment, deterrence and the protection of society (Tapscott 2005:3). The failure to provide an environment that prepares offenders for reintegration is a stumbling block to peaceful co-existence. Good prison governance is secured through policy frameworks, available resources, managing penal policies in transparent, accountable and ethical ways (Tapscott 2005:3).

Sound management of penal centres and the effective introduction of reforms are contingent on the quality of leadership. Surveys of prison staff in England and Wales found the most negative reaction to change come from officials aged 31 to 35 years with five or less years of service in the environment (Coyle 2002:79). There is need for leaders with integrity and ability to inspire and motivate others to commitment and professionalism. Changing the attitudes of staff is a process. Sound leadership is essential for reorienting the thinking of staff and developing new ways of working. Where leadership is strong, and leaders have integrity, managerial skills and vision, this is conveyed to all levels of prison administration. Conversely, where leadership is ineffective and corrupt, this weakness pervades all levels of prison management. The transmission of the ideals of prison governance is effected through close, cordial and frequent communication between managers and staff. Effective management is crucial because it guarantees the smooth running of a correctional facility. Effective staff recruiting, training and education improve prison governance. The ranks of prison officials are generally lower than that of the police and the military.

This propagates authoritarian structures and disciplinary policies. Many in civil society are concerned with the mismanagement and corruption found in penal systems.

Good prison management should include the efficient administration by the state and a society that understands the challenges of what it is and means to fight crime and rehabilitate inmates. This involves a critical review of issues of socio-economic development, policing, judiciary reform, the extent to which civil society is engaged in the oversight of prisons, monitoring progress and supporting initiatives that improve the management system (Tapscott 2005:3). Decentralized prison management could compromise governance especially in the absence of a national authority (Sarkin 2009:8). Most civil societies want inmates to be locked away and punished for their offences. The governments in Africa aim at preventing criminal activity and protecting society from offenders.

When officials fail to create a stable and conducive environment it is detrimental to community life of inmates. Hence, a mind shift on penal institutions is crucial for Africa (April & Shockley 2007:152 & 308). Governments in Africa should give urgent attention to developing human resources that will effectively manage overcrowding in prisons. Despite the challenges faced by prisons in developed countries, Africa can learn from their rehabilitation and reform processes.

There is generally a lack of information on pastoral care and chaplaincy providers in penal systems in Africa. Most countries, especially in North Africa, restrict access for researchers who want to study their penal institutions (see Human Rights Watch 2006). Information on prisons in Africa is difficult to access (see Stern 2006). In the USA, UK and Canada access is also not easy, but information is more readily available due to the sophisticated media resources, vigilant civil societies, and organisations devoted to overseeing political parties. In Africa, Latin America and Asia the lack of public awareness as well as a lack of economic, social and political discourse on penal systems exacerbate the problems facing prisons. A lack of public concern, a lack of information and limited media scrutiny contribute to silence with regard to penal issues.

A review of existing literature on prisons in the world reveals that much work has been done in North America and Europe while little has been done elsewhere. Prisons in Africa, Latin America and Asia have not been adequately studied. Human Rights Watch and Amnesty International provide some information on these continents annually. Available literature on prisons in Africa highlights the following countries: South Africa, Kenya, Nigeria and Uganda. Data is limited, superficial and anecdotal (Sarkin 2008:4). There is need for a comprehensive study of the continent with its peculiar issues and outlook.

This chapter examined African culture and worldview in order to understand the people, and the economic, social and political environment. The study examined the available information, highlighted the gaps between international instruments ratified by African states and the reality of treatment of offenders on the continent. The study also examined some of the reforms underway in Africa. The following chapter will investigate crime, punishment and African spirituality to better understand the dynamics of crime in Africa.

The community can participate in fighting and reducing the crime on the continent. Understanding crime, punishment and spirituality in Africa could provide new insights for the conversation on issues related to crime. The reduction of crime can bolster development in Africa.

## CHAPTER 3

### CRIME, PUNISHMENT AND SPIRITUALITY IN AFRICA

#### 3.1 Crime in Africa

This chapter investigates crime in the context of Africa and examines factors that contribute to the increase of crime on the continent. The global world is faced with an unprecedented crime scenario that has led to untold hardship in many nations. When crime escalates there is also an increase in arrests which leads to more people in prison. Force is often used. The use of force is effective to some extent although other means could be employed to render offenders powerless and serve as a deterrent. Prison conditions deteriorate as prisons become more overcrowded. This study aims to gather data regarding the issues that affect penal systems in Africa. Public perceptions in Africa are that prisons are “universities of crime” (Sarkin 2008:7) and “to be in prison is punishment” (Landman 2005:793). The punishment motive is predominant. There is need for rehabilitative interventions as a response to the fight against crime. Crime as an offence against the law is often linked to imprisonment. Crime is not only an offence committed against society but is a symptom of something beyond the offender with factors entrenched not only in individuals but also in the entire social system (Nsereko 2005:247). The character of deviation in any society mirrors the social ills in that society. This warrants both diagnosis and treatment.

Criminal behaviour is attractive to the poor, uneducated and unemployed (Pierce 2006:57). The upsurge of crime has connections with a lack of literacy and the communication skills that are necessary to acquire work in a fast growing scientific and technological world. This prevents people from gaining employment in a market that is service oriented. These shortcomings open the way for criminal activities that, in turn, stunt the development, health and future of the entire nation. This situation results in high risk behaviour among young people, juvenile delinquency, violence, drugs which subsequently lead to imprisonment (Pierce 2006:59). Prisons are the breeding grounds for crime (Pierce 2006:67).

The criminal activities call for intervention. In practice penal systems largely employ the punitive model rather than the rehabilitation.

Faith communities can engage with prison issues constructively, offer viable pastoral care and chaplaincy that can make a difference (Pierce 2006:66). Pastoral care and chaplaincy should challenge penal issues and move those in the system to meaningful ways of forging a better life beyond the walls of the prison. The extent of the suffering in African prisons raises the crucial question of penal reformation. The concerns are that human rights are violated. Offenders are treated harshly in penal institutions in Africa. The value of punishment through imprisonment should be reconsidered. The rise of crime in Africa, the scarcity of resources and the belief that imprisonment is a form of discipline have contributed to harsh, cruel and degrading prison conditions in most parts of the continent (Sarkin 2009:8).

Prisons were not known in Africa prior to the arrival of colonial powers. Disputes among members of a clan were common. Wrongdoing was corrected through restitution rather than punishment (Sarkin 2009:2). Spiritual sanctions were also prevalent during the pre-colonial era as religious rites were conducted to protect the community from the anger of ancestral spirits and make amends for actions of guilty parties (see Sarkin 2008:42-43). Religious rites denouncing the crimes that were committed were deemed a form of punishment. Incarceration was not viewed as a form of punishment that could address the wrongs committed by offenders. Redress for crime in pre-colonial Africa focused on compensation for the victim rather than punishment for offender's behaviour (see Bah 2003:71). Imprisonment and capital punishment were used in rare circumstances where the offender was seen as a danger to the community. West Africa did have penal institutions for political prisoners awaiting trial. Offenders were held in custody until their case could be attended to and some form of punishment imposed. In general, the use of incarceration as a form of punishment was not widely applied until the end of the nineteenth century when colonial powers began using prisons as means of subjugating indigenous populations (see Killingray 2003:102). Southern Africa was the only exception.

Imprisonment as a form of punishment emerged at the beginning of the nineteenth century. It was introduced to the African continent through colonial powers (Pete 2008:40). Historical reasons for incarceration in Africa include racial segregation, subjugation, forced labour, political oppression, corporal and capital punishment

(Sarkin 2008:8). Towards the end of the century colonial powers used them as administrative outposts and garrisons. The agenda was to oppress, subjugate and control local populations for economic, political and social purposes. Prison systems were not used to rehabilitate and reintegrate offenders into society but rather created a subclass of human beings that were available for cheap labour. Such policies resulted in penal facilities that were often overcrowded and lacking in sanitation (Killingray 2003:103).

The main purpose of colonial prisons was not to promote social harmony but to exploit Africa to their advantage (Bernault 2003:3). Contrary to the ideals of prison reform in Europe, colonial prisons did not prevent colonizers from using archaic forms of punishment such as flogging and public exhibition (Bernault 2003:3). Corporal punishment was widespread in most penal systems in the colonies. What was already defunct in Europe and had lost much of its authority in Western societies (pre-modern sanguinary forms of punishment) were still used extensively in colonial Africa. Penal systems in Africa had a different goal than those in Europe. The deplorable conditions in prisons in Africa have connections with the purpose and goal of imprisonment (see Bernault 2003:72). Colonial powers used imprisonment to control and exploit communities that refused to yield to their power. According to Taylor (2008:xi), imprisonment is a strategy devised by politicians, administrators, elected governments and ruling classes to retain power and maintain social control and order.

Prisons in Africa reinforced the social and political segregation of races to the benefit of the colonial powers. The internal architecture of colonial prisons provided for separate cells and courtyards for whites and blacks. When the buildings did not allow for separation, whites were put in separate rooms from blacks and enjoyed preferential treatment (Bernault 2003:19). Prison structures enact and reproduce colonial hierarchies (Bernault 2003:21).

The colonial prison did not replace physical torture as was the case in European cities. In colonial prisons the practice of state violence and vengeance was retained (Bernault 2003:16). The application of corporal punishment was seen to add a necessary punitive dimension to the punishment of incarceration. According to Bernault (2003:25)

punishment in colonial Africa was limited to the body. Its purpose was to contain crime, intimidate and discipline offenders into suitable and amenable workforce. Colonial prisons in Africa were not designed to replace old sanguinary punishments with a set of humane and reform oriented disciplinary techniques as was the case in Europe. In prisons in Africa brutal pre-modern forms of punishment were employed in support of colonial hegemony (Killingray 2003:106). Physical torture was routinely administered as an additional punitive measure. The neglect and abuse of female inmates in African prisons during the colonial era had a severe impact on their dignity as human beings. Their health and psychological security were seriously affected (Konate 2003:161). Prisons in Africa fail to meet the stated goals of rehabilitation. They continue to commit human rights abuses and fulfil the goals of centuries ago.

The explanation of a social phenomenon such as crime begins with an examination of how people think about the costs and benefits of alternative ways of attaining their goals (Beckford 1999:672). The problem of increased crime is disturbing to most nations. This calls for a redefinition and evaluation of crime and its impact in the global world. Crime is not only a punishable act but a phenomenon to be investigated in order to understand its root causes. Global communities are yet to put crime into perspective and realise that the deterrence and rejection of offenders are often counterproductive.

According to Bah (2003:73), the penitentiary system in Africa is a social control tool used by ruling parties and governments to enforce their power and authority over suffering masses on the continent. This makes it difficult for the judiciary to preserve its constitutional independence, maintain concern for victims and offenders (Taylor 2008:1& 72). It is fair for communities to give a higher priority to the needs of law-abiding citizens. However, the needs of those who depend on the state, including people in prisons, should not be ignored (Taylor 2008:180).

A large proportion of the prison population in Africa is made up of people awaiting trial. Such delays in the prosecution process results in the overcrowding of prison facilities (Sarkin 2009:3). These days crime dominates news coverage in Africa. Previously the news was mostly about genocides, civil wars, famines and HIV/AIDS (Shaw & Reitano



2013:4). This is occurring at a time when the future of Africa is looking more positive and promising. Conflicts and wars are on a decline in most countries.

Before the 1990s there was not much environmental crime. What there was, was small-scale and opportunistic, perpetrated by local communities in order to procure an income. Rural communities with high levels of poverty, a lack of economic opportunity and alternatives are coerced into illicit trade, which includes the wild life market and poaching to secure a livelihood (UNODC 2009:152-153). Globalization has drawn Africa into the global economy and made the continent susceptible to various kinds of crime. Africa is connected to the strong demand for natural resources from Asian nations (Shaw & Reitano 2013:14).

It is difficult to separate the sacred from the secular in traditional African society because life does not exist in compartments but is lived in community. Generally, what religion forbids and condemns or approves and sanctions, will also be upheld by society. An offence against God is seen as an offence against humanity. Similarly, an offence against humanity is an offence against God because humanity is God's creation. Any offence against God and humanity is seen as a serious transgression. African traditional religion has no documents that distinguish between what is legal or illegal. It is rather about a code of conduct that is upheld by all to keep order and discipline in the community. The code obliges individuals to live in conformity with the rest of the people. The code of conduct is passed on from one generation to the next. Adultery, the breach of a covenant, burglary, incest, fornication, the kidnapping of persons, disobedience to parents, speaking ill of rulers, theft, sodomy, falsehood, telling lies and malice are forbidden (Adewale 1994:54-55). Children are not permitted to fight with, strike and curse their parents. Insolence to parents and elderly members of the community is unacceptable. Disobedience to parents will incur the wrath of the gods.

In order to maintain a disciplined society, traditional religion expects of parents to ensure that children are trained to respect elders, are not insolent nor disobedient (Adewale 1994:56). Respect for the elderly pleases not only the community but also the gods of the land. Some of the major transgressions are briefly discussed:

- **Adultery**

Adultery is an offence that strikes at the very heart of African traditional life because of its kinship structure. Adultery is not only an offence against the spouse as an individual but also against all the people who are connected to that individual. Marriage in traditional African context is a communal, religious and sacred institution sanctioned by the gods of the land. Adultery is also an offence that affects the family lineage. Any act of infidelity in the matrimonial life of a couple is punishable by the gods of the land.

From the stage of courtship onwards, religious rituals are performed to bring stability and blessing to the marriage. Ancestors and divinities are consulted for support, approval and blessing (Adewale 1994:58). Rituals and ceremonies accompany the wedding. People pray for the welfare of the couple. During the rituals, God and the living-dead of the family are called upon to witness the occasion and shower their blessings on the couple. Adultery is a breach of societal and religious norms. It breeds an unwholesome relationship that threatens the wellbeing of persons, families and the community. Adultery is therefore punished. In some societies the adulterer is first warned, then fined by a “court” presided over by the traditional ruler or priest. In some African societies, the adulterer can be physically attacked and even stoned to death. The death of an adulterous person is seen as just punishment and is not mourned by the community (Adewale 1994:59).

- **Falsehood**

In a traditional African setting children are taught to speak the truth. The belief is that liars will also be prone to other transgressions such as stealing. Telling lies is considered evil. It ruins relationships. It is also deemed a communal offence that invokes curses and anger of the gods.

Traditional African people fear the wrath of gods because that could bring about misery and misfortune. Hence, they prefer to please rather than anger the gods of the land in order to receive blessing rather than punishment. Traditional African people commit liars to gods of the land for punishment and retribution. The divine wrath is regarded as unbearable and therefore acts as a powerful deterrent.

- **Theft**

It is shameful to steal the property of another. A thief is a disgrace to his family. In some traditional societies, rituals are performed to detect thieves and recover stolen property. The gods of the land are consulted to punish thieves and lawbreakers. In some cases thieves are made to confess publicly and asked to return stolen property (Adewale 1994:60). Thieves will be punished by the god. Such punishment includes torture, sickness, paralysis and blindness. Should someone suffer some such misfortune diviners are consulted to explain the cause of their predicament. When sickness, paralysis and blindness are attributed to stealing, stolen goods are returned and a sacrifice is offered to appease the gods of the land. Stealing tarnishes the reputation and integrity of the family. Stealing is not only immoral, a social transgression, but also a religious offence punishable by the gods of the land. Honour and shame systems in traditional African communities prevented people from shameful acts such as stealing and encouraged them to rather gain prestige and win the favour from community. Stealing was a taboo which, if transgressed, brought stigma to the thief, the family and the community (Agbiji 2012:150; see Magesa 2010:71). Traditional African people try to protect the good name and image of the family. Transgressions bring shame and disgrace to parents who then lose their status in society. The threat of losing one's reputation, status in the community and divine punishment serve as deterrents against transgression (Adewale 1994:61).

Secularisation and the acceptance of foreign cultures have adversely affected the cultural values that have kept African traditional communities in a state of harmony. African people now find themselves in a confusing environment over which they have little or no control (Adewale 1994:57). Whether crime as such was absent in traditional African societies is difficult to access.

Most African people lived in communities with strong moral values that kept them together. Studies with offenders in Britain show that they have never really felt part of community and were also not successfully reintegrated into society after their release (see Borzycki & Baldy 2003:1). Reintegration into society involves the participation of the community. Successful reintegration will counteract recidivism. However, if the

emphasis of society is not on reintegrating ex-offenders, but only on adherence to the law and avoiding risk behaviour, successful reintegration will most likely not take place.

Social exclusion is often the result of unemployment, discrimination, poor health care provision, a lack of housing and skills, a low income, and the breakdown of the family. Social exclusion can also be the result of the problems individuals face early on and throughout their lives. Being born into poverty or to parents without the skills to secure work can adversely influence the future and opportunities of a child. A combination of such problems can create a vicious circle.

Survival and self-preservation trump moral choices in the prison environment. The decision to join a prison gang at a young age is a survival strategy which escalates into a range of obligations and duties which stretch beyond prison (Lynch & Sabol 2004:274). Individuals with social shortcomings such as illiteracy and a lack of life skills are socialised into the prison subculture with its strong orientation towards deviant behaviour. Prison becomes their community and dictates the codes by which they live (Lynch & Sabol 2004:275). Studies done in the UK show that the majority of people in detention centres come from disadvantaged and excluded backgrounds that lack employment opportunities and skills and face housing problems due to limited positive social networks (see Muntingh 2005:20).

Though African traditional religion provided moral code, divine wrath and punishment were genuinely feared, dishonesty, hypocrisy, bribery, corruption, treason, various felonies and all kinds of evil did and do thrive in Africa, especially when “religious people” do not take their religion seriously. African people who today focus on industry, material acquisition and education, tend to forget that it is also necessary to critically examine and fight crime in Africa (Lartey 2003:11).

Crime is perpetuated through cultural tendencies, peer pressure, inner human drives and external influences. Criminal behaviour is acquired through psychological learning, and errors in thinking and decision making processes (Opata 2001:7). This should be investigated if the problem of rampant crime were to be addressed for the sake of a better future for the African continent and its people.

### 3.2 African traditional courts

Most African societies have traditional courts that judge offenders whose crimes threaten the peace and harmony of the community. Members of the jury are people of substance, title and sound knowledge. They are people who have gained status, power and influence by exhibiting common sense and wisdom according to African cultural values. When a member of the community commits a crime, that person is judged by the court made up of leaders of the community. Offenders are brought before the court, their actions are judged and a process of making amends is sought. Cases are resolved through mediation. Consensus is reached after serious debates. The aim of the council of elders is to restore harmony and punish where necessary. Every case is examined in detail and reasons behind the crime and dispute are investigated (Jefferson & Skinner 1990:59). Members of African traditional courts trust their observations rather than court precedents and proceedings because no two cases are ever alike. Disputes, fights and quarrels among family members are first settled in the family circle. If consensus is not reached in the family, the matter is taken to the traditional court and finally to the village chief (Jefferson & Skinner 1990:60). After reconciliation with the community, the offender again lives by the customs, norms and traditions of the community. In the African context, law and order are not strict systems that force people to blindly obey certain rules or norms. A given set of actions, beliefs and decisions bind people together so that they can live in peace with one another and with themselves (Jefferson & Skinner 1990:61).

Different communities organize the lives of their people in different ways. The Igbo, Tonga, Kikuyu and Tiv societies pass on decisions and laws through elders vested with power and authority to deal with conflicts in the community (Jefferson & Skinner 1990:56).

Crime is considered moral wrongdoing which goes against what is just and fair. Punishment is regarded as a moral issue. The offender is made to understand that he or she has severed relationships with friends, relatives, neighbours and the community by committing the crime (Jefferson & Skinner 1990:68). Offenders acknowledge their wrongdoing and plead for forgiveness. Crime does not only hurt the victim but affects

the entire community because members of the community are interdependent and “one bad apple spoils the whole barrel” (Jefferson & Skinner 1990:57-58). The offender’s age is taken into consideration when the verdict is passed.

African traditional courts do not declare offenders anti-social beings but aim to help them to become social beings once again. The objective of the court is to include and not exclude or ostracise offenders. Members of the court are not superior and infallible, but people who deserve respect as long as they judge with honesty, fairness, for the common good, and in harmony with community life (Jefferson & Skinner 1990:62). Although this judicial system can be life-enhancing, the rule of law is still a problem in Africa. The traditional way of life is disappearing and social identities and relations are changing in a variety of ways. Evil spreads in the world from one nation to the other leaving various communities in a state of panic, fear and insecurity.

Societal laws without moral and spiritual values that complement them are of little importance to communal wellbeing and life (Opata 2001:3). The most effective means of controlling and preventing crime on a long term basis includes: the re-establishment of effective means of community and social control, the development of effective local systems of democracy through which people exercise their rights and express their grievances (Shaw & Reitano 2013:23).

### **3.3 Organized crime, drug and human trafficking**

The dawn of the 21st century saw the devastating impact of organized crime, illicit trafficking and increased powerful networks with strong state connections. Organized criminal networks on the continent continue to benefit from developments in communication and new technologies.

Organized crime in Africa is also linked to the development and changing nature of states. Organized crime emerged in the wake of weak and withdrawing states (Shaw & Reitano 2013:9). Increasing connections between Africa and the global economy propagate crime. The evolution of organized crime could be traced back to the transition to independence of most African countries.

The integration of Africa into both legal and illicit global economies has led to an influx of armed groups that are driven by the motive of profit and not by the motive of the development of African societies. Political and economic trends as well as urbanisation has created avenues for the growth and spread of criminal networks and organised crime in Africa (Shaw & Reitano 2013:1, 23). The activities of political and business elites became vulnerable to criminal networks. Consequently, large scale cocaine trafficking is now prevalent in Africa (see World Bank Report 2009, UNODC 2010). West Africa is a transit and repackaging centre for drug trafficking from the Latin American cocaine producing areas on the way to the European markets. Criminal groups facilitate the illicit trafficking of persons, gold and natural resources out of Central Africa, particularly the Democratic Republic of Congo (Shaw & Reitano 2013:6). Nigeria, Ghana and Cameroon are ranked among the top cybercrime countries. Somali piracy is an organized, aggressive and lucrative activity.

The growth and internationalization of criminal networks came in late 1980s and continued throughout the 1990s, a period marked with civil strife across the continent (Meredith 2011:37). The vacuum created by political instability in most countries was filled by criminal operations with links to the external powers that be and led to the internationalization of crime in Africa. The Sahel countries of Mali, Mauritius and Niger are becoming increasingly volatile as a result of political instability in the north especially in Libya and drug trafficking in the south. Drugs, crime, terrorism and insurgency in Africa intersect and collaborate. The impact of organized crime includes high levels of urban violence, increased corruption and fewer economic opportunities, and a greater risk to health and social wellbeing.

In the 1990s, the conflict in West and Central Africa led armed groups to seek alliances with the foreign criminal networks that fund conflict in Africa.

The economic integration of states and resultant cross-border agreements, attract international criminals and facilitates the rapid growth of crimes regarding natural resources (Shaw & Reitano 2013:2). These tendencies served as foundation for the rapid spread of crime in Africa. A report by a US Department identifies the Kenyan financial system as one which facilitates money laundering across the globe (see WEF

2011). Organized criminal groups that deal in narcotics and human trafficking find a safe haven in fragile African states. Here they can easily use illicit funds to buy their way into the highest levels of leadership.

Criminal groups that protect criminal markets are evolving and becoming significant players on the continent. Some buy estates which they use as tools for the recruitment of prospective members. The youth are mostly the target group (Shaw & Kemp 2012:28). Some criminal groups use their proceeds to fund community-based social welfare projects and schemes. This buys them status and loyalty in the community (Shaw & Kemp 2012:29).

Organised criminal activities have an impact on good governance. Political instability, fragile democracies, economic inequality and weak infrastructure in Sub-Saharan Africa facilitate the growth of transnational crime networks. The crime problem in Africa continues to worsen. Nigeria and South Africa face serious security issues as they struggle to combat the criminal networks and groups on the continent (Shaw & Reitano 2013:2). The multidimensional nature of transnational organized crime requires an effective assessment of situation. The problem is that criminal networks and operations are difficult to separate from warlords, insurgent groups, political, military and community organisations. The danger is that crime will become overwhelming, all-encompassing and difficult to get under control (Shaw & Reitano 2013:8). The focus of research is often on law enforcement and crime prevention. The studies do not take the wider impact of criminal activity on security, governance and development into account (GFI 2010:11). They also do not take into account that organised crime has become a transnational phenomenon with implications far beyond the borders of states (GFI 2010:11). Policy makers and political analysts are overtaken by the rapid growth of criminal activities and are slow to recognize its effects and impact on states in Africa.

Debates on security, stability, development hardly consider such concerns. Given the current social, economic and political environment in Africa, there is scarcity of policy debates on sustainable attempts to combat organised crime on the continent as part of a broader socioeconomic and political strategy (GFI 2010:11).



International partners tend to focus on law enforcement and do not proceed to include other strategies. This is often the case where a political will is lacking (GFI 2010:11). In an environment where they are undermined politically, law enforcement institutions have little impact on the level of crime. The only instrument challenging organized crime across the continent is the African Union's (AU) "Plan of Action on Drug Control" (UNODC 2011:2) that addresses the effects of drug trafficking and the health implications on nations. The African Union does not, however, present a credible plan of action. The plan therefore has little impact on the problem of crime in Africa. Regional and sub-regional organizations do not have the capacity to provide leadership regarding the implementation of initiatives to combat crime on the continent. Tackling it from a law enforcement angle is not sufficient to address the problem of crime, criminal networks and groups in Africa (UNODC 2011:2). There is a need to move beyond the focus on security, given the dynamics of the continent. This includes the connection of organized crime with terrorism, conflict, violence and also the disparity in the capacity of African nations to implement measures to combat crime.

Traditionally the response to crime is to consider it a criminal justice issue and a security problem that warrants a secure cross-border domestic law enforcement and border control strategy. Shaw & Reitano (2013:3) argue that, in order to address crime, the "criminalisation" of governments should be prevented and reversed. In order to find sustainable alternatives new and innovative responses that go beyond the crime fighting approach will be required. Sub-regional, regional and continental strategies should be activated across a broad range of sectors and diverse groups of stakeholders. The issue of fighting crime in Africa is driven by official, development and academic discourse without a sufficient connection to what is happening on the ground. What makes Africa prone to crime is a scarcity of human potential and capacity, and low investment in economic, political and social development.

The results are reduced social capital, insufficient regulatory capacity and a lack of the rule of law on the continent.

Urban hubs in Africa continue to serve as gateways for the trafficking of resources from the hinterlands where there is limited administrative access and political control, to the business environment. Minerals played an important role in the conflict in Eastern Democratic Republic of Congo (Shaw & Reitano 2013:9-10). Gold, copper, diamonds, timber and wild-life were exploited to fund conflict and the activities spread eastwards towards Kenya, Tanzania, Cameroon and Zimbabwe (UNODC 2009:32). Corruption facilitates crimes regarding environmental and natural resources in Africa. Local and national officials permit illegal loggers and poachers to gain access to forests and protected species. This is often done through false custom declarations that allow commodities to exit African nations without being detected. Law and criminal justice officials are bribed to prevent the prosecution, investigation and conviction of criminals. Powerful transnational criminal networks erode state institutions and public confidence. They do what is necessary to protect their trafficking routes and illegal trade (Koning 2011:11). War opened the door to illicit trade, organized trafficking and smuggling operations in the Africa region because governments were either too weak or corrupt to prevent it. The 1990s saw a steady increase of reports on large consignments of drugs heading to West Africa (see Lengor 2004). The reports had no impact even though huge amounts of drugs were seized in early mid-2000s that showed the extent of cocaine trafficking into West Africa with firmly established criminal activities (Shaw & Reitano 2013:13).

The population growth and urban growth rate in Africa are among the highest in the world. Freedom of movement contributes to cities becoming sub-regional meeting spots for organized crime (DESA 2011:6). The breakdown of social and state control is the single most common factor leading to the growth of crime in diverse transitional societies (Gastrow 2011:3). The absence of social capital, insufficient economic opportunity, the inequality with regard to income, and limited state supported services contribute to cities becoming centres for the spread of organized crime across the continent (Shaw & Reitano 2013:14). If organized crime is to decrease in Africa, interventions by concerned agencies should give adequate attention to the factors that promote crime on the continent. Organized crime benefits from the fragile nature of most African states. The interests of organised crime continue to threaten nation

building especially in Central Africa (Gastrow 2011:4). Armed groups in Eastern DRC play a significant role in perpetuating instability, lawlessness and violence to protect their vested interests in mineral and other resources (see Shaw 2012:9; UNODC 2005:13). The conflict in Somalia has strong connections with the quest for economic flow through a network of beneficiaries. Reports indicate that the military groups in Somalia import drugs through Kismayo and smuggle them into Kenya. Kismayo was captured by Kenyan troops in October 2012. East Africa is fast becoming a free economic zone for all sorts of crimes: drugs, illegal migrants, guns, hazardous waste, national and natural resources (Gastrow 2011:7). Criminal groups with leadership connections penetrate Kenyan politics. There are growing concerns about their ability to fund elections and exert influence in parliament and procurement processes (Gastrow 2011:8). The prevalence of crime makes the continent susceptible to new threats to peace, security and sustainable human development and undermines the continent's capacity to respond effectively to some of its worries. Organized crime, drug and human trafficking pose significant threat to Africa's long-term development.

On the analytical, policy and operational level the strategies of the African Union, European Union and the United Nations to combat crime are weak (see African Union 2008:13; World Bank 2012:10). Organised crime has proven its ability to adapt, change and exploit every opening and opportunity by forming alliances. Traditional responses to organised crime tend to focus on the criminal groups themselves rather than on the illicit economic flow they control. Criminal networks and alliances often coalesce around specific illicit supply chains. The international community could play a catalytic role in supporting capacity building in stronger states, investigate and prosecute offenders from weaker states in order to create a "bulwark around fragile states, prevent impunity from organised crime propagators" (Shaw & Reitano 2013:22).

### **3.4 The role of prisons in the fight against crime**

#### **3.4.1 Introduction**

The context, the political environment and officials who serve in penal environment all play an important role in the wellbeing of people in custody. Studies by Hallinan

(2001:69-72); Davis (2003:37-86); Burnside et al (2005:4); Magnani & Wray (2006:88-112); Taylor (2008:72) on the correctional services in the USA show how successive administrations from 1970s gained power through the imprisonment of more offenders, increasing sentences and making prison conditions harsher with little regard to human, social and financial costs. The loss of self-esteem, harsh prison conditions and frustration with the culture and life behind bars often lead to violence, despondency and despair. This situation requires a psychological, political and economic analysis. The idea of restorative justice is part and parcel of rehabilitation. It is used in some countries to deal with crime and punishment. Africa is yet to develop a comprehensive and systematic theoretical paradigm for rehabilitation. This study relies mostly on Western theories to investigate current practices on the African continent.

According to Ward & Maruna (2007:144) human beings are intrinsically active, self-directed organisms inclined to seek self-sufficiency and competence. This would mean that offenders too would look for opportunities to change their life. Self-empowerment would enable, not compel them to change. Instruments such as the African Charter on Human and People's Rights put in place to guarantee the safety and security of prisoners on the continent have not helped to reduce crime. Nsereko (2005), a human rights activist and member of the council for research on philosophies and values of Africa, decries the poor state of most prisons in Africa. Most governments in Africa disrespect the rule of law and fail to enforce the observation of basic human rights in prisons. Consequently, the objective view of prisons as institutions for rehabilitation is contravened and set aside. Nsereko's (2005) study provides insights on measures adopted to fight crime in Africa.

Prisons in Africa are vulnerable. Inmates are at the mercy of officials in a hierarchical system. They supervise and control life in penal environment (Nsereko 2005:243).

Prison officials control access to basic human necessities such as food, work, medical services, educational facilities, inmates' right to religion and contact with the outside world. Most penal facilities are located in isolated areas and have a great potential towards the abuse of human rights and the degrading treatment of inmates (Nsereko 2005:244). Nelson Mandela said that the level of civilization of a nation can be judged

by how the lowest citizens are treated, because this reflects the state of its social conscience (Mandela 1994:187; see Human Rights Unit 1993:6).

In Africa imprisonment is a means of sanction. The general opinion of society is that, unless offenders are sent to prison, justice has not been served. If criminals are not imprisoned no one will be safe in public spaces. Penal systems often administer justice based on society's philosophy of punishment. Based on this philosophy of society, the intention of incarceration would be to produce pain in order to achieve justice. However, the value of imprisonment as crime control measure should be reassessed (Nsereko 2005:244). The dominant view of criminal justice officials is that the purpose of imprisonment is retribution, deterrence and reformation. Retribution involves paying back to society and compensating victims of crime for the harm done to them by the perpetrator breaking the law. The punishment is that the offender is made to suffer in order that the broken moral code of society can be repaired. It also serves to express hatred of society for the crime committed and the criminal.

Critics argue that retributive justice emanates from society's passion for revenge. This should not be allowed to rise above good reasoning and understanding. Retributive justice should not influence court proceedings and state policy with or against the offender. Encouraging revenge promotes destructive tendencies, puts a premium on violence and pits the offender against society. This is a generally detrimental process (Nsereko 2005:245). The retributive approach encourages stigmatisation and discrimination. It undermines the strength of the community and leads to further crime. Penal systems that value revenge as main reason for custody; have cause to inflict pain on inmates so as to secure discipline and order. Through negative means the outraged feelings of society are satisfied. Where the principle of retribution dominates, the humanisation of prisons by means of the application of international principles for the treatment of offenders will be difficult (Nsereko 2005:245).

When deterrence is seen as the reason for imprisonment, offenders are punished to discourage them from committing further crimes especially after release from prison. Imprisonment serves as an example of what would happen to those who violate laid down rules, norms and standards of society. It is assumed that imprisonment helps to

reduce criminal activity and deter those who would want to commit crime. When law is contravened it is assumed that perpetrators exercise a choice. They could have acted otherwise if they wanted. Offenders are therefore imprisoned for not having been disciplined enough to refrain from choosing crime. Imprisonment teaches them a lesson so that others will discipline themselves and choose to obey the law. Critics such as Muller (2005:53) argue that punishment contributes little to deter people who are caught up in socio-economic and political hopelessness and systemic violence. The crime rate is influenced more by social and economic policies than by penal policies.

The goal and intention of prisons are to deter people from committing crime. In practice, however, this philosophy leads to a practice that does not differ much from the practices resulting from a philosophy of retribution (Nsereko 2005:246). Prison officials impose undue restrictions and harsh conditions in order to deter people from committing crime. According to O'Connor & Duncan (2011:591) humanist, spiritual and religious programs aimed at effective rehabilitation will have a greater success with regard to deter people from crime. If the philosophy is to reform people and this becomes the main goal and purpose of prisons, the goal of imprisonment will be to positively influence human behaviour.

The reformation ideal also has corrective value when implemented properly. Offenders undertake a journey towards reformation and rehabilitation. While in prison offenders are enabled to come to terms with the destructive effect of crime. It ruins lives, families and communities. Social adjustment can take place by means of education and the acquisition of knowledge, understanding, skills and attitudes. This should be the goal of incarceration (Nsereko 2005:246).

It should serve the purpose of healing and bringing about change in the behaviour of offenders. In this way their lives will be changed and welfare served better.

Central functions of pastoral care are healing, sustaining, guiding and reconciling. Pastoral care is therefore well placed to accompany offenders on their journey and prepare them for reintegration into society. The challenge of reformation is that the process should not be relaxed and made pleasant so as to encourage recidivism in

order to remain in the environment. The process should be designed to produce positive change in the personality of offenders as well as instil in them a sense of values. The process of changing the character, life of offenders should be humane and in accordance with the spirit of the human rights movement, namely that people are sent to prison as punishment and not for punishment (Nsereko 2005:246). The process should give power to offenders to promote what is in their hands for their own benefit (Zhou 2013:165). The loss of liberty through imprisonment should be the sole and only punishment. It is inhuman and contrary to the goals of democratic nations to increase punishment through pain, torture and suffering.

Rehabilitation as a penal policy is the ideal for most countries. The process begins when people are admitted to the prison and it continues until they are reintegrated into society. The rehabilitation process is a learning experience for all associated with prisons: officials, staff, inmates, chaplains, volunteers and society. Penal centres in Africa struggle to respect and promote the human rights of offenders. They more often than not fail to make rehabilitation a priority. Congestion, the lack of basic minimum standards, a lack of personnel and training are prevalent (Sarkin 2009:7).

Countries such as South Africa, Uganda and Botswana have taken steps toward improving the rehabilitation of offenders. There are many challenges. It is not easy to implement the 2002 Ouagadougou plan of action and implement programs that focus on education and training, psychological support, promotion of familial contact, access to religious services, integration of the efforts of civil society to rehabilitate offenders and reintegrate them into the community (Sarkin 2009:7). The results of such efforts are difficult to measure due to the lack of consensus regarding standards and measurements for success.

The African perspective on prison systems has generally not been the intention to rehabilitate and reintegrate offenders. The apostle Paul, the philosopher Henry David Thoreau, the activists Mahatma Ghandi, Martin Luther King Jnr, Malcolm X, Nelson Mandela, Aung Sa Suu and others made good use of their time in prison, which had a positive impact on their lives and on their and other nations (O'Connor & Duncan 2011:591). Although the experience of incarceration can be put to positive use,

imprisonment remains a generally negative experience. Integrity and dignity form basis of international norms and principles concerning the treatment of those who spend time behind bars. Incarcerated persons should not be subjected to torture, cruel, inhuman and dehumanising treatment (Principle 1 & 6 of the UN Body of Laws for the protection of all persons under any form of detention and imprisonment). Those in detention centres should be sanctioned for breaking the law but are to experience basic human rights to fair, human and dignifying treatment.

It is not often that offenders leave the prison as a transformed individual with the potential to live a law-abiding life and the ability to support themselves. If prisons are the yardstick to measure the civilization of nations, then legislators, courts of law and law enforcement agencies need to have the greatest awareness and sensitivity towards human rights and fundamental freedoms. Prison officials should understand how the spirit, norms and standards of international human rights are reflected in the rules and procedures that govern their work. Education is needed for them to abide by such instruments, rules, policies and procedures.

Many African countries agreed to comply with the various international conventions regarding the treatment of offenders (UN Standard Minimum Rules for the Treatment of Prisoners). Countries such as South Africa, Kenya and Uganda have made great strides concerning reforming laws, practices and policies. However, prison conditions in most of Africa fall short of international standards. Most prisons are secretive and closed institutions and governments are either unwilling or do not have the capacity to ensure that the treatment inmates receive reflect international standards. As a consequence they are guilty of contravening the rule of law and violation of basic human rights in prisons. A major problem is that prisons in Africa lack resources. Overcrowding, poor living conditions and a lack of efficient governance are further problems. Prisons in Africa differ in many respects to those in different parts of the world.

An understanding of African worldview of the pain and suffering embedded in the life stories and histories of those at the margins of society such as prisoners is crucial for this study. The prison system in Africa is a “holdover from colonial times, European



import that isolates and punishes political opponents, spreads racial superiority, administers corporal and capital punishment” (Sarkin 2009:2). Prisons in Africa experience high rates of reoffending that strain social and financial resources of most impoverished states. The scarcity of resources is a significant challenge facing prisons in Africa. Due to the growing social needs of the continent the protection of prisoners is not on the top of most national priority list. Leadership in Africa is often not concerned about the penal systems. However, when some state officials serve out a sentence, they complain about the degrading and inhuman conditions. The situation continues to deteriorate, and is in total contradiction to the rehabilitative goal of the penal system.

The prison social system makes it difficult for prisoners to have a sense of belonging, experience support and build positive self-esteem (Taylor 2008:93-94). Overcrowding has retarded the progress of even the most promising prison systems. It is difficult to adjust rigid structures of prisons to provide space for the ever increasing prison population. Overcrowding contributes to the volatile mix of frustration, resentment, violence and riots that are features of almost every prison in the global world (Taylor 2008:69). Safe space is essential for human functioning and this includes fresh air, food, water, clothing, shelter, good exercise and sleep (see Wilkinson & Cherry 2004; Zeisel 2006). Overcrowding contributes to physical illness and disease in prisons (Taylor 2008:71). Overcrowding, tension between inmates and harsh prison rules result in symptoms such as anxiety, rage, dissociation and psychosis that affect the psychology and self-perception of prisoners (Taylor 2009:1). A long term solution for overcrowding would involve reducing the intake of prisoners, shortening their stay in prison, helping them to acquire competence in areas other than crime, enabling them to transfer new skills into acceptable and correct behaviour once released.

Concerted efforts by communities that involve the judiciary, prison officials and social support services are crucial to achieve these goals (Taylor 2008:72).

Prisoners are trapped in punitive structures to an extent that some suffer serious injury and even death. In 2005, the World Health Organization (WHO) launched a “Health in Prisons Project” in Europe to fight the scourge of HIV/AIDS, tuberculosis and communicable diseases in prisons. The goal was to assess the health situation of

those behind bars with a view to evaluate if it complied with the definition of health as a state of complete physical, mental and social wellbeing. Findings revealed that the health of prisoners was sadly neglected throughout Europe (see Gatherer, Moller & Hayton 2005). The Prison Reform Trust Fact File (2004) presents a gloomy picture of the problems created by the ever-increasing number of adult offenders in overcrowded prisons. The World Health Organisation describes the prison as “a pump for TB epidemic” (Taylor 2008:72). The Prison Reform Trust data show that the increase in the prison population is the result of courts imposing long sentences rather than to a rise in crime. A study by Rhodes (2005) finds that super maximum prisons produce and spread mental illness. Some 20-25% of the inmates show symptoms of mental illness. The correctional staff are trapped and affected by this unhealthy environment (Hicks 2008:400). Those serving in penal institutions often find themselves caught in a web of issues beyond their capacity and potential to cope.

### **3.4.2 Prison reform**

Prisons are built by impersonal state entities which nominate agents and assign resources but cannot engage with staff and inmates on a human level (Burnside et al 2005:4). Social wealth is consumed by the expansion of prisons. Some countries spend huge sums of money constructing maximum security facilities when practice has shown that only a small proportion of the population requires such fortress-like buildings (Taylor 2008:36). The social conditions that cause people to end up in prison are perpetuated and exacerbated (see Davis 2003:16). Longer prison terms result in greater profits with correctional institutions becoming full and lacking in facilities, recreational programs and basic necessities of life.

Entities other than the state that have now become involved are private companies that make their profit by running correctional facilities. The continuous growth of the population serves their best interest. The building of more prisons and privatization of the penal industry are driven by economic ideologies and the pursuit of gains (Schlosser 1998:54). Prisons have become an important source of wealth. According to Schlosser (1998:55) the United States Industrial Complex was not only a set of interest groups and institutions but a state of mind as the quest for profits corrupts the

nation's criminal justice system by replacing notions of public service with a drive for gains. Private companies have a stake in retaining prisoners and keeping their facilities full to keep their business alive. The privatisation model is fast becoming the primary mode of organising punishment in most countries (Davis 2003:37, 42, 45-46 & 84-86). Magnani & Wray (2006:88-112), Davis (2003:84-104) and Hallinan (2001:69-72) are opponents to privatisation because of its profit motive. The Elmira reformative program in New York is a case in point. The aim of Elmira was to prevent crime and lower recidivism. Its objectives were not reached. Elmira was closed down because of the scandals regarding the abuse of inmates and overcrowding. The privatisation drive was an administrative response to the problems regarding internal order in the prison system. Private prisons are run for profit. Prison wardens have a vested interest in keeping people in prison (Taylor 2008:185).

A worthwhile venture for most nations would be to rather spend money on preventing crime and rehabilitating prisoners than expanding the prisons. The prison system would serve best if the quest for profit is abandoned and attention is focused on discovering means of becoming economically self-sufficient. The penal institution is "antiquated, inefficient, does not reform inmates, fails to protect the society and contributes to spread crime through mechanisms which harden criminals while in custody" (Taylor 2008:30). Punishment should not be private but public, swift and as lenient as possible. Williams (2006:1) is concerned especially for people with mental problems who are in penitentiaries because of the harsh disciplinary measures.

Prisons at present in most countries are a liability and mirror the weakening moral, economic, social and political life of that nation.

Prisoners need a rehabilitative environment that can enhance the positive aspects of life (Williams 2006:4). Institutions should have a long-term strategy to rebuild trust in the citizens of the country who have committed crimes. The long-term goal should be to foster the development of a sustainable crime-free society. Facilitated community dialogues and reconciliation commissions are essential to build trust. Strategies to reduce and prevent crime should be rooted in a human rights-based approach because human rights violations lead to a lack of trust.

Prison is a place of extremes where disease, hatred, possessiveness, depression and sickness are to be found (Williams 2006:2). Both passionate friendships and ungoverned hatred often lead to violence (Gilbert 2006:224; see Williams 2006:3-4, Newbold 2007:312). The African Commission for Human and Peoples' Rights (ACHPR) proposed the reformation of detention process through documents with guidelines that guarantee effective pre-trial judgments in the legislative structures of the continent. This was followed by the 1997 resolution on the right to recourse procedure and fair trial, the Kampala declaration of 2002 resolution on guidelines and measures to prohibit and prevent torture, cruel, inhuman, degrading treatment and punishment in Africa, the 2002 Ouagadougou plan of action, and the 2003 principles and guidelines on the rights to fair trial and legal assistance in Africa. These documents made concrete suggestions on the way forward and on good practice throughout penitentiaries in Africa.

Much work has to be done to improve arbitrary, disparate and inhuman treatment of offenders in Africa (Sarkin 2009:3). During the last decade there was a significant increase in the prison populations of most countries (see Walmsley 2002:3; 2003:70). Continuous changes in criminal activities, poverty, unemployment social, economic, political and demographic tendencies contribute to overcrowding in most prisons. The size and growth of populations is tied in directly with legislative measures of criminal justice processes and systems, as well as with court decisions.

Attempts at prison reform often follow major political transformation. This is unsettling for most penitentiary officials. It raises questions regarding the state and conditions of service (Coyle 2002:52).

Most of prison reform is the result of new forms of public management being applied to the operation of penal institutions. The management of a prison is primarily about managing people in the penal environment. According to Coyle (2002:71) the sound management and effective introduction of reforms are contingent on the quality of leadership shown by prison managers. There is a lack of leaders with integrity and the ability to inspire and motivate staff to work with commitment and professionalism.

Leadership with integrity, managerial skills are needed and ineffectual and corrupt leadership should be rooted out.

Prison interventions need should be rigorous in design, development, implementation and evaluation (Cullen & Gendreau 2000:111). Prisoners should be assessed periodically (Gendreau, Goggin & Cullen 1999:22). Interventions should target known predictors of crime and reoffending behaviour. It requires knowledge of problem to understand how particular combinations of risk factors contribute to the increased number of repeat offenders in a given context. It also implies that in order to be effective, interventions should focus on objectives (Cullen & Gendreau 2000:147). Services should match the needs of the inmates (Muntingh 2005:34). Interventions should employ the cognitive behavioural and social learning techniques such as modelling, practice, role play, reinforcement, the provision of resources, suggestions and cognitive restructuring (Cullen & Gendreau 2000:148). Interventions should be intensive, last between three to nine months and take up 40-70% of inmates' time.

By means of effective cognitive behavioural interventions inmates can come to terms with what it was that led them to commit crimes, identify and define their goals, generate new pro-social alternatives and implement them. Successful interventions are intensive medium to long term programs that require a cognitive behavioural approach, careful assessment, identifying goals and sustained support. Short, generic, information-based and pre-release interventions do not achieve much in the life of offenders.

Treatment interventions should be used with higher risk offenders and target the criminal needs for change. Targeting high risk offenders reaps benefits when successful because they are the ones responsible for spreading crime on a large scale. Subjecting low risk offenders to high intensity and structured programs does not benefit the institution and community much. The effective nature of the treatment is enhanced through community-based initiatives, institutional interventions, trained staff, follow-up programs and the structured prevention of relapse (Lawrence et al 2002:9).

The rate of recidivism decreases when educational programs are effective in helping inmates acquire social skills, artistic development, techniques and strategies that

enable them deal with their emotions. Through teaching critical thinking and reasoning skills their life is enhanced. Vocational training programs that are supported by follow-up services for released inmates lead to a reduction in recidivism. Effective education is useful for bringing about comprehensive change in correctional centres. The Civil Society Prison Reform Initiative (CSPRI 2005:2) hopes to improve the human rights of offenders through studies, lobbying, advocacy and collaboration with civil society structures. The CSPRI develops and strengthens the capacity of civil society and institutions related to prisons. The CSPRI promotes improved prison governance, uses non-custodial sentencing to reduce overcrowding and improved reintegration programs to reduce recidivism.

The CSPRI undertakes independent critical studies, raises awareness on prison issues and distributes data relevant to capacity building. Rehabilitation intervention is an effective instrument for curbing crime (CSPRI 2005:3). The issues that plague prisons are multifaceted. Penal systems have spiritual, social and legal problems (Duncombe 1992:209). An approach that is more supportive and less punitive towards inmates is needed. Taking a life history approach should be a central feature of programs geared towards rehabilitation and reintegration of inmates (Muntingh 2005:20). A new reality is possible for prisons if pastoral care and chaplaincy are given a stronger voice in penal systems. Pastoral care and prison chaplaincy could contribute positively to curbing the civil strife, crime and violence that are prevalent in most of Africa.

The penal system is open to public scrutiny and there is growing interest on how they operate and are managed by staff and other officials.

Alternative sentencing could play a vital role in reducing the current congestion in prisons in Africa. A study of the Civil Society for Prison Reform Initiative (CSPRI) (2005) evaluates three programs by non-governmental organisations: “My Path” by Khulisa, the “Tough Enough” program by NICRO which starts in prison and continues till after release, and “The Working for Water” by NICRO which starts after release. In the study by Khulisa (2005) young offenders were asked how reintegration programs could be made more effective. The respondents identified educational programs and

employment skills development as needs and they wanted to develop confidence, tolerance and patience. They needed an anger management program to enable them to live a positive life through self-control. This would help them to make a determined effort to succeed in life. The desire to be part of a church, participate in community development programs and talk about prison experiences to school groups was also expressed. They also wanted training in restorative justice methods which includes: apologising to victims, setting realistic goals, finding a clear vision and taking steps to achieve what is good and beneficial to them. They wanted to be realistic about the challenges in life and saw this as a way forward to avoid crime. The program content helped participants to get to know themselves better, to develop self-confidence, to develop the ability to deal with stigma, to develop patience which enabled them to renew their commitment to reaching their goals in life.

Respondents expressed the wish for improved relationships with friends and family, to be able to pay attention to their feelings and thoughts, to improve their problem solving and communication abilities. This would help them to move towards more positive behaviour. A key point was to develop methods to sustain relationships while in custody so that these relationships would provide a support system which will help with the process of reintegration into society after release. Attention was given to the issues of financial and material support and the application of restorative justice principles.

Achieving financial sustainability is vital to the reintegration process. It requires a combination of skills development, education, access to financial support and support through family networks. Lomofsky & Smith (2003:1) explain that the “Tough Enough” program starts in custody with four objectives: develop skills, build and improve relationships, develop potential, motivate participants towards active and creative life. It is a multidimensional program that strives to respond to the needs of participants. The National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) facilitates and plays a key role in the process. NICRO assists pre-release inmates to develop multiple life skills which build and improve relationships, potential and motivation for active participation in society (Zhou 2013:186). The programs run from three to six months for those in custody and are extended to nine months for post-

release inmates to help them acquire knowledge to build relationships with families and various communities (Sarkin 2008:75). NICRO encourages offenders to take responsibility for the crimes they committed and to seek restoration with their victims. The “Working for Water” NICRO reintegration program started as an employment scheme. It was prepared by NICRO in collaboration with work teams of the water program. Participants were employed to reduce some foreign vegetation in water catchment areas. NICRO gave support and training to participants to prepare them for life after the end of the work since the employment was only temporary.

Through the programs participants experienced improved individual skills, economic integration, access to resources and empowerment through improved self-concept. Also, relationships with individuals and community as social networks were formed. The focus of the various interventions was on empowerment. This had numerous advantages: inmates were exposed to beneficial activities, to work routines, received business skills training and cultivated networks for personal growth and development. Prisons in the global world should take note of constructive developments in certain countries and apply these as far as possible to the local context. There is a growing global awareness that prisons are not adequately equipped to deal with law breakers. Crime crosses national and international borders, which necessitates criminal justice systems to function in a global context. Low levels of accountability and transparency prevalent in political and economic institutions propagated by African leaders hinder social progress, foster corruption and stifle civil societies in some countries. The indirect influence of religious culture through its values could benefit economic and political institutions on the continent (Agi 2008:129, 130).

Prison governance in Africa should adequately address sanitation, methods of waste disposal, food, increased rations and measures to fight the spread of communicable diseases. A sustainable effort should be made to improve security, service delivery, and the possibilities for people in urban and rural areas to make a decent living if there is to be a reduction in the number of people who end up in prisons. Some penal systems develop educational programs on the dangers of communicable diseases such as HIV/AIDS and tuberculosis. Access to educational and recreational facilities is



often limited in prisons in Africa. Such programs could transform the conditions of detention in Africa.

### **3.4.3 The role of religion and pastoral care**

Religious personnel are often “less avoidable” and more “available” in prisons than outside (Beckford 2001:375). Some religious personnel enjoy high degree of privilege and protection (Beckford 2001:371). Researchers and practitioners who study pastoral intervention in the penal environment are often more concerned with what works than with how it works (O’Connor 2011:595). In prisons with a religious diversity inmates often try and avoid contact with a chaplain if they do not welcome the visit. Sacred time and space are sometimes at centre of prison disputes. Social workers and religious personnel routinely enter prisons and provide their services. Buildings and special rooms are provided. Though some officials do not participate in religious activities they are exposed to religious practices and to the chaplains or religious workers. Offenders often display a higher level of religious activity than people from a similar background outside of prison. Many inmates value religious interventions in prison.

People in prison quickly learn that, in order to be safe in prison, they have to belong to groups that could protect them from others. Inmates are powerless and without hope. They have nothing positive to hold on to. In the prison environment they are at risk of blackmail, sexual exploitation and physical confrontation. Those who practice religion do so with the conviction that religious affiliation would provide them with some safety and in some way be a positive force in their lives. Religious services are a “safe haven”. Few physical attacks happen in the worship milieu (Dammer 2002:5).

The place of worship provides a space where they are safe from harm and danger. The religious space is a crime free zone. Religious services provide an environment where inmates can meet and spend time with one another. They value the opportunity to meet other inmates and enjoy regular social interaction with friends who share similar interests. Active participation in religious services provides people with an opportunity to feel accepted and valued by others in community. Religious programs and practices vary with regard to beliefs, interests, time and space, the competence of

religious personnel and the support of penal officials. Religion provides hope to turn away from a life of crime and imprisonment. Religious activities serve to humanise the harsh prison environment and foster hope. Various religious practices provide prisoners with an alternative way of spending their time in prison and offer inspiration to lead a better life (see Chui & Cheng 163-164). However, some do use religious services to pass on food, written messages, cigarettes, drugs and weapons (Dammer 2002:5). Religious services grant free access to resources that are otherwise difficult and costly to get in prison.

Inmates often lack a positive self-concept and suffer from guilt and remorse as a consequence of their criminal acts. Faith in God offers them the acceptance and love of a higher being and from the faith community (Dammer 2002:5). Inmates often think that penal officials will see their participation in religious practices as a heart-felt attempt to become morally upright, pro-social and law-abiding citizens. The regular attendance of religious services can then result in early parole.

Some chaplains worry about the fact that having contact with inmates and showing them empathy would make them fall prey to emotions (see Denzin 1990). They fear that their emotions could be manipulated by inmates and used against them. Hence, emotions are kept separate from work to avoid manipulation. Chaplains attempt to appear professional and impartial in order not to burden the inmates with “emotional baggage” from work constraints (Goodrum 2008:436).

Religious programs and spiritual activities can contribute to the transformation of life and culture in correctional facilities. Annually, worship services, studies of scriptures, counselling sessions, pastoral visits and special events are conducted by chaplains and volunteers from the faith community (Beckford 2001:373). Inmates, staff, families and volunteers are positively influenced by pastoral care and chaplaincy programs. Chaplains provide a ministry of presence (see Holm 2009:7) with a focus on the various needs of prisoners. This includes ministry to individuals, assistance with the grief process, emotional trauma and other concerns.

The opinions of inmates with regard to religion in prison are diverse. Some are of the opinion that participating in religious practices could be of benefit to them. Religion can

influence the chaplain or warden to provide better living conditions for inmates. Active participation in religious activities and services can make chaplains to give a positive recommendation to the parole board on behalf of inmates. Others are of the opinion that participation in religious programs is a “psychological crutch” because it placates the weak and needy and help them to deal with the harsh realities of prison life (Dammer 2002:6).

People who are in prison because they made unwise and unhealthy choices that led to the loss of their freedom have the opportunity to make new and wise choices such as to journey with people who care about them and respect their value as human beings created in the image of God. Positive change depends to a great extent on the treatment inmates receive in prison (see Hall 2004:173). In prison people get the opportunity to explore religion. Religion offers hope, meaning, optimism and sense of security to people. Regular participants in religious programs appear to cope more effectively than those who do not. Religious practices also help inmates to cope better with depression, boredom and loneliness (Burnside et al 2005:2). Religious programs promote a standard of decency, humanity and order in prisons. They bring change and positive meaning to the lives of inmates and contribute to making the penal institution and punishment more humane. The religious interventions of faith communities are an expression of surprising hope in the midst of loneliness and the fear of the unknown in prison (Burnside et al 2005:6). Practicing religion promotes self-discipline, introspection and a concern for others. Inmates who are exposed to religion could acquire positive character traits such as peace of mind, a positive self-concept, improved self-control and intellectual abilities. Research supports the view that practicing religion helps inmates to control their behaviour.

To determine their sincerity and whether their changed behaviour will be sustained is an impossible task for chaplains to decipher (Dammer 2002:6).

Religious activities and affiliation could provide access to resources, contact and solidarity with others and higher purpose in life. Through pastoral care with inmates they can be strengthened and supported to avoid gangs and they can learn the skills they need to adjust to the culture and life in the environment and reduce disciplinary

infractions (Thomas & Zaitzow 2006:254). According to Sumter (2006:525) the provision of pastoral care should not depend on how effective the program is. It is the relationship with the pastoral caregiver that most empowers inmates to cope with imprisonment and the loss of freedom, deprivation and challenges that go with it.

Prisoners struggle to find meaning in difficult circumstances. Through religious activities they engage with others and the divine in positive rehabilitative ways (Allard & Allard 2010:330). Pastoral care could help to assuage the loneliness of prisoners. Through pastoral care they learn to let go of the past and atone for what they have done. A conversion experience can help them to forge a new identity, become part of a faith community, and be inspired to do something new and worthwhile with their life and time in prison (Denend et al 2007:397). Religious communities influence, shape and mould the lives of people. Studies done with juvenile delinquents by Eugene Hausman (2004) found a positive correlation between time spent with chaplains and a positive lifestyle a year after release (see Brault 2014:3). Offenders who received supportive pastoral counselling during incarceration are less likely to reoffend when released (see Hausmann & Spooner 2009).

Studies on what pastoral counselling in a prison is, its relevance and effectiveness are scarce. This chapter aimed at a deeper understanding of prisons and the people who survive in them. Inmates in prisons in Africa have a history of risk behaviour, limited opportunities, poor parenting, a lack of basic human dignity and resources, a lack of abilities and skills to mediate the challenges in life. Prisons in Africa are not the worst in the world. Harsh prison conditions can also be found in Central and Eastern Europe and Central Asia (see International Centre for Prison Studies 2005). In Latin America and the Middle East prisons are congested.

They lack infrastructure and healthcare. Human rights abuses and violence are rife. Other problems such as malnutrition, a lack of basic hygiene and medical care are the cause of many deaths in prisons (see Amnesty International 2005).

Chapter four investigates prison chaplaincy and pastoral care in the United Kingdom, United States of America and Africa. The chapter explores the development of pastoral care and prison chaplaincy in the Western world with a view to open the way

for pastoral care and chaplaincy in Africa. Organized religious practices through a variety of chaplaincy systems and legal frameworks will be investigated to assess and evaluate the vitality and role of religion in penal environment. An African pastoral perspective on prison chaplaincy raises important concerns regarding the place of religion in penal institutions.

## CHAPTER 4

### PASTORAL CARE AND PRISON CHAPLAINCY

#### 4.1 A practical theological approach to prison ministry

Practical theology provides insights for several fields and shapes the ministries of global faith communities (Woodward & Pattison 2007:7). Reflecting on the realities of human existence, including prisons and conditions in prisons, constitutes the essence of the identity and value of practical theology. It constructs and clarifies the theological understanding of the spiritual dimensions of pastoral care. Theological truth emerges from the dialogue between the context, the social sciences, and the traditions and continuing practices of faith communities (Willows & Swinton 2000:13). The critical task of practical theology is to identify practices and reflect on the theological significance of these practices that constitute engagement with God's mission (Swinton & Mowat 2006:24-25). Practical theology is challenged to identify thresholds and points of engagement that impact on faith communities and society. Global cultural changes challenge people, nations and faith communities. Practical theology engages with the challenges of daily life and faith issues as they form part of the faith community's mission in society (Woodward & Pattison 2000:8). Practical human, spiritual and religious concerns, also in the context of prisons, warrant practical theological reflection.

It is expected of pastoral caregivers to nurture people to embrace transformation and enable them to transcend what affects them negatively. Pastoral care can provide a different perspective on a world of blurred boundaries. Christian pastoral care cannot engage or critique social and political life effectively unless it has its own vision of what it is and means to be human (Reader 2008:11, 14 & 37). Practical theology engages with critical theological reflection on the life of Christian believers and their ministry of presence and action in society especially in a context where people are hurting and marginalised (Willows & Swinton 2000:55).

For the purposes of this practical theological study in the field of pastoral care, a systematic reflection is done on the role and value of chaplains in their engagement with people who are in custody (see Beckner 2012:21).

The potential benefits of religious and spiritual programs in the prison setting are investigated. This could also have implications for institutional management and for inmates' adjustment to life in the penal facility, their rehabilitation and reintegration into society (see Sundt, Dammer & Cullen 2008:62). Studies are especially needed on prison services and institutions in Africa where the penal situation is challenging and complex. Existing research in Africa is not abundant. Studies in this field could contribute to changes, improvements and reforms in penal policy and practices in Africa. The challenges facing prisons and the role that pastoral care and chaplaincy can play in prisons are addressed in this chapter. Various contexts of pastoral care are examined in order to garner insights by means of which to reflect on the African situation.

African people are caught between worlds. Cultural and global systems challenge old patterns of life on the continent (Mucherera 2009:27). Pastoral care in Africa finds itself between traditional socio-cultural and global systems. According to Waruta & Kinoti (2005:2) the task of pastoral care in Africa is to guide individuals and groups to understand themselves better and relate to one another in a mature and responsible manner. The crises that human beings face have a spiritual dimension. In African culture a crisis can be overcome when the spiritual yearning of human beings is met in relationship with others, in community (Waruta & Kinoti 2005:46).

The goal of postcolonial pastoral care is to cultivate communal spaces where people are safe, nurtured and empowered to grow (Lartey 2013:121). Pastoral caregivers participate in secular institutions as chaplains, teachers, social workers and pastors to care for the spiritual needs, the human dignity and well-being of people (Lartey 2013:122). Institutional chaplains are faced with the challenge of contributing to transform the culture of their work environment. It is a particularly difficult task to care not only for the people, but also for the ethics and mode of operation of such institutions. The task of the chaplain is to raise questions as to the extent to which institutional culture serves the wellbeing of inmates and those who visit and support them (Lartey 2013:122).

The chaplain's task includes counselling individuals and families, performing religious rites and rituals in times of loss, transition and celebration. Chaplaincy aims to facilitate holistic communal activities and to provide spaces for the revival, renewal and recreation of the spiritual life of those who are in the institution. The chaplain's presence and engagement is most needed when institutional culture goes against the human dignity, human rights and the wellbeing of a particular group or individuals in the penitentiary system. Then advocacy is needed and the chaplain is one of the few people who can provide it. Chaplaincy serves this purpose when a culture of disrespect, abuse, bullying and neglect of the human rights, needs and concerns of persons prevails (see Lartey 2013:123).

Some challenges that face chaplaincy today are due to rapid change in the world. One such challenge is the increasing diversity, with regard to religion, and the prison population. The presence of Islamic religious leaders and inmates in penitentiaries, for instance, brings a new dimension to prison chaplaincy (see Shaw 1995:86-88). Islam continues to be a growing force in the world and also in penal institutions in Africa. Christian chaplaincy can be a resource and work together with and alongside Muslim workers in the penal environment.

Chaplains are challenged with the problems of racism and religious fundamentalism in penal facilities. Not much of an effort is generally made to deal with these issues. Faith communities tend to promote their denomination rather than work together for the common good of those in the penal environment. Chaplaincy is not always a popular ministry, even in church circles (see Shaw 1995:135). Pastoral care and a pastoral presence could serve as an essential dimension of pastoral wisdom to those at the margins of society.

In countries such as Canada, the United States of America, the United Kingdom, Australia, Denmark, Norway, South Africa and Sweden correctional services have made great strides with regard to pastoral care and prison chaplaincy (see Hall 2003:108-137; O'Neill 2009:74-75; Allard & Allard 2010:330-332). In the USA chaplaincy services in correctional facilities have been investigated from various angles over a period of time (see Yu 1991; Griffith 1993; Shaw 1995; Sundt 1997;



Prison Fellowship 1999; Sundt, Dammer & Cullen 2002, 2008). This is also the case in the context of the UK (see Stern 1993; James et al. 1997; Beckford 1997, 1998, 1999, 2001, 2010; Coyle 2002; Beckford & Gilliat 1998, 2005). Some of the ideas and pastoral care models from these contexts have taken root in other parts of the world, such as New Zealand for example (see Taylor 2008). The efforts and struggles of chaplains in correctional services are examined in this study in order to gain insight into what effective prison chaplaincy practices could be in the African context and how insights from existing research in other contexts can be applied to or modified for the African context. How the various countries provide religious and pastoral care to the inmates is explored in this chapter.

In pre-modern times, force was used to contain those who break communal norms. Religiously inspired critics of the medieval prison systems saw chaplains as the guardians and reformers of “fallen” criminals. Today the “force” has a different face. Prisons employ media and electronic technologies to monitor and control inmates (Gilbert 2006:223). Imprisonment can have three possible outcomes: inmates become either defiant or compliant or defeated human beings. Defiance produces disciplinary problems for penal institutions. Compliance makes inmates adhere to the norms of the institution and defer to prison officials. Defeated people with a broken spirit are easy to supervise and control. However, such a mentality will not make it easy for them to adapt to and reintegrate in life outside the prison (Taylor 2008:117). Defeated human beings do not have hope. The primary task of correctional services and chaplaincy in the prison is to moderate and rehabilitate inmates. However, often prison is simply seen by society as the place for lawbreakers who then become the “scapegoat” (see Girard 1986) of a society that projects on them its own sicknesses, externalises its own wounds and weaknesses, and expels them from view (Newbold 2007:313).

A holistic approach to the treatment and rehabilitation of inmates will have to be interdisciplinary, include psychological, spirituality and religious guidance (Beckford 2010:376). Prison is an environment which is suited to explore the management of emotions, because it is an “emotionally exciting and constraining” milieu for those who live and work there (Hicks 2010:91).

The safety and security of correctional institutions affects people on an emotional level. Emotions, like behaviour, are subject to social control because they can be modified and suppressed (Hicks 2010:116). Healthy, therapeutic and nurturing relations are rare in most prisons in Africa since the life of an offender is often seen as worthless and morally bankrupt. Prison becomes the dumping ground for the negative and destructive elements of society (Atabong 2007:1).

Not only life in prison, but also life after prison should be the concern of caregivers. It is crucial to focus also on family integration and employment opportunities that would guarantee a livelihood when people are released from prison (Thomas & Zaitzow 2006:256). A priority for penal services should be to revisit and review the practices and structures of prison life in order to ascertain to what extent these work toward the reintegration of inmates into society. The ideal would be that, while inmates remain in custody, they simultaneously engage constructively with the wider community. It is the task of prison officials to find ways and means to shape the interests, attitudes, habits and character of individuals in the penal context in order to eventually release them as competent and willing persons who can adjust to society and not further violate the law.

However, there is reluctance on the part of most prison administrations to respond in a progressive way to proposals for prison reform and to groups that campaign for the abolition of solitary confinement (Taylor 2008:179). Dissatisfaction with the tangible results regarding prison reformation led some countries to develop imaginative strategies to keep offenders out of prison, whereas others rather tighten the control system of the institution. Commitment to humanitarian policies, the readiness to evaluate and modify penal management systems and policies according to the changing circumstances is lacking in most prisons (Taylor 2008:180).

There has been an increasing acceptance of and demand for religious counselling in the penal environment for some time now (see Worthington et al 1996:448). Pastoral care and prison chaplaincy continue to make inroads into some prisons, challenges notwithstanding. How this can be expanded to the people who are involved and their impact on the penal system, are the focal points of this study.

## 4.2 A liberation theology approach to prison ministry

Along with the practical theological approach to this study, the lens of liberation theology is also useful because the context of this investigation is postcolonial Africa. The history of Latin America with its colonial heritage played a significant role in the development of liberation theology, the impact of which extends to today. Liberation theology views God as the “God of history” (Pierce 2006:92). Liberation theology breaks with the past and offers hope for a new future for the poor and oppressed (McGovern 1989:1). The liberation movement began in the 1960s although its origins lie as far back as when Cortes attacked the Aztec and started the Spanish colonial empire. The Spanish conquest of much of the Americas was an enormous feat of imperial expansionism (Pierce 2006:92).

Gustavo Gutierrez is generally regarded as the authentic voice of liberation theology speaking to the challenges of the time (Sigmund 1988:18). Liberation theology originated in Latin America in the 1960s as a response to the social conditions brought about by foreign economic and social manipulation and exploitation. Liberation theology called for liberation from the system of dependence that was established during the era of Spanish rule and North American domination. The system of dependence was seen as economically, politically and culturally repressive and pervaded all social systems. This allowed the forces of oppression to operate without being checked in any way. Liberation theology speaks to political, economic and social processes. It has a vision of a community that supports the poor and oppressed. The church should become the change agent and gatekeeper for the oppressed and should bring them into a relationship with God.

Similar communities (niches) can be advanced in the prison system to support inmates as they struggle to move out of an oppressive dependency and controlling system. According to Gutierrez (1973:8), it is this dependency on social and political systems that made the development of liberation theology necessary. Liberation theology brings a fresh impetus and new dimensions to public and theological conversations with particular attention on marginalized and silent voices (Wimberly 2006:134).

Liberation theology makes it possible for marginalised and silenced voices to be heard and not only the voices of the powerful (Wimberly 2006:134). Latin American liberation theology is relevant to prison ministry in Africa because it originated from an unjust economic system that created dependence and spread falsehood and violence throughout the nation. Many people were imprisoned in these turbulent times. Some inmates become agents of the dependency model and contribute to the entrapment of others in a repressive penal structure.

Theologically, the movement for liberation includes Christian beliefs interwoven with social scientific analysis and interpretation. This provides structure to engage with the religious and political ethics of subjugated nations. The liberation theology approach to social, political and economic issues in Latin America did not receive support from the powers that be since its goal was to liberate the poor and oppressed from the destructive tendencies of the oppressor. The motives of liberation theologians went beyond social, political and economic processes. Liberation theology had the vision of a community that supports the poor, marginalized and oppressed and frees them from the dependency inherited from colonialism and neo-colonialism. For liberation theologians it is imperative that churches play a more active role in the politics of nations. Pierce (2006:91) identifies four stages of a process of liberation:

- caring for the poor and oppressed;
- investigating the problem, causes, factors and consequences;
- examining specific points connected to the issues;
- engaging new ways of interpreting Christian faith and new ways of doing theology.

Gutierrez's theological point of departure is that God is actively involved in history to save God's people from bondage. Liberation theology has two concerns: social and economic liberation from poverty and oppression, and the liberation from sin which is the root of all injustice in the world (Pierce 2006:92). Gutierrez finds that churches are not sufficiently concerned with and involved in issues of injustice. He does not think that the church can remain outside the political sphere. Much of democracy in the global world relies on the Western model of economics and a justice system that

imprisons inmates in structures that are not conducive to human dignity. Addressing the theory underlying the conceptualisation of prisons, liberation theology criticises penal systems as oppressive structures and describes the connection between the dependence system and Western economic dominance.

Reflection on pastoral care and chaplaincy from a liberation theology perspective would focus on providing a “niche” that provides an opportunity for spiritual workers to protest against the oppressive structures and actively work towards reversing the negative effect the structures have on inmates (Pierce 2006:ix). Forgiveness through justification is essential for pastoral caregivers whose work aims at the transformation of inmates toward wanting to change the behaviour that led to their internment (Pierce 2006:x).

In the Latin American context prisons are places of contention. Society supports incarceration and punishment. There is a general hatred towards and aversion of inmates. Latin American prisons are places of on-going criminal activity. From a liberation theology perspective, the ethical goal would be to free people from a moral context defined by society in order for them to find their own moral compass (Pierce 2006:xi). Available measures for the transformation of personal, social and political relationships are few and insufficient (Pierce 2006:xi). Morality is an issue not only for penal systems but also for those who visit prisons. The civil society in Africa easily adapts to negative concepts that dehumanize inmates and watch the daily operations of penal systems from a distance.

Liberation theology explores what it means to be compassionate and accountable when dealing with the less fortunate and less privileged in society. Pastoral care and chaplaincy are theological models of transformation for those who desire to break the vicious circle of crime and oppression. According to Pierce (2006:1), chaplaincy is interested in the challenges of life behind bars. Without the mission and ministry of reconciliation, forgiveness and liberation, theology cannot accomplish its task (Pierce 2006:137). In liberation theology reconciliation and forgiveness are key elements to reverse the process of oppression and victimization. The theology guiding pastoral care and chaplaincy is directly related to the practical processes of helping inmates to

understand their crime and make amends. Reconciliation is critical to the liberation process as it allows inmates to gain a sense of self-worth without being paralysed by shame and guilt due to past criminal actions.

The liberation of the oppressed in prisons cannot always be to restore their physical freedom. Liberation will then be more on the spiritual and emotional level. In several ways, “the chaplain’s office is where the causes of recidivism have a better than average chance of being prevented” (Pierce 2006:5). The role of clergy and religious volunteers is to develop a ministry that is healing and has the potential to liberate inmates from oppressive tendencies, structures and environments (Pierce 2006:13). The role of chaplains and religious volunteers is to secure freedom from emotional and cultural imprisonment (Pierce 2006:14).

Mutuality allows the chaplain to view the inmate’s inner world while still maintaining his or her own perspective and identity. If this takes place in an atmosphere of cordiality, genuine dialogue could develop as follows (Pierce 2006:15):

- participants approach the discussion with sincerity and honesty;
- participants accept each other;
- participants reveal themselves to each other;
- participants come to the discussion with an open mind
- trust forms the basis of the discussion and is built slowly through dialogue.

Anxiety, shame and guilt are central control mechanisms in the human psyche that move people either towards or away from reconciliation. The heart of liberation theology is centred on reconciliation and forgiveness which begin with addressing the oppressive tendencies in prisons. The actions of Jesus reflected values such as mercy, compassion and justice (Luke 4:18-19). Jesus intervened to free people from violence and identified with the poor. Chaplains bring grace, trust and forgiveness to confront the anxiety, shame and guilt of inmates (Pierce 2006:54). Pastoral care addresses the hopeless situations and the need of inmates to move towards reconciliation and forgiveness (Pierce 2006:120).

Practical theologian, Emmanuel Lartey (1997, 2003, 2013), is inspired by liberation theology in his reflection on pastoral care in Africa. Pastoral caregivers should understand that the personal is political and the political is personal in their work with people (Lartey 1997:95). From a liberation theology perspective political structures that dehumanise, are identified and pastoral caregivers immerse themselves in the problems of marginalised people and identify with them. A social and hermeneutical situation analysis is done to explore available options for concrete action.

Building on the conversational theory of Michael West (1996) and philosopher Michel Foucault's (1981, 1995) on power structures, Wimberly (2006:38, 42) points out that power discourses in the context of oppression, is a political process. In order to establish and retain power, through a subtle but effective form of racism, people are recruited to internalise negative stories about themselves (Wimberly 2006:12, 56). The main goal of pastoral care is to liberate the oppressed and marginalised from negative internalised conversations. In order to facilitate the process of liberation, mediating structures such as family, church and community should be strengthened. The social structures that oppress and dehumanise people should be publicly addressed and criticised. The old, negative story should be replaced with an alternative preferred story (see White & Epston 1990; Müller & Schoeman 2004:7-13). The story of the gospel can provide people with a new identity that frees them from restrictive beliefs about themselves and enables political action. For Wimberly (2006:94) conversations with and in God are the foundation of a positive alternative story that can shape the lives of people. Conversations with and in God can change the old story by deconstructing the negative elements so that the story can be re-told in a positive way.

Mediating structures are essential in the process of re-authoring negative internalised stories and identities. According to Wimberly (2006:6) there is a strong link between pastoral care and counselling and social, cultural and political concerns. Pastoral caregivers are public theologians who address the problems of the time. They offer an alternative vision of human dignity and value in discussion "that challenge market driven and community-oriented images of self-worth" (Wimberly 2006:134).

In Latin American liberation theology attention is given to the social, political and public dimensions of Scripture to correct the imbalances in culture. This pastoral care method is appropriate to people who have experienced religious abuse, poverty, racism and sexism. The goal is to transform and empower those who have gone through individual, social and political crisis. Human beings cannot be understood without examining their social context (Wimberly 2006:13).

From a liberation theology perspective penal issues such as human rights abuses and recidivism can be addressed (Pierce 2006:67). Chaplains aim to foster a relationship of trust with inmates in prisons who often do not know how to trust another person. If the only effect of imprisonment is that it breaks people, they will not make much of an effort to create a better lifestyle in prison or after their release. There is a need for pastoral care and chaplaincy to engage vigorously with penal issues, because people's lives are at stake (Pierce 2006:68). Inmates have been deprived of liberty, companionship, independence, security, goods and services. Pastoral care and chaplaincy should be committed to offer alternatives for growth within the firm boundaries and limits that the situation necessitates. The chaplain's role demands that, on an ethical level, they "do what is right and not what is convenient" (Pierce 2006:77). It is the duty of chaplains to assure inmates that suffering and human degradation do not constitute part of the punishment for their crimes. Chaplains prepare inmates for life beyond prison walls. Pierce (2006:77) puts it as follows: "We as chaplains must never forget that punishment belongs to Caesar and we are about God's work which has always been about helping the poor, needy, children and the oppressed."

Viable chaplaincy programs can become a niche environment which contributes to alleviating the worries, cares and anxieties of inmates (Pierce 2006:79). A niche is a workable milieu with resources such as space, people and relationships. It allows for achievement and a form of psychological stability. The equality that is experienced in a niche environment stimulates inmates to be creative and positive. Inmates should be able to adapt with ease to the niche environment. The best and most workable niches can be inmates' living units, their work assignments or educational programs. Niches provide inmates with a sense of belonging in an environment which is often life



threatening. The worship space and experience can provide a key to the process of reconciliation and hope for the future (Pierce 2006:85).

The liberation theology developed by Gutierrez, can be made applicable to pastoral care and prison chaplaincy. Gutierrez (1973) understood ministry as being ministry with the oppressed and the poor. In the prison environment this would mean bringing inmates into a community of believers and guiding them to move beyond the dependency system in which they are trapped. The dependency system that controls inmates is similar to dependency systems of poverty and oppression in which people in Latin America in Gutierrez's day were trapped. The oppression of the prison system leaves scars on both the oppressed and the oppressor, as well as on the system that perpetuates it without the fear of reprisal (Pierce 2006:87). Offenders experience a loss of their human dignity through informed and uninformed choices. The process of the loss of self-worth turns prisoners into inhuman objects that are "to be controlled, humiliated and confined" (Pierce 2006:88). They are "the enemy", with no humanity, and treated as objects that are to be manipulated and tolerated. Subsequently, inmates resort to self-victimisation: they suffer feelings of shame, guilt, loneliness and abandonment.

A chaplaincy program that engages liberation theology will focus specifically on aspects such as oppression and human dignity. From a liberation theology perspective both the former oppressed and oppressor should be freed from the detrimental effects of the abuse of power (Pierce 2006:88). Secure in their humanity and human dignity inmates can try to find meaning and understanding in life. When the oppressed struggle to regain their humanity they should not, in turn, become the oppressors of the oppressor but should rather strive to restore humanity to all (Pierce 2006:88). It is the power that comes from the weakness of the oppressed that is strong enough to liberate both.

Chaplaincy programs with a liberation theology approach should encompass the elements of healing, forgiveness and reconciliation. According to Pierce (2006:89) "only faith can supplant the fear of meaninglessness through giving life a different context".

It is especially important for pastoral caregivers who serve in public institutional spaces to have had a thorough theological education where they were prepared for their public roles in ministerial work. The voice of the faith community should not be drowned out in the market place, but should be heard clearly in public discussions (Wimberly 2006:16). Pastoral care should guide cordial relationships, build love and compassion, construct systems of support, and denounce violence and abuse of all kinds (Wimberly 2006:20).

### **4.3 Paradigms of pastoral care**

Paton (2005a:4) identifies three pastoral care paradigms: the classical, the clinical pastoral and the community contextual. The classical paradigm extends from the beginning of Christendom beyond the Reformation to the advent of psychology and its impact on pastoral ministry. The approach in this era was an emphasis on the message of pastoral care and the caring elements in Christian theology and tradition. The clinical pastoral care paradigm emphasises the individuals who give and receive pastoral care. The focus is on what pastoral caregivers should do, know, say or be in any given situation. The clinical pastoral care paradigm emphasises caring for others that is motivated by the care of the self. It includes both being someone and doing something to help those in need of care. Pastoral caregivers learn about the self and how to care for others through the experiential and reflective participation in caring relationships. The communal contextual paradigm takes into account the ecumenical dimensions of care, communities, the economic situation, race, gender, propagates a caring community of both clergy and laity, and calls attention to contextual factors that affect the message of care, those providing it, and those who receive it (Paton 2005a:4). In the communal contextual paradigm pastoral care is understood as a ministry of the faith community where members are reminded that they are valued, remembered and have worth in themselves (Patton 2005a:5).

The classical, clinical pastoral and community contextual paradigms are all essential to rethink and effectively carry out the pastoral task. Pastoral caregivers focus on the message that is relevant to inmates, to the context and its effect and meaning in the life of inmates.

According to Patton (2005:5) pastoral care should attend to the needs of people in terms of the message, people and context. A pastoral care paradigm that is suitable for pastoral care at parishes and hospitals is not necessarily adequate for prisons. The uncritical adoption and application of pastoral paradigms designed for other contexts to the prison environment could lead to ineffective pastoral practice.

For pastoral care to be relevant on the continent of Africa it should emphasise the communal dimension. Pastoral care in Africa is yet to develop theological and practical wisdom to do so. Counselling and psychotherapy occupy a central place in Western approaches to pastoral care, also in prison chaplaincy. The approach focuses on the personal, emotional and rational aspects of individuals with the goal to find with them a way towards a satisfactory and resourceful life. Through counselling and psychotherapy people can explore their thoughts, feelings, attitudes, and behaviours. They can acquire knowledge, understand themselves, and find the strength and resources to cope with life (Lartey 2003:82-83). Pastoral care, through worship, education, social action, and counselling, aims at facilitating a process of self-discovery, engage with others, deepen and broaden inmates' relationships and their participation in the transcendent and in global communities (Lartey 2003:151). The aim of pastoral ministry is that the person's journey to rediscover what life is about will be enhanced and relationships strengthened. In an African context the expectation would be that pastoral caregivers will blend different practices and beliefs into a whole that makes meaning for all (Lartey 2013:26).

Oppressed and marginalised people need a healthy environment that promotes human dignity and sense of self-worth. Practitioners of pastoral care who engage in activities that help people should be open to diversity and have knowledge of the meanings, symbols and signs that are important to people of other cultures and religions. Pastoral care should be inductive, collective and inclusive for it to liberate those behind bars. Chaplains' prophetic voice, especially in Africa, is often silent on the lack of services and the negative experiences of people in the penal system. In order to reflect meaningfully on what pastoral care in the context of the penal system in Africa could entail, philosophies and practices from other contexts in the world are first explored.

Insights from these contexts will be evaluated to ascertain what would be applicable to the African context, what will have to be modified to suit the African context, and what will not be relevant or applicable.

#### **4.4 Models of pastoral care in prison chaplaincy**

##### **4.4.1 Priest and prophet**

In the 1990s, practitioners of pastoral care and counselling adopted two models for prison ministry, namely that of the pastor as priest and the pastor as prophet. This was uncritically adopted from parish ministry models. A priest mediates between God and humanity through maintaining and transmitting the traditional values of the temple and cultic worship. Priests uphold law and order. They care for morality and religiosity, as well as for cultural and social norms (Yu 1991:59). The priest builds the community and is the voice of the community. The work of the priest is done within the parameters of community norms. The priest is the mediator between God and humanity, restores and sustains order and brings the community into right relationship with God (Yu 1991:60). The cure of troubled souls in the community is the priest's responsibility and ministry.

The image of the pastor as priest is central to pastoral care and counselling in the United States where the four main functions of pastoral care were identified early on in the history of pastoral theology as healing, sustaining, guiding and providing reconciling support (see Hiltner 1949). The model of the pastoral caregiver as priest was applied in therapeutic settings such as hospitals with the goal to cure sickness and correct deviance (see Boisen 1936). The prison chaplain as priest is faced with challenges in a system where crime is the order of the day. According to the model of the pastor as priest, the pastor's task is to identify "the problem" in "sick" and "deviant" persons, even though they were the ones who have victimised others in society. In pastoral care with prisoners, the prevailing notion is that people in custody are cheats, robbers, murderers, rapists and generally sinners. From this point of view "cure" and "therapy" would not suffice (Yu 1991:61).

The image of the pastoral caregiver as priest covers only a part of the reality of pastoral care in the context of crime and punishment.

It is supplemented with the image of the pastor as the prophet who identifies evil and injustice and is committed to strive for and facilitate the highest good. Prophets often have the reputation of being “seditious, cranky and a threat to the status quo” (Yu 1991:62). The prophet’s function is to proclaim God’s word for particular events and announce God’s judgment. In the setting of penal services this would mean that the prophet, as God’s messenger, would visit prisoners to proclaim the divine oracle. This places the chaplain as a prophet in a difficult position. Prophets did not attend to the cries of people with their particular needs. Their task was to announce the divine message. The model of the chaplain as prophet would make for a practice that is too “high, idealistic, transcendent and religious” to be of value to prisoners who see themselves as a failure (Yu 1991:63). According to Arthur (1994:380), people in custody can identify with a message of hope rather than judgment. The prophetic model would be more suitable for people who are not in prison. Some occasions and situations in prison necessitate prophetic speech and action. However, there is a risk to this. Should the chaplain speak with a prophetic voice, it can create tension in the penal institution (Ford 2011:8).

Since either the pastor as priest or the pastor as prophet would not suffice, pastoral care should integrate both the priestly and prophetic dimensions into their pastoral care. One alone represents an inadequate response to the human situation. There is a tendency in Christian circles to see the prophetic as in opposition to the priestly. However, the prophetic and priestly functions are not incompatible or mutually exclusive. Priests and prophets coexisted in worshipping communities as instruments and mediators of covenantal faith. The priest was the “insider” whose function was to conserve the tradition of Jewish religion while the prophet was the “outsider” who stood as “spokesperson for Yahweh” (Yu 1991:62).

Yu (1991:59-69), from his experience of prison chaplaincy in the USA, proposes a third possibility to add to the priestly and prophetic functions, namely the metaphor of the prison chaplains as a seer in the sense of caregiver, comforter and consoler. According to Yu (1991:59) neither the priest as keeper of tradition and the status quo, nor the prophet as divine messenger, can truly hear the cry of people in prison. This calls for a shift in emphasis to the role of the seer.

In traditional pastoral care, the offices of priest and prophet were well established and practised throughout the history of the Judeo-Christian faith. The office of seer, on the other hand, has not received much attention.

#### **4.4.2 Seer**

In ancient Israel seers were the mediators between Yahweh and the community (1 Sam 9:9). Prophets were previously called “seers” in Israel. Texts such as Isaiah 29:10 and 30:9-10 indicate that seers continued to exist alongside prophets in the history of the people of God. The task of the seer, as a divine visionary, was to reawaken hope and facilitate a renewed sense of God’s presence and covenant for those in crisis. The divine visionary of hope reawakens a sense of God’s presence among those who have lost hope – those who exist at the margins of society.

Seers were called upon during periods of transition to provide a clear vision of redemption, restoration and renewal of covenant faith that secured right relationship with God and creation. Seers in Israel were “soothe-sayers” with an “e” which refers to “soothing”, caring and comforting rather than “soothsayers” as diviners and fortune tellers. Such “soothe-sayers” care for people in crisis and offer them true hope (Yu 1991:64). Seers in Israel were called in when there was a crisis situation, either on a personal or on a national level. Seers had a vision for covenant community that prepared its members for the kingdom of God (Yu 1991:65-66). They were ready to help people in crisis, lift their spirit (morale) and bring hope of a better future. Their message was about continuing and confirming their covenantal relationship with Yahweh (Yu 1991:68).

On the national level, they functioned at the turning of an epoch. On a personal level, seers were sought out by people in difficult situations and crisis moments in their life. Seers were identified with diviners, soothsayers and shamans. A message from a seer on community matters was a sign of Yahweh’s presence. The seer reawakened a sense of Yahweh’s presence in Israel’s historical existence, especially during transitional moments.

From a theological perspective criminal behaviour can be seen as the manifestation of a broken covenant.

The task of pastoral care with prisoners would then be to redeem, renew and rehabilitate covenant life through the reordering of the inmate's attitude and behaviour. The seer as provider of pastoral care comforts and consoles inmates and enables them to find asylum, sanctuary and security in the community of faith. While society's goal with imprisonment is that penal officials will "tame" and "re-domesticate" inmates (Yu 1991:63), the pastoral task is rather to overcome the challenges that inmates face.

According to Yu (1991:63), a suitable pastoral care model for chaplaincy would be one that integrates the functions of priest, prophet and seer, with the emphasis on the role of seer, since the main task of the seer is to mediate covenant faith. Their task is to reawaken, renew and maintain the spirit of the covenant relationship even in crushing and life-threatening situations. The pastor as seer works with those in need of radical change with regard to the meaning of their existence. This is a particular need of prisoners. Prison as a setting of pastoral care and counselling differs from other pastoral settings such as parish, hospital and military ministry. A seer in the prison setting would be an agent of pastoral care with those who struggle to alter their orientation to life. All three functions of priest, prophet and seer have a rightful place in pastoral care (Katz 1985:6; Yu 1991:67).

#### **4.5 The context of prisons: Marginality and liminality**

Theological reflection on chaplaincy recognises the marginal nature of the work. Chaplaincy occurs in marginal spaces such as hospitals, prisons, military and tertiary institutions. This often puts them on the edge of human consciousness. This is the reason why the experiences can contribute to an alternative reality and experience. The value and nature chaplaincy lies largely in its liminality – standing between heaven and earth, revealing the existence of alternatives, embodying and serving at the threshold between two realms. "Liminality" comes from Latin "limen" which signifies "threshold" and refers to a period of transition from one state to another (Willey 2016:1). The concept of "liminal religious fields" accounts for the sacred aspect of social life that is effective, irrational and differentiated (Willey 2016:2).

In most societies a liminal phase, indicating a period of change or transition will be accompanied by rituals of care and the cure of the soul.

Life behind bars throws people into a liminal state. They undergo a bodily experience of displacement from their environment and relationships, and acquire a liminal identity. Liminality is a transitional period when life is given a new dimension and is reordered. It opens the possibility to hope that making amends will be possible, however hopeless the situation may appear. Prisoners are in a state of liminality. They possess nothing and are nobodies. When prisoners are incarcerated for longer periods of time their behaviour is often passive and humble, they obey instructors and accept punishment without resistance (Yu 1991:65). Submissiveness and silence are aspects of liminality.

Liminality entails a painful period of discomfort, waiting and eventual transformation. Old habits, character, beliefs and personal identity disintegrate. Liminality opens up the opportunity to become a new being (Whalen 2004:2). Liminality can be a door between seasons, the space between being wounded and being healed, and the transition from childhood to adulthood. Transformation requires the death of the old self to become a new self. Incarceration can, therefore, also be a period of transition and change. Liminality as a transitional period makes the re-ordering of life possible. If the potential to positive change is realised, inmates can return to community life as redeemed persons. The potential for change is strong where people cross significant boundaries, step into an unsettling and in-between zone where they abandon accepted structures and truths. Liminal zones could open possibilities for inner transformation, lead to strong sense of self-worth, belonging, purpose and fellowship (Willey 2016:2). The outcome and consequences of liminality could be transformative and generative.

In prison offenders are on the threshold (limen), caught between practices, cultures and frames of knowing. Prison is an in-between place, a marginal space outside of daily life. The fact that they are there is the consequence of a social rupture which means to them the discontinuity of their old life. As people enter that liminal space, their old value system is destroyed and they become disoriented.

They search for new value systems to live by. This effort is most often uncomfortable and accompanied by failure. Liminality requires of them to learn to live with tension,



pain and the boredom of waiting. In a liminal space people can learn to let go, and be transformed (see Whalen 2004:3).

The quest for meaning, higher values and leading a spiritual life is as real as biological and social needs. The therapeutic process with inmates aims at spiritual growth. Inmates have to find strategies for survival in the prison environment. In pastoral care they can assess what it was that brought them to a life of crime and choose to take a different route in future. Pastoral caregivers facilitate this transformation and the healing of wounds as they listen to the emotions and experiences of the people in a way that can establish human connection and bring hope.

The culture and life in prison is difficult to relate to. Pastoral care provides the space for inmates to grieve so that they can move past their losses and chart a new way for the future. Mourning is a healing process which enables people to emerge from it with greater wholeness. Mourning is an integral part of life. It can lead to greater kindness to others, new insights and transformation (Marta 2001:210). Coleman (2003:122) understands the role of the chaplain as follows: "Prison chaplains bring a shred of hope, sliver of light to a dark and regimented world and soften the tense atmosphere and lift morale".

In the history of penal institutions chaplains were the first treatment staff who attended to the spiritual, therapeutic and social concerns of inmates. Chaplaincy has come a long way from the days when community clergy visited inmates with the intention to "save souls" (Coleman 2003:122). Spirituality is about the soul that connects with the centre of power, being and human life (Lartey 2003:141). Pastoral care nurtures spirituality and pathways to spirituality are a means of developing and sustaining relationships. It is impossible to understand human beings without taking into consideration the human need to find the meaning and purpose in life.

Through pastoral practices such as worship, prayers for the lonely, weak and sick, preaching and visitation pastors accompany inmates on their spiritual journey.

This necessitates an examination of the theoretical and practical significance of pastoral care in a situation where pastoral care continues to change. The caring community (clergy and laity) provides pastoral care. The ministry of pastoral care is

understood holistically rather than hierarchically, which means that theory and theology should be coherent and meaningful to the context (Patton 2005a:3).

#### **4.6 Pastoral care in the prison context**

The task of pastoral care is to foster reform and rehabilitation through pastoral ministry, meet the spiritual and other needs of inmates (Sundt, Dammer & Cullen 2002:369). The pastoral care role of chaplains is to maintain ministry through which inmates are opened up to “who they are” (Williams 2006:8-9). The pastoral role implies being present and available to people in whatever wilderness they find themselves with the intention to renew, strengthen and restore their relationship with the faith community. Patton (2005a:3) sees pastoral care as ministry of the church which focuses on the community of faith, a centre of care that involves everyone, especially those who are hurting, oppressed or marginalised.

Pastoral care contributes to reducing the anxiety of the oppressed and marginalized. Care is pastoral when it looks deeper than the present crisis and reminds those at the margins of society that they are created in the image of God to be in relationship with God. The ministry of pastoral care is based on the Christian affirmation that God created human beings to relate with God and other creatures in a loving and caring manner (Patton 2005b:1). Pastoral care is the action of a community of faith that listens and responds to those who have been cut off from the faith community and those at the margins of society. The task of correctional chaplains is to provide pastoral care to those disconnected from community because of imprisonment, work or family issues (Rolfs 2006:1) – those who find themselves in this particular liminal space. Through pastoral care spiritual needs in relation to the self, God and creation can be expressed (Lartey 2003:11).

The development and distribution of resources to those who are in need of pastoral care is an issue of power in prison. The structures of political and economic power that determine the norms and context of daily life in prison also control the resources with regard to pastoral care. An environment where social justice prevails will create room and provide resources for pastoral care services.

Pastoral care, as a strategy that facilitates the universal understanding of God's love and power, is by its very nature prophetic and political (Lartey 2003:12). Faith communities can participate to make a positive difference by setting up training programs and support groups for people who enter prison ministry (William 2006:5-6; see Shaw 1995:86-88 & 135-136). The presence and importance of pastoral care in penal facilities cannot be ignored, taken for granted or seen as irrelevant. According to Lartey (2013:52), there is no genuine reconciliation without knowledge and understanding, and there is no forward movement without reconciliation.

Through pastoral care and counselling services the realities of past traumatic events are faced courageously and new possibilities become available for those who have been traumatised. Painful images from past traumatic events often get in the way of visualising a more progressive and positive future. It is therefore necessary to cleanse the unconscious mind of the painful events that belong to the past in order to set free a dynamic and creative mind that can look to the future with optimism. The majority of inmates come from a non-religious or only partly religious background. There is also a small percentage of prisoners who come from a strong religious background. It is they, especially, who seek the solace of religion while serving time in prison (see Shaw 1995:2, 47; Williams 2006:12).

The role of the pastoral caregiver involves teaching, preaching and organising activities that build, restore and strengthen relationships (Patton 2005b:2). Pastoral caregivers should always remember God's action on their behalf, remember who they are and remember those to whom they minister. The central biblical theme for pastoral care is being remembered and remembering. Pastoral wisdom involves knowing, being and doing (Patton 2005b:3).

Pastoral care and chaplaincy is not always clearly defined in African prisons. A sense of mutuality should exist between clergy and laity if faith communities are to be faithful to their ministerial and missionary task. A major source of theological understanding is in the experience of those who are lonely and forgotten by society (Patton 2005b:2). Pastoral care involves establishing relationships which aim not only to support people in times of adversity, but also to promote personal and spiritual growth through a deep

understanding of the self, others and God. Central to pastoral care is the affirmation of the meaning, worth and value of human beings and the endeavours to strengthen people's ability to respond creatively to challenges of life (Holmes & Newitt 2011:104). This calls for the power of human relationships to reach out to and affirm the dignity and humanity of lonely, confused and powerless persons who are in penal institutions and trapped in the prisons of the world. Pastoral care is the presence that makes room for truth. It makes time to listen to the complex and painful histories of people in order that reflection can be done. Counselling skills are required to work with inmates. Chaplains should be active listeners and be able to show empathy and unconditional positive regard towards people in order to minister to them. Active counselling skills enable offenders to tell their stories and engage in conversation. Linked to active listening is the gift of attending to the issues the person raises. Chaplains attend to the situation, see it from a different perspective, see beyond the situation, engage deeply with the humanity and spirituality in people. In order to help clients to explore their spiritual journey and story, chaplains should develop the capacity for systematic theological reflection on lived experience that arise from sound training in practical theology (Holmes & Newitt 2011:106 & 116).

The position and role of chaplains enable them to enquire about the priorities of the institution with regard to treatment of inmates. It is the chaplain's responsibility to maintain a critical stance towards the penal system in order to represent the critical voice of society and articulate what it expects from the prison institution (Williams 2006:13). The challenge of the prison chaplain is to be a truthful witness and pastor to both inmates and staff (Williams 2006:7). As pastoral caregivers chaplains enquire as to the professional outcomes of the work of prison officials. Their task is not only to keep people securely behind bars, but to encourage and facilitate them to reform. A good understanding of the prison structure is essential for chaplains to be effective.

According to the Myers-Briggs Type Indicator, people whose preferred mode of processing information is feeling, tend to make decisions with empathy, considering what is good for people.

Some inmates spend time thinking, are more detached and are concerned with the logical consequences of their choices and actions (Myers 2000). Fraser (2010) argues for constructive and sustained efforts to cultivate thinking and reflection in pastoral care and chaplaincy. It should not be the sole domain of a few dominant thinkers, but of the collective skills of chaplains ministering across the board. However, a preference for the feeling mode should not be used as an excuse for a lack of critical thinking. It is essential to develop reflexive minds and acquire critical reflective skills in order to engage effectively in pastoral care and chaplaincy (Holmes & Newitt 2011:9-10).

Experience is a valuable asset for a chaplain, especially when the chaplain facilitates negotiations and dialogue regarding disputes and tensions in the prison. Chaplains are specialists in the dynamics of prison life and culture. Their services extend across the boundaries of race, the reason for imprisonment, sexual identity, creed and religious beliefs (Rolfs 2006:2). It should also be a priority for chaplains to facilitate openness with regard to diversity and educate society to treat and value prisoners as human beings. The context of pastoral care is not only the prison community, but the entire faith community which should participate in contributing to the physical, spiritual and intellectual wellbeing of inmates. According to Kasambala (2004:159), African stories, proverbs, idioms and symbols can be used effectively in pastoral care to interpret individual worldviews.

Most of the literature on penal services and chaplaincy are from a Western context. Two of the main contributors to the existing body of knowledge are the United Kingdom and the United States of America. Prison chaplaincy in these contexts will now be perused in order to gain insight in the origins and development of correctional institutions and chaplaincy. These insights can be compared to the data gleaned from the African context. The study explores what could be applicable to the situation of prisons in Africa and where fresh approaches and strategies for the African context will be needed.

## **4.7 Prison chaplaincy in the United Kingdom**

### **4.7.1 The prison system and chaplaincy**

Prisons in the United Kingdom, like elsewhere, are challenging for a variety of reasons. They are largely “authoritarian and regimented” as they bring together violent, immature and vulnerable people in shared spaces (Edgar, O’Donnell & Martin 2003:2-3, see COE 1999:103). Prison creates anxiety and people experience utter loneliness which increases the risk of suicide or self-harm, the victimisation and exploitation by others, harsh treatment by officials, a low sense of personal power, low self-esteem and fear (see COE 1999:75; Edgar, O’Donnell & Martin 2003:4). The use of force in prison is a pre-modern legacy. The aim is to contain people who break communal norms. The architecture of most prisons in England and Wales that date from before the twentieth century reflects medieval notions of penal systems existing for security and punishment.

Prisons are “modern” when they manifest the 18th and early 19th century need for “surveillance, discipline and governance of the soul” (Beckford 2001:376). Religious diversity creates controversy, especially with regard to chaplaincy. Bedford (2013:1) identifies the problems in UK prisons as: the struggle to officially recognise a variety of religious traditions; disputes between faith-based groups over the unequal distribution of resources and facilities, the restriction of religious practices and the unequal status of chaplains. These challenges call for a discussion on the presence of religion in a secular institution.

In the penal environment security, order, informal interaction, rules and acts of resistance are strictly regulated. Prison officials face the challenge to officially recognise a diversity of religious traditions and their leaders, and the institutional recognition of prison chaplaincy (Martinez-Arino, Garcia-Romeral & Griera 2015:10). Studies that investigated some problems facing UK prisons are those of Beckford (1998, 1999, 2001, 2003, 2005, 2013) and Bedford & Gilliat (1998). These studies provide invaluable information with regard to chaplaincy. The legal and professional framework for prison chaplaincy has barely changed since the 1950s. A statutory requirement (Prison Act 1952) stipulates that the 136 prisons in England and Wales

should have Anglican chaplains (Todd & Tipton 2011:7). This has been the case since its promulgation into the law of the state. The Prison Service Act recognizes and respects the right of offenders to register and practice the religion of their choice while incarcerated (Ministry of Justice 2011:1).

Since the inception of the penitentiary in the United Kingdom, the ministry of chaplains has been mentioned in various Prison Acts. Most Prison Acts emphasise that chaplains should be licensed priests of the Church of England. Visiting ministers from other faiths and denominations can be appointed. Representatives of the Buddhist, Hindu, Muslim and Sikh faiths campaign for the freedom to work in prisons among offenders from their communities (Beckford 2001:373; see Beckford 1998). It is not easy for visiting ministers to negotiate directly with governors on time for visits. Some Christian chaplains often also have to negotiate access to rooms and struggle to resolve problems concerning chaplaincy services. England and Wales permit a variety of religious activities, but not on an equal basis (Beckford 2001:379). The pressure on resources, space and scheduled activities sharpens distinctions and emphasises the boundaries between faith groups. It is difficult to guarantee equal rights for equal rituals because Anglican chaplains are often reluctant to share administrative and representative roles with visiting ministers from other faiths. Political considerations also shape the context in which space, time and the sacred are articulated in penal environment.

The simultaneous growth of religious diversity and religious indifference among offenders since 1970s aggravates the tension between advocates of the Church of England and others. Chaplains of the national church are of the opinion that this church should have primacy in the Prison Service Chaplaincy (PSC). Idea of a national church is not relevant in the religiously pluralistic environment of the prisons of England and Wales. In the structure of the PSC only Christian chaplains represent, legislate, legitimate and criticise the prison service. Visiting ministers are not in a position to do so. Given the great changes in the nature of British society, this is an untenable situation (Beckford 2001:374; see Beckford & Gilliat 1998:214).

In the confines of prison, inmates encounter religious representatives more frequently than they probably would in the course of their daily life out in the world. Chaplains in England and Wales therefore occupy a potentially crucial position to serve an entire establishment: prisoners, officers and governors. The presence of chaplains provides justification for the state to use force to imprison people. There are sociological reasons for why religion has a higher profile in the prisons of England and Wales than in the society outside. The penal institution is one in which, for legal and customary reasons, religious personnel and facilities occupy a prominent position (Beckford 2001:374). Chaplaincy fosters a strong sense of the sacred that differs from formal religion. Inmates develop a powerful attachment to images, photographs, books and religious artefacts. Some inmates arrange religious objects in the form of a shrine to protect them in troubled times. Beckford (2001:375) categorises such objects as “sacred” because prisoners invest them with exceptional power and value thereby treating them as “set apart and forbidden”. Some offenders display anger and hurt if prison officials or fellow inmates defile their sacred objects by treating them without respect. If a sacred object is part of official religion, the response to the defilement will likely be more outraged. Chaplains view themselves and are seen by inmates as a reliable force through which appeal can be made in the event of serious injustice, oppression and disorder because they readily act as “whistle blowers” and advocates for offenders with serious grievances.

The Prison Act defines the ambivalent nature of the chaplain’s ministry. Chaplains are accountable to Church of England and employees of state (see COE 1999:102-103). This places chaplains in a situation where they are duty bound to the penal system, yet simultaneously examine, challenge and work to bring about change in the system. Chaplains walk the tightrope of serving in penal institutions although they are viewed as independent of it. They struggle to find a balance between the dual calling of service to the church and the state. It is necessary for them to be able to criticise management structures without being locked in and identified with the system.

Prison chaplains have a challenging occupation in a context of conflict. They have the difficult task to gain the trust of inmates and officials alike, as well as the faith community and society. They are called upon to find solutions to challenging



situations. It is their responsibility to represent some form of sustainable order and peace in penal institutions (COE 1999:79). In the United Kingdom, the Church of England plays dominant role in Prison Service Chaplaincy (PSC) both on a national and a local level in each prison establishment. The provision of religious care is the responsibility of the Prison Service Chaplaincy (PSC) in collaboration with Church of England, the Roman Catholic Church and the Methodist Church. Prison chaplaincy has been an important part of the prison system in England and Wales since the eighteenth century. It offers the opportunity for members of PSC and members of faith communities to reach out to people in prisons. The ministry of chaplains is inclusive. They do not attempt to convert people, but bear witness to the love, mercy and justice of God (Holmes & Newitt 2011:60). Chaplains therefore minister also to people of other faith groups. Faith leaders are encouraged to support inmates through contact and fellowship. They are encouraged and challenged to understand what life behind bars is like, to develop a vision and the capacity to also support ex-inmates on release.

Prison confronts inmates with good and difficult relationships, destructive attitudes and behaviour, and drug addiction. There is a need for a spiritual reawakening that chaplains who welcome inmates, offer practical, emotional and spiritual support, can facilitate (Holmes & Newitt 2011:60). Operating within the constraints of prison rules, chaplains develop the skills that enable them to be regarded as people who are serious about decency, fairness and advocacy for inmates, staff and families.

Life challenges often overwhelm the image of God that prisoners had before. The chaplain journeys with inmates, staff and families in the pain and confusion brought about by the death of an inmate. The job description of a chaplain includes a list of religious requirements and competencies. Qualities that are required of someone who serves in the penal environment include: wisdom, compassion, humility, a sense of humour and the ability to relate with people of other faiths and areas of life (Holmes & Newitt 2011:62). Complacency is not an attitude that will meet with success, especially not in high security prisons.

Chaplains serve as a representative of God. They meet people where they are and witness the love of God to them. Faith development is regarded as an important

process and a compass for all in the penal environment (Holmes & Newitt 2011:63). Chaplains are respectful of other faith groups and facilitate appropriate services for the spiritual growth of all. There is an openness to cooperate with others in order to promote ecumenical and multi-faith dialogue. Often multi-faith cooperation is more successful in the penal environment than in Christian ecumenism.

Walking alongside prisoners in times of trouble, grief and distress is central to the role chaplains play in the correctional environment. Chaplains remind prison officials of the humanity of all people regardless of the crimes they committed and ensure that inmates are given alternative support in difficult circumstances (Holmes & Newitt 2011:64). The tasks and role of chaplains include: crossing boundaries, bringing new perspectives, praying for the institution, standing up for the rights of inmates, working for justice with wisdom and compassion (Holmes & Newitt 2011:65). Most chaplains at Her Majesty's Prison Low Newton are part-time and rely on journals as a source of information. Encounters with inmates, worship services and meetings are recorded in a journal. Chaplains meet with inmates who need pastoral care, want to speak to someone, confess and light a candle for a loved one who has passed on (Holmes & Newitt 2011:67).

Chaplains routinely plan and lead services, coordinate discipleship courses and groups. They visit the sick, attend meetings, write reports and are available for the inmates and staff in times of crisis. Their journal portrays life in the penal community and is the forum where concerns for prayer can be raised. The chaplaincy leaflet "Welcome" promises daily prayer for the penal institution, inmates and staff (Holmes & Newitt 2011:67). Chaplains work with others in prison to build self-esteem through encouragement, positive action and addressing the challenges that inmates face. Vulnerable inmates are often at risk of suicide attempts and self-harm.

Practical support that is also aimed at developing people's spirituality is a key to the discipleship programs in correctional facilities. The aim is to protect the public and reduce recidivism (Holmes 2011:68-69).

Prison chaplaincy works for the transformation of inmates so that they can become responsible, mature and productive citizens. However, until social circumstances are

adequately addressed, the transformation efforts will probably not amount to much and change will not be sustainable. Poverty, poor education, unemployment and the inability to access social services contribute to the exclusion of people. Race and gender bias prevails in the criminal justice systems. Chaplains provide advocacy for those who find it difficult to voice their needs. Chaplains form an active link between the inmates and the community. The coordinating chaplain manages a team that includes full-time, part-time, recognized faiths and seasonal chaplains. They pray, support, challenge, love and listen to the voices of those whose stories are excluded by churches.

Core values of institutions can be found in their mission statement. This provides a clear summary of what they wish to accomplish and what the key values are that guide the pursuit of their goals. The statement of purpose of the UK Prison Service is the following: “Her Majesty’s Prison Service serves the public by keeping in custody those committed by the courts. Its duty is to look after them with humanity, help offenders lead law-abiding and useful lives in custody and after release” (Her Majesty’s Prison Service 2004). Services are provided to everyone irrespective of gender, race, disability, age, sexual orientation, religious and belief system. This reflects the aspirations of the institution and the image it wants to promote.

St Michael’s College in partnership with the Cardiff University School of Religious and Theological Studies in the United Kingdom developed chaplaincy courses for various sectors of English society with the aim to improve the intellectual, reflective and practical competence of chaplains and prepare them to respond effectively to the pressures of their work. The value of chaplaincy is discussed in relation to the critical needs of society. Across faiths pastoral and theological expertise is combined. Such an approach is lacking in the context of prisons in Africa. The combination of training and experience helps chaplains to evaluate every situation and respond accordingly. Simplistic theology does not work in a complicated context that gives rise to complex theological issues such as suffering, healing, justice and forgiveness (Holmes & Newitt 2011:110).

Cobb (2007:4) emphasises the theological task of self-reflection, critical thinking, enquiry and interpretation. Critical thinking and reflection are vital for chaplains' wellbeing because psychological and mental exhaustion (burnout) is often manifests among people in the caring professions where the sole focus is on the other and no time is given to own needs. For example, the statement of purpose for the United Kingdom Prison Service Chaplaincy (Her Majesty's Prison Service 2004) reads as follows:

Chaplaincy is committed to the serve needs of prisoners, staff and religious traditions through engaging human experience. We work collaboratively respecting the integrity of each tradition and discipline. We believe that faith and the search for meaning should direct and inspire life and are committed to providing sacred spaces and dedicated teams to deepen and enrich human experience. We contribute to care of prisoners to enable them to lead law-abiding and useful lives in custody and after release.

The role of prison chaplaincy is framed by the aims of the institution which approves activities that contribute to achieving its goals. The implication is that Her Majesty's Prison Service underscores the value and role of chaplaincy. The statement takes into consideration the need to provide mutually acceptable language and vocabulary for the integration of prison chaplaincy into penal structures. The mission statement commits the institution to providing resources and training chaplains to pursue goals, aims and objectives of Her Majesty's Prison Service.

Chaplains who deal consciously with the difficulties of their task and its emotional and spiritual demands know that they need the strength of prayer and support structures. In the African context, faith communities and denominational leadership have not created the opportunity for chaplains to reflect critically with people about their ministry. Chaplains should beware of the temptation to try and find simplistic solutions for the complex issues faced by inmates, prison officials and themselves (Holmes & Newitt 2011:11). Chaplains in secular institutions minister to persons who mostly are not members of their or any other faith tradition. People with no religious affiliation have difficulty expressing their beliefs and experiences when confronted with spiritual matters (King 2005:118, 119). Chaplains should be skilful and creative interpreters as they listen and respond to individual needs (Swift 2009:9, 29).

The job description of a chaplain places much emphasis on the ability to lead worship as the criterion for becoming a chaplain. Not much is said about the important work of pastoral care with inmates. It is expected of chaplains to be diligent and confident in leading public worship in various circumstances. Chaplains are to be competent in crafting liturgies and celebrating rituals. Their work is mostly about helping people through a time of transition with liturgy and rituals being of vital importance during such moments. Ritual has so much to do with process of transition (Jenkins 2006). The use of ritual helps people in transition for “ritual and religion control anxiety, dread, alleviate isolation, promote security, establish a sense of being loved and appreciated” (Holmes & Newitt 2011:108; see Hodge 2001). Ritual and liturgy help to communicate meaning in situations where people struggle to find the right words. In a pastoral context, ritual and liturgy provide a channel for people to honour different and sometimes paradoxical feelings. Their searching and struggles are expressed, articulated and validated (Holmes & Newit 2011:108).

Chaplains themselves should participate in drawing up their job descriptions and specifying their tasks in the correctional environment. Chaplains require resources from which to draw strength, wisdom and knowledge. Chaplaincy is a challenging and demanding vocation that requires a high level of expertise and proficiency. Duties range from a contribution to general welfare, to the ministry of presence, to providing help and comfort to those in trouble, grief and distress (Holmes & Newitt 2011:112). The key role is the provision of pastoral care and support to persons facing difficult moments of transition, attending to needs, listening and building a relationship of trust by means of counselling skills such as empathy and positive unconditional regard. Chaplains offer inmates strength and hope.

The United Kingdom Chaplaincy Service requires that chaplains be critical, creative and reflexive thinkers. The Prison Service recognizes that chaplains are not only involved with faith-specific work but play a crucial role in the penal institution. Chaplaincy includes support from the faith community. Volunteers assist in running faith groups in prisons. Churches lead fellowship and encourage the hope that restoration and support can be found beyond prison walls. Chaplains play a key role to bridge gap between prison and the outside world.

Educative talks with faith communities and schools provide the opportunity to raise awareness on the role of justice and forgiveness in society.

Daily challenges of chaplains include following: the depravity of humanity, the hope for better future, a call for justice, ecumenical, multi-faith and multi-disciplinary work with others, and being God's representatives to all people. Some inmates return to a life of crime, institutions marginalise the role of faith, the balance between pastoral care, security and trust issues are skewed. Such frustrations and disappointments can deplete a chaplain's mental energy. In such situations prayer, humility and seeking support through, among others, supervision, and spiritual direction can help to carry a chaplain from despair to renewed hope.

Prison chaplains search for goodness in people who have been ostracised by society for their wrongdoing. Chaplaincy is physically and emotionally demanding, especially for volunteers. Chaplains receive and settle in new offenders, visit the sick and those in solitary confinement. Though freedom is denied the inmates, chaplains work to ensure that the dignity and humanity of people in custody are respected. Chaplaincy presents religious perspective and supports religious freedom in secular institutions. Chaplaincy plays a mediating role to integrate different perspectives and values to ensure that none is dominated by others. Prison chaplaincy is work that calls for self-knowledge, faith, personal value and belief.

The prison population in the United Kingdom is diverse, especially with regard to religion. Some prisoners have no affiliation to a religious group. The combination of religious diversity and a reluctance to identify with a specific religious group creates a problem for chaplaincy. This has led to a transformation of traditional roles and authority relations in the UK prisons (Beckford 2010:373). Christian chaplains are required almost on a daily basis to perform statutory duties. Inmates can also ask chaplains to write a report in support of their parole application or fair sentencing. Chaplains can contribute much should inmates choose to use the time in prison to improve their life.

Access to prisons is "brokered" by Christian chaplains acting as "literal and figurative gatekeepers" for those who visit the institution (Beckford 1998:15).

Opportunities for religious practice are unequally distributed between Christianity and other faith groups (Beckford 1999:673-674). Other faiths are dependent on Christian chaplains and only a minority of visiting ministers openly criticise this situation (see Beckford & Gilliat 1998:133-139, Finke 1997:48-50). Clergy who enjoy special privileges have little incentive to mobilise popular support for visiting ministers in PSC (Finke 1997:51). Control over resources and opportunities are in the hands of staff with power to determine the level of religious activity in the prison. Many of these staff members are not concerned with the freedom of religious activities and the maximisation of religious vitality in prisons. Penal policies to a large extent determine the prospects and future of religious activities.

The Church of England enjoys a privileged position and provides opportunities for other faith groups to participate in prison chaplaincy (see Hastings 1997:42; Sherkat 1997:75-76; Beckford & Gilliat 2005:xii-xiv). Representatives of the Buddhist, Hindu, Muslim and Sikh faiths vie for religious autonomy in prisons. Pastoral care and prison chaplaincy do not reflect the diversity in society. Religion as practised in prison is old fashioned and rigid. Everything is scheduled well in advance for specific times. Therefore a spontaneous and flexible response to a request from an inmate is not possible in most prisons. Fixed ideas concerning the appropriate time and place allocated to religion prevents any flexibility (Beckford 2010:376). The way in which religion is practiced in prisons of England and Wales tends to reinforce boundaries between Christianity and other faiths. This undermines the collective identity. Inmates tend to reproduce the divisions and conflicts between racial, ethnic and religious groupings which is such a prominent feature of a globalised world.

Prison chaplaincy is a site of controversy with its struggles to survive in a religiously diverse society. This raises questions as to power, privilege, and equal opportunity (Beckford & Gilliat 2005:xii; see Beckford 2010:380). Increased religious diversity is the result of the colonialism, empire-building, international migration and worldwide capitalism that run through the modern history of the United Kingdom. The fastest growing religion in the prisons of England and Wales is Islam. This is attributed to migration from the Caribbean, Asia, South Asia and East Africa since the 1950s.

British Muslims, Hindus, Jains and Sikhs retain connections with the faith communities of their forefathers without difficulty (Beckford 2010:380).

South Asian, East African notions of sacred time and space do find expression also in Christian prison chaplaincy. This encounter between local and global forces is not hybridity but rather syncretism or an assimilation of faiths (see Bhabha 1994). Prison chaplaincy is limited, conditional and a brokered integration of non-Christian practices in a dominantly Christian system. Religious practices are not only varied but subject to institutional limitations. Religious diversity is not about a departure from the norm but is rather about variations on theme of religion (Beaman & Beyer 2008:2). Penal officials are unclear as to how exactly they see religion and how inmates and chaplains are to practise it. Buddhists, Hindus, Jews, Muslims and Sikhs operate on condition that they comply with the existing regimes, which are monitored and managed exclusively by Christian chaplains in consultation with correctional service managers.

The profile of prison chaplains is diverse. Individuals come from a wide range of ethnic groups, age groups, faith traditions and social class. Prison chaplaincy has become increasingly complex, varied and difficult with religious groups having varied interests (Beckford & Gilliat 2005:33). Prison chaplaincy provides a lens for exploring the realities of ecumenical and interfaith working relationships in an environment that represents the richness and failures of multiculturalism (Todd & Tipton 2011:19). Few prisons have more than one chapel, which is then used as an ecumenical chapel. Attendance at the worship services is voluntary. It is often higher than church attendance. Worship in prison creates the opportunity for inmates to receive a new vision and hope. It can add value to the quality of life behind bars (COE 1999:105).

Chaplains generally respect religious diversity and believe in equal opportunity for all. They provide space to other faith-based groups. This collaborative and cordial working attitude often prevents extremism and radicalism. Together prison chaplains collaborate to fight crime. Prison chaplaincy requires a multidisciplinary engagement and a collective attempt to reform the penal institution. The collective responsibility of individuals who work together is crucial to the transformation process, which requires mindfulness, care, moral courage and practical wisdom. The role of pastoral care and



prison chaplaincy is vital for bringing about positive and constructive change to the penal environment. Prison chaplains acquire knowledge and wisdom in their daily dealings with the complexity of the institution.

## **4.7.2 Chaplaincy models in the UK**

### **4.7.2.1 Introduction**

There are different models of chaplaincy in the United Kingdom (Holmes & Newitt 2011). This study investigates models of prison chaplaincy in secular institutions and conventional theological models. These studies analyse and explain the conflict surrounding chaplaincy services in secular institutions. The models that were developed provide an explanatory framework.

Models on general ministry abound in the literature. Greenwood (1994) is known for a Trinitarian model and Croft (1999) for the historic threefold analysis of faith communities to model key aspects of ministry. Percy (2008) and Billings (2010) stress that the cultural context is critical in the development of a model. Chaplains utilise different models at different times. Models provide a useful framework for reflection. Chaplains engage in pastoral ministry in ways that are shaped by their context. Some differences are due to the employer. Some chaplains are funded by their churches, some combine part-time chaplaincy with parochial ministry, others serve the penal institution where they are employed fulltime. Models are neither mutually exclusive nor incompatible. Chaplains normally focus on one or two and incorporate aspects of the others in their work.

### **4.7.2.2 Theological models**

Theological models for chaplaincy in the context of prisons in the United Kingdom will now be discussed briefly:

- **The missionary model**

Most chaplains see their vocation as being missionaries to those in custody whom they consider to be vulnerable and in need of pastoral support.

Their task is to bring the gospel to people in ways that are suitable to the context. The missionary approach focuses on working in the mission field of society, proclaiming gospel everywhere, and reaching the unreached. The missionary model provides the motivation for the work of chaplains rather than guidelines for a specific practice. Intolerance, exclusivism and the denunciation of those who refuse to heed the gospel call could be implications of this model. However, chaplains, also those who adhere to the missionary model, should always be respectful and responsive to context in which it operates. According to South African missiology's study by David Bosch (1991), the missionary message was always incarnated in the life and world of people and the missionary model is contextual in nature. It is continually renewed and reconstructed (Holmes & Newitt 2011:18). In the missionary context of prison life the employing institution and values such as tolerance, respect for diversity and equal opportunities are important factors. The expectations of the institution are laid down in the job description, service agreement and policy statements regarding chaplains. Chaplains share the love of God in hard-to-reach places. They should be skilled in discerning what the best means and tools for mission in this context will be (Holmes & Newitt 2011:119). The missionary model is difficult to explain and justify to those outside of the faith communities.

- **The pastoral model**

The role of the chaplain is to care for people and the task of ministry is that of sharing God's love and caring for all people unconditionally without expecting reciprocation. The pastoral model is predicated on the example of Jesus' self-giving and sacrificial love for all humanity. Chaplains think of their role as that of a friend who listens, a companion on the journey of life, a good Samaritan, a therapist and counsellor (Holmes & Newitt 2011:120). The traditional image of the pastor as a priest of religion is integrated in the pastoral model. Chaplains fulfil the quasi-parental role of providing advice and support. The pastoral model is easily explained to those outside of faith communities, but is vulnerable because it is not distinctive. Chaplains are more than just good listeners which could be seen as simply duplicating what is on offer elsewhere and not adding value in any distinctive and cost effective way.

Chaplains have to then attain additional qualifications in counselling and related skills in order to provide credible pastoral care in a professional market.

- **The incarnational or sacramental model**

The incarnational or sacramental model is rooted theologically in the imitation of Christ. It is inspired by the being and nature of Jesus Christ rather than actions in the world. Chaplains who receive inspiration from the sacramental model see ministry as incarnational, their role embodies something of God's call in the places where they minister. The language of sacrament is used to describe chaplains as "walking sacraments". The eventualities of everyday life are used to convey the reality and love of God (Holmes & Newitt 2011:120). Where this is the guiding model of chaplaincy, the ministry is seen as "a ministry of presence" or "being rather than doing". God works in and through the presence of chaplains in the correctional environment. This is a powerful model for those in the faith community but it is difficult to explain to people outside the faith community especially and those with no faith commitment (Holmes & Newitt 2011:121). Without belief in God's transforming presence and power, the model seems suspicious, as though chaplains can simply relax, do nothing much except dress in pastoral, clerical attire and walk around looking religious. The model overlaps with the historical-parish model which offers a better way, analysis and means of communicating the strengths of the incarnational (sacramental) approach.

- **The historical-parish model**

Chaplaincy is often seen in relation to parish ministry. In the Anglican tradition the parish model of ministry relates to a specific locality where parishioners spend their working and domestic lives. Parish priests are actively present and involved in their daily lives. As a consequence of global mobility the parish priest is no longer at the centre of all aspects of life. Industrial and work place chaplaincies attempt to address this.

The historical-parish model describes the context in which chaplains work. In the context of hospitals and prisons aspects of the model are applicable because people spend time in that environment. Where model is relevant, the focus of chaplaincy is on

being present in and engaged with life in that locality. In this regard the model overlaps to some extent with the incarnational model. Presence opens the opportunity for conversation and talk about problems, informal confession and questions about the Christian faith (Holmes & Newit 2011:122).

For those outside the faith community, this model presents an acceptable and understandable way of describing what chaplaincy is about. It incorporates the ideas of presence, sacramental and incarnational ministry. The problem is that time and resources are limited. The vision of ministry to everyone is not realised easily. A sense of failure can result from the shortfall between ideal and reality.

- **The prophetic or challenging model**

A prophetic voice challenges the status quo. It speaks prophetically against unjust and ungodly structures. The image of the prophet is often used in conjunction with political and social activism. Chaplains who are employed in an institution are often uncomfortable with regard to prophetic speaking. Those who value the prophetic model and proceed to act as whistle-blowers regarding abuses in prisons get caught up in uncomfortable procedures that cause tension and harm working relationships (Holmes & Newitt 2011:122). There is no easy way for chaplains to raise concerns on strategy, vision, staff values, and policies, and to make suggestions for improvement.

#### **4.7.2.3 Secular models**

Secular models of chaplaincy are to be found in official policy documents, reviews and job descriptions. However, for the individual chaplain the task of discernment goes beyond institutional prescriptions. The attitudes, assumptions and expectations of institutional management shapes chaplaincy. How chaplaincy is described also sheds light on how the society views the faith community. The secular models and language used by the employing institution to describe the services and work of the chaplain will now be discussed briefly:

- **The pastoral care model**

Chaplains are viewed as professionals who are needed and valued for pastoral care in crisis moments. This makes the role of chaplains one of “damage control”. They intervene in difficult situations to prevent them developing into a deeper crisis that could disrupt the life and smooth functioning of the institution. Chaplaincy therefore contributes to the general well-being of clients and staff. By means of pastoral care disruption is limited, so also is the costly effects of staff absence, resignation, low productivity and disruptive behaviour (Holmes & Newitt 2011:123). Chaplaincy contributes to the image of the institution as a caring one, which has a positive impact on the recruitment and retention of staff.

- **The spiritual care model**

The spiritual health of individuals in any system is an important dimension of its overall health and wellbeing. Chaplains are appointed to meet spiritual and religious needs as part of the care provided by employing agencies. Chaplains assess needs and create care plans to meet those needs (Holmes & Newitt 2011:124). Chaplains are part of a multi-disciplinary team. However, the fine sounding rhetoric does not always match practice. The model works best where the health and well-being of the people accommodated by the institution, is the responsibility of employers (hospitals, schools and prisons).

- **The diversity model**

The smooth running of any institution warrants those in leadership positions to value and promote diversity at all levels of the structure to stimulate creative and productive ventures that impact on the social, economic and political indicators of success. Fair and just practice will guard against accusations of discrimination. Diversity embraces people with broad range of abilities, sexualities and potential to turn things around for all in the institution (Holmes & Newitt 2011:124). People of all ethnic and cultural groups and of various faiths are accommodated in the penal system. Penitentiaries are aware of the need for quality advice where people are hurting and vulnerable. The

value of chaplaincy is that it provides professional advice and is used by the institution to fulfil a variety of tasks in various areas.

- **The tradition / heritage model**

Military, prison and hospital chaplaincies are greatly valued as a part of the tradition and heritage of the institutions they serve. In this model chaplains provide “civic” services with regard to anniversary celebrations that mark the founding of institution (Holmes & Newitt 2011:125). Chaplains ensure that worship in the accepted tradition is maintained and executed with dignity. This model is for those who want to continue the status quo and is then vulnerable to radical change from the side of corporate and institutional leadership. Chaplaincy adds distinction and distinctiveness to the image of institution for the purposes of marketing and recruitment (Holmes & Newitt 2011:125). In the tradition or heritage model the presence of chaplaincy contributes to the self-understanding and sense of pride of the institution and the individuals who work there.

- **The secular meta-model**

The chaplain provides specialist support in the area of pastoral and spiritual care, knowledge and insight on matters of faith and is the guardian of cultural traditions. Chaplaincy is a resource among the wide range of support services provided by the institution. This includes counselling and family related services, advice on financial matters, accommodation and immigration. Chaplains engage with individuals and the community on issues that affect them. Chaplains are service providers who can be consulted. Services are made available to people who are the passive consumers. The people themselves decide to what extent they would like to access chaplaincy services in order to satisfy their spiritual, religious and practical needs. Chaplaincy services are accessed as an individual choice. The community places high value on the individual’s freedom of choice.

The various ideas chaplains and institutions have of chaplaincy can lead to tension, especially when the values of institution clash with those of chaplains and sponsoring faith communities.

An example is when it is perceived that chaplains have an evangelistic agenda which is in conflict with the secular agenda of the institution. Chaplains often construe the clash as due to the institution's misconception of what chaplaincy entails (Holmes & Newitt 2011:127). Chaplains should have a clear perspective concerning their role while serving an institution. If they do not have this dualistic perspective chaplains risk falling into complacency and stagnation, and become accomplices with that which is less than good and desirable (Pattison 2000).

#### **4.8 Prison chaplaincy in the United States of America**

Prisoners in the United States of America fought legal battles for the right to practice the religion of their choice despite the resistance from prison administrators (see Beckford 2010:372). The formative years of corrections in the USA saw wardens, captains, financial clerks and chaplains serving as administrative officers. Prison chaplaincy managers in Federal State penal system were committed to the principle of showing equal respect to the different faiths represented in the prison environment (see Kosmin & Lachman 1993, USA Department of Justice 1995).

Religious Freedom and Restoration Act (RFRA) was passed in 1993 and was viewed as crucial to successful prison reform. Chaplaincy has played a vital role since the inception of the penal system. Federal prison chaplains were expected to display "impartial religious leadership to meet the diversity of faith groups in prison" (US Department of Justice 1995:B-1). Chaplains serve as pastor to staff and inmates regardless of religious affiliation. Budget cuts, unclear job descriptions and the absence of measurable performance indicators place chaplains at risk in most penal institutions (Hicks 2010:iv). However, belief in the beneficial social effects of religious practice inspires religious motivation and social action geared towards rehabilitating criminal offenders in USA (O'Connor & Perreyclear 2002:12). In the past chaplains served as the moral and social conscience of the penal system (Payne 2012:76). In the United States of America, chaplaincy services are provided by chaplains from mainline churches although visiting ministers from other faith communities form part of the chaplaincy team.

Some chaplains take courses in Clinical Pastoral Education (CPE), whereas others receive institutional training to acquire the knowledge and skills that enable them serve in the correctional system.

The USA is at critical point in the dynamic relations between faith, crime, punishment and rehabilitation. Chaplains play a key role in the religion, rehabilitation and punishment dialogue. Those actively involved in religious services and programs are seen as an asset to the institution. Chaplains interact with the correctional administration, officers and inmates. The Federal Bureau of Prisons in the USA distinguishes three tasks of prison chaplaincy: the chaplain as prophet, as community liaison and as the manager of cultural diversity (Beckford & Gilliat 2005:176).

Chaplains carry out their priestly pastoral functions as they attend to teaching, administration and service to community. As priest, they conduct worship and do individual and group counselling. “Staff” chaplains can come from any faith community provided they meet the educational and professional requirements of the Federal Bureau of Prisons. No faith has a dominant position. The Federal Bureau encourages a “healthy interfaith” approach to pastoral care and expects chaplains to be “managers of cultural diversity” (Beckner 2012:154). Chaplains facilitate visits by unpaid religious volunteers and paid contractors. They ensure fair treatment for all faith groups.

Private initiatives finance and introduce religious programs in prisons to supplement the services provided by “institutional chaplains”. They do so in collaboration with others who are contracted to provide religious and pastoral care for specific groups of prisoners. The reason for this collaboration with others is that it is necessary to help solve the problem of increasing population in penal facilities and the shrinking budgets for corrections. There are severe cuts in the funding for religious programs in prisons across the USA (Beckner 2012:154).

Chaplaincy involves a high degree of standardisation and compliance with agreed procedures. Incarceration is the primary goal of prisons although there is substantial support for the rehabilitative ideal.



Chaplains' attitudes in corrections are influenced by their beliefs, environment and age. Sundt, Dammer & Cullen (2002:369) raise concerns with regard to working in a prison environment and how it affects people.

In the penal institutions the scope for individual creativity is limited. Employees often experience "prisonization" where they are shaped into keepers who "penalize and are penalized" (Sundt, Dammer & Cullen 2002:369). Noble intentions to render service and offer help are often corrupted and regulated by the environment and the goals of the penitentiary system. Prisons are painful places where people are deprived of freedom. They are often characterized by human rights abuses and injustice. The "expediency and convenience" of custodial goals often clash with a real effort to help inmates to rehabilitate (Opata 2001:vii). The question is whether penal officials have the ability to do what is expected of them, which is to do good, to guard and keep, to protect and rehabilitate, to maintain custody and provide treatment for inmates (see Rothman 1980:10; Sundt, Dammer & Cullen 2002:370). Those who work in corrections adopt a custodial orientation to avoid the complexity and ambivalence inherent in the rehabilitation of inmates. The tendency is rather to simply become complacent keepers and identify with the custodial role (Hicks 2010:iii).

Chaplains, on the other hand, emphasise rehabilitation and design programs to that purpose. Because of the closed context in which pastoral care takes place there is an intense involvement between chaplains and volunteers, and inmates. Most prisons in the USA have at least one fulltime chaplain. Some states that cannot employ fulltime chaplains rely on volunteers to provide religious services. Chaplains are responsible for identifying and serving various needs of the inmates. Chaplains are also members of the staff of correctional facilities. They are responsible for balancing the religious rights of inmates with the needs of the correctional institution, which are mainly safety and security. The balance is constantly negotiated (Hicks 2010:5). This aspect of chaplaincy continues to receive an increasing amount of public and political attention (Sumter 2006:523).

Religion in prisons is a complex and multidimensional matter. Chaplains try to make a positive impact on and shape the experiences of inmates.

Three main themes can be identified in the experience of prison chaplains: identity, role and emotion (Hicks 2010:17). Correctional officials have to deal with grief-stricken inmates and respond to their situation with empathy (Hicks 2010:19). Some chaplains are not equipped to deal with grief and other emotional difficulties in pastoral work. The ability to manage emotions is important in order to maintain the self-esteem and wellbeing of inmates. This ability is often lacking in both inmates and their keepers. Penal institutions are viewed as “emotional wastelands” with “emotionally starved persons” without a “human heart” (Hicks 2010:116). Chaplains have the task of revealing the hidden heart in this wasteland as they care for the institution and deal with the emotions of inmates. Prison chaplaincy provides pastoral care to those who are disconnected from the community through various circumstances (Rolfs 2006:1). Chaplains are professionals with specialised skills and training with regard to the dynamics in prisons. Active and subtle forms of proselytising are likely to occur when chaplains have not been professionally trained to safe guard inmates’ religious rights.

Most chaplains in the USA are members of the American Correctional Chaplains’ Association (ACCA) which is the oldest prison chaplaincy association in the USA. Its goal is to promote the professional aspect of chaplaincy work in the prisons. ACCA is a network that shares information and resources on chaplaincy, formulates standards for religious programs and develops certification procedures for chaplains. According to the ACCA code of ethics, ministry and outreach are extended to all regardless of race, the reason for confinement, their sexual orientation, creed or religious belief (Rolfs 2006:2).

Chaplains belonging to the ACCA should exhibit certain qualities: a good standard of personal conduct and ethics, good professional developmental practices, uphold confidentiality, be able to sustain interdisciplinary relationships, a high level of competency and the willingness to take responsibility (Hicks 2010:69). According to the ACCA code of ethics, chaplains form part of the orderly operation of correctional facilities, provide positive reinforcement to inmates and staff, diffuse frustration, anger and stress, reduce incidences of threatening and negative behaviour, and assault (Hicks 2010:71).

The role of the prison chaplain includes: conducting religious services, providing counselling, coordinating religious education programs, helping inmates' families and supporting volunteers (Beckner 2012:149). A national study on prison chaplains by Sundt (1997) identifies five types of activities: administrative tasks, services to inmates, religious activities, pastoral support of correctional staff, and community relations. Her findings show that the role of the chaplains is not exclusively supportive but also rehabilitative. Chaplains also indicated that they occasionally cooperate in managing and controlling inmates. Sundt (1997) concludes that a qualitative shift has occurred in prison chaplaincy. It appears to be less about "doing church" than it once was. Hence, it is necessary for chaplains to approach prison ministry holistically (Beckner 2012:162). In some ways, being a chaplain is a "vacuum identity" as the services of chaplains bridge gaps in the prison environment.

Chaplains go through the rigorous and tight security system of the prison in order to provide pastoral care. Sometimes it is a time consuming process just to attain access to the inmates. The control and security system of prisons is often a stumbling block to chaplains. This gets in the way of the effective nature of their service and role in the correctional environment.

Chaplains supervise the volunteers who assist them. Volunteers are indispensable to the pastoral work in prisons (see Tewksbury & Dabney 2004; Tewksbury & Collins 2005). Most volunteers are motivated by their religious conviction. Prison chaplaincy gives them the opportunity to share their faith with others. In a study by Kerley, Todd & Shoemaker (2009) with chaplains in Mississippi in the US the differences between the work of chaplains and that of volunteers is investigated. Volunteers participate in religious activities. The scope and quality of pastoral care varies (Beckner 2012:21-22). The study shows that chaplains spend most of their time coordinating religious programs, supervising volunteers and doing paper work. This is contrary to the traditional descriptions of the work of chaplaincy as a "ministry of presence" that attends to inmates' spiritual needs (Beckner 2012:148). Respondents reported that they had limited time for interaction with inmates. They see their role as a calling and service to God and people. They seek God's direction through prayer and reflection. Their sense of calling provides the framework for interpreting their experiences. Those

who leave this work often interpret it as having misunderstood the call to serve in the prison environment. Chaplains' work in prison is a "highly moral enterprise" as they are viewed as "God's ambassadors and instruments" (Hicks 2010:76-77).

The objective of chaplains is to create an environment where inmates can grow spiritually. The primary goal of chaplaincy is rehabilitation of inmates. The presence of religious workers in prison can be a source of hope for inmates. It provides them with the opportunity to improve their lives and prepares them for reintegration into society. Chaplains generally believe in the inherent transformative and rehabilitative potential of religion and the ability of human beings to transform and rehabilitate. Spiritual growth can fill the gap with regard to rehabilitation, since institutional programs most often fail to produce significant measurable changes in criminal behaviour (Beckner 2012:129). Chaplains bring "warmth in a cold place and light in darkness" through services that provide a "sense of humanity and belonging" to people in custody (Hicks 2010:78). Chaplains present a "human face" to a largely depersonalised institution and bring about a "humanising element" to prisons (Hicks 2010:79). They are part of the team that brings humanity to the penal environment. Chaplains are "encouragers and promoters" of rehabilitative change even when their role is often at odds with that of correctional officials who focus on safety and security of the institution.

Chaplains occupy a less powerful and influential position than prison officers. The relationship between officials and chaplains has no connections to the understanding of the chaplains' work but is centred on the notions given to penal officers' objectives of safety and security (Hicks 2010:80). Given the divergence of roles, chaplains often only interact superficially with prison officials. Chaplains encounter challenges that contrast with their career expectations. The reality of prison life is different from the reality outside prison walls (Hicks 2010:79). The work of chaplaincy is more effective if chaplains sustain good relations with correctional officials. When chaplains allow themselves to be manipulated by inmates who attempt to bend and break prison rules with hidden motives that are contrary to the safe and secure running of the facility, this leads to tension with the officials (see Hicks 2010:84-86). If this happens chaplains can lose their jobs and officials and supervisors view them as ineffective.

A balance between the rehabilitation objective and the necessary social control security measure of prisons is needed.

Religious programs provide inmates with the opportunity to practice faith without violating prison rules and compromising the safety of all in the penal institution. In a study on changing criminal behaviour and attitudes it was found that programs that build the moral, spiritual and civic responsibility can be effective (Opata 2001:vii). Creativity was stimulated. Inmates with problems could learn and master skills that would enable them to return to society as responsible, courageous, respectful and cooperating members of communities. Chaplains can nurture, reinforce, cultivate and regain the lost values and goals in inmates' life. The challenge is to develop a comprehensive program with the goal to treat the whole person: physical, emotional and spiritual. This would include life skills and job training designed to meet the various needs of inmates. Services of chaplains contribute to rehabilitation efforts of treatment teams in penal institutions. In the interest of a holistic approach the multidisciplinary team should include psychologists, psychiatrists, medical personnel, therapists who treat substance abuse, mental health practitioners and religious practitioners should coordinate their work.

Social, psychological and spiritual input are geared towards meeting the great variety of needs of people in custody with the aim to rehabilitate them so that they can look forward to a meaningful future in the community. Chaplains provide more than just religious programs. They also participate in education both in the prison environment and beyond. Prison chaplaincy not only meets needs of prisoners but also involves justice for all (Hicks 2010:114).

In order to remain conscious to the "injustices" of penal institutions, it is critical that chaplains maintain a pastoral identity which is separate from the secular goals of the institution (Beckner 2012:75).

The Commission on Safety and Abuse in American prisons (2006) found that there seems to be a decline in violence in correctional facilities over the course of three decades, though the overall picture is not quite clear. Prison chaplaincy in USA is distinctive for being relatively standardized, predictable, equitable and accountable.

However, the level of provision for religious care is relatively low (Beckford & Gilliat 2005:200). Beckner (2012:i-xi) critically examines the foundations of chaplaincy in the USA and presents a structural model consisting of four dimensions: personal, pastoral, administrative and community. The structural model serves as “template” for penal institutions to identify the functions that are needed (Beckner 2012:xxi).

There is growing interest on how to assess the effect of religious programs on inmate adjustment and recidivism. Sundt et al. (2002) argue that though prison chaplains have an established history of playing a vital role in transformation and rehabilitation of inmates, they are still to find their place and role in the institution. How they perceive their role and identity, translates into the way in which they serve inmates and cooperate with prison officials.

Most studies on prison chaplaincy point out the need for drastic change in the social conditions, attitudes, religious programs and pastoral care offered by the various denominations (see Beckner 2012:12). Given the official reduction of financial, educational, therapeutic and skills building resources that are essential to give people in custody the hope of rehabilitation and the ability to function as productive citizens once released from prison, making available resources from society for facilitating rehabilitation, would go a long way.

Correctional ministry has moved from volunteer work by interested individuals from the community to a specialised professional chaplaincy. Beckner (2012:xii) finds that correctional administrators and chaplains should be concerned with the erosion of the value, place and position of prison chaplaincy in the USA. Most chaplains are hired by corrections where they work and are supervised by deputy wardens, superintendents or heads of the correctional programs. Chaplains do counselling, have informal interaction with offenders, do death and grief work with inmates who are not necessarily affiliated with any religious denomination or have a spiritual background (O'Connor & Duncan 2011:596). Despite changes and challenges religious personnel and institutions continue to play an active role in the daily life of correctional facilities in the United States.

#### **4.9 A comparison between the UK and the USA**

There are differences between the kinds of pastoral, religious and spiritual care provided by chaplains in England and Wales and the United States of America. There are also sharp differences between the two systems in terms of the spirit in which pastoral care and chaplaincy are provided. The organisational frameworks in which the USA and UK chaplains work also differ. There is no “free market” for religion in the prisons of the USA and the UK because the economy of prisons is highly regulated (Beckford 1999:671). Prison chaplaincy is generally valued, taken seriously and coordinated by faith-based communities in conjunction with state officials. The United States federal and state prisons operate according to a more detailed, standardised, transparent and accountable system of prison chaplaincy than in England and Wales (Beckford & Gilliat 2005:199) where the structure, system of operation is rigid and highly regulated.

The involvement of volunteers and contractors in USA prison chaplaincies tends to be more formal, public and routine than the arrangements for visiting chaplains in England and Wales (Beckford & Gilliat 2005:199). There is a greater opportunity for prison chaplaincy in the US than is the case in UK. US chaplaincies promote the ideal of multicultural and equality of provision of services. All faiths are respected in the prisons.

Prison Chaplains in England and Wales enjoy greater freedom of working within their sphere of influence and are less bound by system-wide regulations and the pressure to observe standard procedures (Beckford & Gilliat 2005:200). Chaplains are given the freedom to make creative changes on arrangements for other faiths to conduct religious services. They can take action if they believe that extra support should be given to specific faith communities (Beckford & Gilliat 2005:200). Chaplains in England and Wales facilitate many religious activities as their budget is not so constrained. They can ensure every faith community receives equal opportunity and benefit. Consequently, chaplaincy sponsored religious activity in England and Wales is greater than in the USA (Beckford & Gilliat 2005:200). The “generosity” of the provision of pastoral care in England and Wales depends on the personality and disposition of the

chaplains and the availability of local resources. Provision is therefore vulnerable to arbitrariness, variability and unfairness (Beckford & Gilliat 2005:200). It is not easy for prisoners and religious groups to challenge and change existing arrangements. The amount of time and state provided resources available for collective religious activities tends to be smaller in the USA than in England and Wales (see Beckford 1998:680, 683).

Religion has the potential to provide guidance in a confused environment despite the fact that the “hothouse” atmosphere in most prisons promotes religious extremism and antipathy among religious communities (Beckford & Gilliat 2005:211). In the Western context it is possible for religion to cause interfaith animosity in prisons (Beckford 2010:372). It is a legal requirement for prisons in USA and UK to have clergy ministering in the prisons. Chaplains and administrators have the discretion to decide whether visiting ministers are necessary to supplement religious and pastoral care to inmates. Pastoral care and prison chaplaincy make a positive contribution to the correctional environment in UK and USA. Pastoral caregivers play a noticeable role that affects inmates positively despite the challenges of prison life and culture.

Prison chaplaincy in the Western world is a multi-faith activity because chaplains work with people from different faiths. They take their responsibility to respond to religious diversity in prison seriously and see this as a positive contribution to prison life. They identify and struggle to sort out the tensions that sometimes prevail in corrections and provide resources for coping with the work in penal environment (Taylor 2008:130-131). The battle to realise transformation and humane conditions for penal institutions has not been fully engaged. Most criminal justice studies focus only infrequently on religious variables that could bring change to the prison system (Garner et al. 1990:15).

The British State does give space and resources for religious work in its major institutions, and provides opportunities for spiritual and religious care of inmates (see Khosrokhavar 2004; Beckford, Joly & Khosrokhavar 2005; Sarg & Lamine 2011). The USA model is a third option where the official separation of the church and the state is



not seen as a stumbling block to state provision and public funding of prison chaplaincies (see Greenawalt 2006:165-171; Sullivan 2009).

Studies on religious diversity should consider differences not only with regard to inmates' different religious affiliations, but also what religious practices are permitted in the different penal systems – what frameworks, laws and regulations are in place (Beckford 2013:5). Given the religious diversity prevalent in the UK and USA, the role of chaplains can be considered work in progress. The role of the chaplain has changed and continues to change with the passage of time.

Chaplaincy provides a safe space for inmates to build and enhance friendships and good human relations. Chaplains have something of a neutral status within penal institutions. Their pastoral role enables them to somewhat reduce the pressure of imprisonment (Todd & Tipton 2011:6). The chaplain's role can be supported and promoted through coordination, training and transparency in the work environment. Chaplains' role in correctional environment has undergone a shift from the aim to convert people to the faith to provision of services that are focused on inmates' therapeutic needs.

#### **4.10 Prison chaplaincy in a diverse and secularised world**

In prisons in Spain there is a trend to gradually scale down religion and chaplaincy in the penal environment even though some penal authorities do acknowledge that chaplains fulfil important tasks such as bringing peace to the institution and helping inmates and their families in a variety of ways. However, in practice, religion, pastoral care and chaplaincy do not play a central role in Spanish prisons. Religious activities are mostly confined to the weekend and attendance is generally low.

The sacred space in Spanish prisons was mostly in the form of a Roman Catholic chapel. The chapel in the prison constitutes a visible sign of the organic integration which is a feature of the Roman Catholic chaplaincy model (Martinez-Arino, Garcia-Romeral & Griera 2015:13). The political transition to democracy in Spain changed the situation of sacred spaces in the wake of legal and social transformations in the country. Other religious groups also demanded sacred spaces and this led to a significant shortage of spaces for prison chaplaincy activities.

Chapels are being transformed and negotiations with regard to sacred spaces and religious activities are on-going. Penal policies lead to a reduction of the spatial presence of religion in prisons (Martinez-Arino, Garcia-Romeral & Griera 2015:14). Secular activities are replacing religious activities.

In Europe and the Western world the question regarding the physical layout of sacred spaces and management of religious activities is whether they should be organised in such a way that the different faith groups are completely separate, can avoid one another and remain largely unaware of one another's presence. Outside of prison people do not often come into contact with members of faith communities other than their own (Beckford 2001:370). In a prison setting the situation is different. People of various faiths share the same limited space. The relationship can either be one of understanding and tolerance, or it can be one of rivalry, tension, avoidance and conflict. Disagreements between different traditions and schools of religion can give rise to disputes and disorder. Religion has the potential to provide guidance in a confused environment despite the fact that the "hothouse" atmosphere in most prisons promotes religious extremism and antipathy between religious communities (Beckford & Gilliat 2005:211). Symbolic and physical markers of collective religious identity acquire extraordinary importance when inmates who are sensitive about their religious and cultural identity are forced to live closely to others who deride them. Religious activity runs the risk of causing interfaith enmity in prisons in most Western nations (Beckford 2010:372).

Inmates' increasing religious diversity and the reluctance of some inmates to identify with a specific faith group creates a problem for full time chaplains who find that their traditional roles and authority are being rapidly transformed (Beckford 2001:372). Studies are necessary to investigate the needs of inmates who no longer fit into the established prison routine.

Opata (2001:vi) is positive about the role and place of religion, chaplains, volunteers, correctional staff, families, and even the victims of inmates' crimes in the treatment and rehabilitation of offenders. However, the atmosphere in most prisons is that of fear, despondency and violence.

On account of inadequate training penal staff are often vulnerable to manipulation and power struggles with inmates. The role and position of chaplains is often misunderstood as though they are there to enforce the law rather than to attend to the spiritual needs of inmates and bring the liberating gospel message to people in a difficult situation. Chaplaincy services are necessary for healing and reconciliation between inmates, victims and society (Opata 2001:vi). However, in practice religion has moved from the centre to the periphery of the penal institution. The role of chaplains has been reduced, their duties often taken over by trained personnel and other specialists (see Sundt 1997, Skotnicki 2000, Beckner 2012).

Chaplains can contribute to achieving the core objectives of correctional goals. According to Sundt (1997:46), there can be no morality in corrections without religion (Sundt 1997:46). For some, religion constitutes an essential part of the rehabilitation process. Correctional services tend to focus on the classification and treatment of inmates, whereas chaplains are concerned with ensuring the human rights and dignity of inmates (Sundt 1997:53). Integrating religious work into penal facilities can be a sound correctional policy. As they work to protect inmates' rights, chaplains can also play a role in safeguarding correctional facilities against litigation (see Brooks-Klinger 2005:165).

In her study with chaplains Sundt (1997) identified the following tasks performed by the chaplains in penal environment: administrative tasks, service to inmates, religious activities, pastoral care with correctional staff and building community relations. This means that the role of the chaplain is not confined to a supportive and rehabilitative one. Occasionally, they also have to manage and even control inmates' relationships. The contribution of chaplains to effect personal change in inmates through their participation in religious services is often not valued. With the changing status of chaplains in correctional ministry they are no longer seen as a "significant figure in the prison system" as was the case in the past (Todd & Tipton 2011:4). Achieving the goals of the penal system requires a concerted effort from all concerned: the inmates themselves, the community, the judiciary, correctional management, social welfare and support services (Taylor 2008:72). Punishment is one of the least effective ways of influencing human behaviour.

The social system itself, which is a largely hidden dimension, should also be considered when seeking solutions to crisis in the penal environment (Taylor 2008:73, 77 & 79). Prison has a negative effect on more than just the inmates. Working in prison is difficult and those who serve in this environment are affected on a physical, emotional, spiritual and mental level (Hicks 2010:90).

Ideology and politics are often the determinative factor when it comes to penal policy. Policy is rarely guided by the outcome of remedial programs with individuals (Arthur 1994:374-375). According to O'Connor, Cayton & Duncan (2007:72), some people believe in and others doubt the potential power of faith-based programs to change lives and bring transformation to the prison environment. Rehabilitation involves the use of individualised corrective measures adapted to the specific case in order to be an appropriate response to criminal behaviour. Rehabilitative goals often clash with competing correctional objectives of which safety, security and deterrence are foremost. Nonetheless, rehabilitation is officially the number one goal of the crime control policy in prisons (Hicks 2010:8). Prison is a “de facto mental” institution where healing and transformation are needed (Beckner 2012:xxvi). The professional management of inmates requires the prison authorities and officials to challenge the circumstances without becoming authoritarian. By means of formal and informal programs inmates are guided to adapt to prison culture with its deprivations (Thomas & Zaitzow 2006:244). Chaplains lead worship services, provide pastoral and spiritual care, educational and training programs. It is their duty to provide spiritual leadership (Holmes & Newitt 2011:103).

In the European context the multi-faith and multicultural model of prison chaplaincy is seen to serve the penal system best. This model should move from the current phase of experimentation to an established practice that is able to address the issues of difference and the challenge of effective team work in correctional settings (Todd & Tipton 2011:3). According to Holmes & Newitt (2011:xiv) there are still conflicting definitions and understandings of what multi-faith chaplaincy entails in every part of the world.

Tensions between the secular and faith perspectives feature regularly on the agenda of public and private institutions. There are different understandings as to what chaplaincy and its practices should entail. Prison chaplains are seen to have the task of countering religious fundamental tendencies in the secular system of the penal environment. There are also tensions between chaplains and parochial clergy (see Legood 1999). In some countries the situation is precarious because of a scarcity of resources and processes of institutional restructuring.

Theologically, chaplaincy can be seen as an incarnational ministry where the chaplain journeys with and supports people in various painful situations (Holmes & Newitt 2011:8, 11, 23 & 41). Todd (2011) discusses ways in which chaplains respond to the challenges of a diversity of faiths, philosophies, beliefs and secular viewpoints. Discussions between practitioners and pastoral caregivers can contribute to broader view of theology, ministry practice and chaplaincy. According to Friedman (2003:90) prison chaplaincy is a professional discipline that requires extensive training that goes beyond denominational lines.

Chaplains and volunteers complement the work of prison officials. They become the trusted confidants with whom inmates can share their burdens, worries and anxieties. The ultimate role of religious activities, pastoral care and prison chaplaincy is to guide inmates to a new life by transforming their damaged self-image and their life of crime into a positive one (Chui & Cheng 2013:166). Pastoral care is complex. It can be described as “intentional actions which convey emotional concern at a deep level” (see Hicks 2010: 146; McQueen 2004; Larson & Ferketich 1993). However, some chaplains prefer to keep their relations with inmates more general and superficial, thereby protecting themselves from knowing too much about individual inmate’s life and history. It is easier not to get involved. Such a generalised caring relationship helps the chaplain to “remain aloof” from the inmates and to focus on the positive contribution they can make to the system as such and the larger scale needs of the whole population (Hicks 2010:147). Historically, chaplains have been influential in shaping correctional policy and advocate for prison reform. Occasionally, they speak up against inhumane activities in prison, emphasise compassion and call for quality service for all (Sundt, Dammer & Cullen 2002:371).

Due to their service orientation, chaplains are generally supportive of rehabilitation. The service conditions and job descriptions of chaplains vary (Beckford 2010:380). Clear & Sumter (2002:127-159) investigated the role of pastoral care and the impact of religious practice in US prisons by means of ethnographic research. The study shows that pastoral care, chaplaincy and religious practice enable inmates to adjust to prison life and culture in healthy ways. Religion and spirituality in the penal system gives human dignity to dehumanised people and helps them cope with the loss of their freedom, the deprivations of life and the challenge to survive in an environment where they are treated as outcasts (O'Connor & Duncan 2011:592). Pastoral care, chaplaincy and religious services seek to discover ways in which penal institutions can become more humane and effective.

Findings of a study by the Washington State Institute for Public Policy (WSIPP) on the impact of rehabilitation programs on reoffending behaviour are not conclusive. More investigation is needed, according to O'Connor & Duncan (2011:592). Johnson (2011:172), who has evaluated 272 studies on religion and delinquency, crime in the community and life after prison, concludes that there is compelling evidence that religiosity can be connected with a reduction in crime and reoffending behaviour. Through the work of chaplains and religious volunteers inmates are motivated to develop a sense of purpose, direction and meaning in life, hope for the future, peace of mind, transformation of their life and behaviour. This leads to a more successful adjustment to community life once they are released from prison.

Prison chaplains need social skills, integrity and professionalism in ministering to the incarcerated in a context where there are limited resources. Chaplains often do not receive adequate support in terms of both resources and the much needed further theological education from their churches. Some chaplains develop low self-esteem, and come into conflict with prison staff and inmates on critical issues that affect the penal institution (Opata 2001:5). Theology and religious studies play a vital role in the training of professional chaplains. The preparation of pastors for prison chaplaincy services should include: challenging issues of life and death, evil and suffering, disappointment and despair, making life-changing decisions, and of guilt and hope (Ford 2011:8).

In-service training workshops could provide the opportunity for chaplains to share their theological wisdom and experience regarding the religious, spiritual and ethical issues they deal with on a daily basis in the correctional setting (O'Connor & Duncan 2008:82).

The strengths and weaknesses of assimilation and multiculturalism are amplified in the context of prisons (Kymlicka 2009 & 2010). The strategy of assimilation makes it difficult for religious and ethnic groups to claim to be recognised as a separate entity and to press for the allocation of public resources for worship (Beckford 2013:12). Multiculturalist strategies recognise the need to take account of religious and ethnic identities.

Questions regarding equality, justice and freedom are framed in collective and individual terms as well as in terms of rights and freedoms. Points of contention vary from country to country. During provision of spiritual and religious care to inmates, questions on justice, equality and non-discrimination arise (Beckford 2013:13). The growing increase of inmates from Buddhist, Hindu, Muslim and Sikh backgrounds stimulates initiatives to accommodating faiths other than Christianity. The question is whether the faiths will be treated equally following prison policies on religion and whether the right of inmates to practise the religion of their choice are best served if these religions are granted official recognition in the prison system.

Difficulties and tensions experienced in prisons cannot be compared to the positive aspects and outcomes of chaplaincy work in the service of the penal institution. In most cases chaplaincy is experienced as a fulfilling form of ministry. Chaplains are a valuable part of the mission of faith communities. Chaplaincies function in a mixed economy wherein models of ministry can be employed to reach different sectors of society. Chaplains are a valuable source of information and experience concerning the trends and resources necessary to respond to issues of the day in the community (Holmes & Newitt 2011:139).

The key role of chaplains is to accompany inmates through a period of transition in their lives (Newitt 2010). Chaplains offer the hope that transformation is possible, facilitate them on their journey of exploration, help them to make the transition should

they choose to do so and provide them with education (formation). Hall (2004:173-174) points out that it is important for inmates to be exposed to meaningful ways of relating to the world around them.

It is up to the inmates themselves to either embrace or reject the opportunity at their disposal to do an intense and meaningful evaluation of their life history (Ward 2003:36). Chaplains are willing to accompany them on this journey and enable them to move to a place of healing. According to Steve (in Hicks 2010:122), the chaplain is perhaps “the last, best hope of bringing sanity back into a fractured society”. Transition takes place in three stages: “isolation, purgation and redemption. A safe place provides support rather than punishment. In this safe space destructive emotions can be confronted without disrupting the stability of the prison” (Hicks 2010:123-124). Chaplaincy can contribute to turning the prison experience into “a potential of opportunity” (Hicks 2010:129). It was and is possible to reap benefits from incarceration if inmates choose to do so. Prison chaplaincy can provide inmates with the opportunity to redeem their lives and become better persons. Chaplains affirm, encourage, offer hope to inmates in the darkness and wilderness of prison life. For most inmates, prison has taken away their self-esteem, self-worth, social standing and identity. The twin values of retribution and rehabilitation are at the heart of prisons in most countries (see Rothman 1980, Skotnicki 2008). Religion and the criminal justice system both institutions operate according to the principles of social control. One focuses on punishment while the other is concerned with the moral dignity of persons and communities (Ulmer, Bader & Gault 2008:37-38). Prison chaplaincy is in many ways more demanding than parish and congregational ministries (Shaw 1995:5). Chaplains aim to contribute in a meaningful way to the reform and rehabilitation of people, which amounts to a mild form of pro-social modelling (Todd & Tipton 2011:23). Through their relationships with inmates and prison officials, chaplains hope to reflect a way of being that is inspirational, educational and transformative (Todd & Tipton 2011:23).

With regard to the social and historical landscape of prison environment, chaplains find themselves between “competing paradigms and yearn for a paradigm shift”, according to Norwood (2006:3, 5).



The changing value of religious knowledge contributes to a social setting in which the role of the chaplain is “confused and not explicit, countered rather than agreed upon” (Hicks 2010:178). When asked to explain why their presence is important in prisons chaplains struggled to explain their role. One chaplain in the UK said: “Through Bible studies, Prison Alpha, fellowship, prayer, worship and testimonies of churches, we witnessed God moving powerfully among his people, changing attitudes, softening hearts and bringing people to faith” (Hicks 2010:179) . Some see their presence as a reassuring continuity. Some were convinced they provide a valuable and distinctive pastoral care and support service to both inmates and staff. They serve as advisers in a diverse community with a diversity of faith-related issues.

Holmes & Newitt (2011:84-86) relate how Tim Craig created his own job description and objectives when he could not find any. This illustrates the marginal nature of chaplaincy in secular institutions. Chaplaincy is an important resource in prison landscape that can be made possible if society and the faith community together do the work of caring (COE 1999:105). In New Zealand restorative justice (RJ) programs have attracted judicial attention in Ireland, Scandinavia, the US, Australia and the UK (see Schmidt 2001). Sherman & Strang (2007) report on 36 international restorative justice face-to-face meetings with victims, perpetrators, families, friends. The study shows that restorative justice programs substantially reduced repeat offending behaviour (recidivism) and the victims’ desire for revenge, gave participants greater satisfaction and reduced the financial cost for criminal justice procedures (see Van Ness 2005). Chaplains are both strategically placed and sufficiently knowledgeable to facilitate such meetings.

More than 2300 studies have shown that punishment is one of the least effective ways of influencing human behaviour. Physical, psychological and social barriers are part of prison life. The social system and its effects should be taken into account when seeking solutions to inmates and staff behaviour. There is often tension between the formal rules, regulations, and demands of penal officials and the informal networks that inmates create among themselves (Taylor 2008:75-77). Studies have shown that faith-based and religious programs, spiritual and pastoral care do enhance the lives

and possibilities to rehabilitate inmates (see Wells 2002; Haney 2003; Zimbardo 2005; Liebling & Maruna 2005; Reicher & Haslam 2006).

According to Wimberly (2006:142), theological faculties and seminaries are in a position to effectively prepare pastoral care and chaplaincy teams for ministry in faith communities and secular institutions. Strong leadership qualities are needed for the tasks religious personnel fulfil in secular institutions. In order to play a leadership role in transformation processes a vision is required as well as the ability to empower people to move towards what has been envisaged. Wimberly (2006:142) remembers a time in theological and ministerial formation when prophetic leadership was valued more than any other aspect of ministry.

#### **4.11 Restoring dignity in African prisons**

##### **4.11.1 Prisons in Africa**

The 1990s saw the rise of prison reformation in Africa due to the efforts of non-governmental and governmental organisations that challenged human rights abuses, mostly the result of overcrowded prisons. An ex-inmate describes the penal system of Uganda as follows: “It is very bad to be a prisoner. Prison officials hardly recognise you as a person. You lose your dignity and nobody can listen to you even if you are completely worn out. A prisoner cannot suggest good ideas and most people refer to prisoners as things not as people” (UNAFRI 1996:10).

A human rights framework consisting of various strategies to protect the rights of offenders was designed and developed throughout Africa. The framework considered national trends of alternative sentencing and regional attempts to reform the penal institution. Alternative sentencing has a long history in Europe and North America but has found limited application in Africa (Muntingh 2008:178). Alternative sentencing procedures are less costly, reduce overcrowding, facilitate and promote the effective management, integration and rehabilitation of inmates. Some penal systems in Africa started experimenting with this practice. Indications are that alternative sentencing warrants further study and application. A common form of alternative sentencing is one in which those guilty of minor offences and crimes are sentenced to community service rather than serving a term of imprisonment.

Though this process reduces overcrowding in prisons it is also costly because of the additional administration. Most African states cannot afford this (Sarkin 2009:8).

The development of community service in Zimbabwe can inspire the development of alternative sentencing practices also in other parts of the African continent. In August 1992 the Zimbabwean parliament passed a legislative ruling and amendment that made provision for community service as a sentencing option. A national committee on community service was put in place (Stern 1999:28-52). Members of the committee were from the police force, penal services and the attorney general's office. A national coordinator with 12 regional assistants managed and supervised the community service orders with assistance from social agencies and institutions where the inmates were assigned to work. The efforts of the committee were widely supported. Prison Reform International procured funds from the European Union and the Department for International Development for the expenditures, remuneration and operating costs of the national coordinators and regional assistants.

Personnel appointments and the development of a network consisting of provincial and district committees further facilitated the process of community service becoming an integral part of the criminal justice system. Provincial community service officers are accountable to magistrates and fulfil a range of functions that guarantee the smooth running of procedures with regard to sentencing options. They visit courts and inmates, carry out assessments, monitor tasks, present reports, and provide orientation for new appointees. It is also their responsibility to bring together victims and families affected by crime. Community service officers have access to vehicles, basic administrative resources and an information collection system. The period of 1992-1999 produced impressive results in the area of community service. A total of 16000 inmates received community service orders. This led to a significant reduction in the prison population.

The Kampala Declaration decries the problem of overcrowding because it constitutes a violation of inmates' rights. Granting amnesty or increasing penal capacity are not sustainable options for managing overcrowded prisons. Community service, fines and compensation through work are meaningful ways to decongest prisons in Africa. Fines

and compensation were proposed as alternatives to incarceration. The lack of financial resources is an obstacle, however. Administrative bureaucracy presents a challenge everywhere in Africa. The absence of transparency and accountability in the governments of Africa coupled with widespread corruption further complicates the practical implementation of the alternative sentencing option. The success of the practice depends on the transparency and integrity of the criminal justice system. Most criminal justice systems in Africa are severely handicapped by corruption, although steps have been taken to address problem (Sarkin 2009:9).

There is much talk regarding the willingness to conform to international standards, but actual practices continue to fall short of institutional and penal goals. Human rights violations abound in African prisons and have become an integral feature of most societies. Human rights abuses are part of the state system and the criminal justice system that has the function to maintain order and social control. Generally, inmates live in dire conditions. Corruption is a universal problem (see Stern 2006). Groups such as the media, political parties, victims, inmates and communities all have diverse interests. There is no agreement among them regarding sentencing that deviates from the usual practice of imprisonment. By means of the cooperation of international organisations, NGO's, governments and individuals, ways can be found to implement such practices that decongest overcrowded prisons. A large portion of the psychosocial, economic and spiritual problems that face the continent of Africa are to be found in its prisons (Atabong 2007:1).

African prisons are underfunded, under-resourced, severely overcrowded. These are conditions for sickness, disease and death (PCCR 2006:40). Good governance is lacking in most prisons. The resources that could ensure effective management are scarce and hard to come by. Funding for the needs of the institution is limited in most countries and results in poor living conditions for inmates. Prisons in Africa are poorly maintained and characterised by material degradation. Maintenance of prisons is often relegated to the last items of the national budget (Bernault 2003:32). Prisons throughout Africa are in a bad condition: buildings are old, poorly ventilated and lack adequate sewage systems. Some prisons have not been renovated for a long time. The privatisation of the prison industry is not an option in Africa.

Prisons remain state run institutions where adverse conditions promote the transmission of communicable diseases. With such decay and deprivation, the overburdened staffing situation is in a difficult position to adequately supervise the institution, and provide higher standards of sanitation, medical care and nutrition.

Most of prison management in Africa is coercive, authoritative and oppressive. These tendencies have a negative impact on human dignity and rehabilitation efforts (Wambugu 2014:51). These adverse conditions make prisons the breeding ground for crime. Idleness and boredom often lead to mischief, rebellion and attempts to escape (Taylor 2008:38). Prison officials do not always deal with this in constructive ways. Their priority is security. Long-term solutions to overcrowding include: reducing inmate intake, shortening the stay in prison, helping inmates to acquire competence in areas other than crime and enabling them to transfer new skills into acceptable behaviour when they are released.

Prisoners in Africa not only live under appalling conditions, but are also treated as unwanted individuals and are pushed to the margins of society. Their social and psychological well-being is destroyed during their time in prison (Matthews & Francis 1996:18). The Black Beach prison in Equatorial Guinea is, for example, notorious for torture (Wines 2005:11). Condemning the harsh and cruel reality of life in the prisons of Africa, journalist Michael Wines (2005:11) calls the inhumanity of African prisons “a shame that hides in plain sight”. Cameroon, Zambia, Burundi, Kenya and Rwanda have the world’s most overcrowded prisons (Walmsley 2005:9).

The task of the African Commission for Human and Peoples’ Rights (ACHPR) is to protect the rights and dignity of all people, including offenders. The Robben Island Guidelines adopted by the ACHPR in 2002 urges African nations to adopt minimum international standards on prison conditions. There should be a clear indication as to how these international standards will be achieved. There is a need for a conscious and heightened oversight of prisons and detention centres on the continent. Since 2002, the ACHPR has been operating under the jurisdiction of the African Union (AU). The ACHPR contributes to enhancing the lives of inmates through challenging human rights abuses.

The ACHPR queries governments and drafts resolutions on prison conditions in Africa. The ACHPR plays an active role in prison reformation together with its working groups (see Viljoen 2004). However, the lack of structure detracts from the ACHPR's overall effectiveness (Sarkin 2009:10). It also has not succeeded in establishing clear standards as to what exactly constitutes an abuse of prisoners' rights.

The ACHPR listens to complaints and evidence, and evaluates the response of the government in question. The ACHPR finds favour in a complainant if the government concerned refuses to respond to its query (see Viljoen 2004). Several routes exist whereby African countries can meet the standards set by the ACHPR. Some are, for example, alternative sentencing, restorative and traditional justice methods, review of customary and formal criminal justice systems. The coordination of strategies and the centralisation of reform efforts are essential before improved living conditions can become a reality in African prisons. The ACHPR laid the foundation for the protection of inmates' rights but it is still to be implemented effectively (Sarkin 2009:11). The ACHPR calls on African states for court proceedings to be held within a reasonable time and before tribunals where fairness, justice and due processes reflect international standards. Much is still to be done to make these principles a practical reality in most African countries.

The Special Rapporteur for Prisons (SRP) was established in 1996 to watch over the rights of offenders in detention centres. This was done according to Article 45(1) of the ACHPR that warrants the commission to investigate issues and promote human rights in Africa. The role of the SRP is to inspect and report on prison conditions in order to protect the rights and dignity of those who are in custody on the continent (Sarkin 2009:25). The SRP conducts studies relating to prison conditions and dialogues with governments in Africa on the state of prisons on the continent. It investigates complaints and reports to the ACHPR annually.

The SRP trains law enforcement officials (police, prison guards, administrators and legal personnel) to improve the conditions of detention and makes recommendations that provide solutions to the challenges facing prisons in Africa.

The SRP visits countries, inspects, and reports on the state of prisons and follows up on the recommendations for change. It is the task of the SRP to call for resources and improved training of prison officials especially concerning human rights protection (Viljoen 2005:125). The SRP critically examines every country's penal legislation and ensures that they comply with international and African legal regulations. In theory, the SRP is useful for protecting the rights of offenders although some obstacles prevent a broadening of the scope and practical role of the SRP.

The funding of the SRP is inadequate. Visits to countries in Africa are constrained because they require the consent of the receiving state. A certain level of commitment is required of the receiving nations that they will implement the recommendations of the SRP. In order for the SRP to reach its full potential and have a greater impact as a human rights instrument, more countries in Africa should come on board and grant the request for a visit. The SRP sheds light on several neglected and crucial aspects of life in detention centres in the various countries (Viljoen 2005:171). The SRP visited sixteen countries in 2005, met with government officials and held a press conference on prison issues in Africa (Sarkin 2008:33), but not much has changed after that. Prison issues continue to receive attention and remain in the spotlight through the work of the SRP that provides some hope for the future.

The shortage of police officials and judicial personnel contributes to a delay of justice and an increase in the prison population, pre-trial detainees and remand prisoners. Most African courts are not proactive in fighting the poor, harsh and cruel living conditions in the prisons on the continent. Good policy that could respond to the problem of congestion in penal institutions is still to be drawn up and implemented. The ACHPR condemns the state of affairs in most African prisons. "There is so much to be done in Africa to see that inmates are treated like human beings" (Jakaya Mrisho Kikwete, President of Tanzania).

The harsh reality of prison systems on the continent goes against the objective of imprisonment which is reformation. The African Union has not fully adopted the resolutions of the 1996 and 2002 Kampala Declaration on prison conditions in Africa. The Ouagadougou declaration has not accelerated penal reform on the continent. The

policy statements provide important guidelines on developing transparent and consistent prison policy. The Kampala declaration uses strong language concerning the level of overcrowding in African penal systems (Prison Reform International 2003:6). The problem with the African Union is that it has insufficient resources. Political instability on the continent also hinders the implementation of any proposed reform. However, a number of positive steps are being taken by some countries to improve prison conditions on the continent.

Kenya is experimenting with alternative sentencing by committing minor offenders to community service, giving them a fine or probation, instead of imprisonment. The Kenyan government has undertaken early release measures to decongest its prisons. The Kenyan government opened health care clinics in several prisons in the country. Uganda's Community Service Act passed by the parliament in 2000, permits the use of community service rather than imprisonment for certain crimes. Similar policies are being implemented in Malawi. Prison conditions in Sierra Leone have improved due to a reconstruction and rehabilitation program funded by the United Nations' Development Program (UNDP). The country's prisons allow family visits to inmates, which was not previously the case. Mali and Niger have not implemented this kind of legislation. Angola has opened a women's unit in one of its prisons.

Prison reform is slow in North Africa although the UN Human Rights Committee has acknowledged that several positive steps have been taken in Morocco through the change of the Prison Code in 1999, Penal and Criminal Procedure Code in 2003. There are concerns about high rates of death, overcrowding and violence in the prisons of Morocco. Egypt uses diversion and restorative justice programs to engage with the issue of prison reformation (see Costa 2005). Pre-release programs for children are beneficial for the rehabilitation of young offenders.

South Africa and Kenya have reduced prison sentences for thousands of inmates by six months to curb overcrowding (see US Department of State 2006). Uganda's Community Service Act of 2005 revisited that of 2000 to allow for community service rather than imprisonment (see US Department of State 2006). NGO's such as Penal Reform International continue to offer assistance to prisons in Africa especially in



education. Cooperation on the domestic, regional and international level allows for information exchange, and best practices to be developed and exported across the continent with a vision that positive developments give hope for the future.

Efforts towards prison reform require funding, support and political will if they are to improve the situation of human rights abuse in Africa. Especially, political prisoners suffer severely in detention centres. Some countries in Africa have taken a stand to reform the penal system through reducing the prison population, protecting and defending human rights. Prison reforms that aim to improve the dignity and humanity of inmates are sweeping across the continent. Though rehabilitation is still a goal in most prison systems in Africa, many penal officials lack the zeal and willingness to implement the programs that could make a difference in the lives of inmates (Sarkin 2008:27). Despite efforts to push for reform, prisons in Africa are rife with violence, disease, death and humiliation due to congested detention centres. What is needed is change at the ground level where the inmates are hurting. Deplorable prison conditions expose the inmates to several dangers, harm, disease and damage to their personhood.

Most African governments are yet to acknowledge the full value pastoral care and prison chaplaincy could have in penal institutions (Atabong 2007:25). The relation between rehabilitation and reoffending is being studied. Preliminary findings suggest that the rate of reoffending decreases where good rehabilitation programs are in place (Layton & Mackenzie 2000). Faith communities in Africa should do good to people, learn from them, build them up and not make people who are already having it difficult, feel worse (Pattison 2007:117, 145). An African pastoral perspective on chaplaincy reflects on pastoral work in prisons on the continent. Practical theological reflection challenges both existing theories and forms of practice (Willows & Swinton 2000:9). Prisons in Africa lack adequate rehabilitation programs due to a shortage of staff and overcrowded cells. The underlying philosophy regarding prisons is that they are for punishment rather than rehabilitation. This hinders the implementation of effective rehabilitation programs. A lack of motivation and innovation among staff and penal officials contributes to the lack of rehabilitation programs (Sarkin 2008:22). Pre-release programs facilitate reintegration into society because they establish support systems

for inmates who are preparing to leave prison. They facilitate increased interaction with family and the community in an effort to ensure that inmates are successfully reintegrated on release from penal environment (see Muntingh 2004).

#### **4.11.2 Prison chaplaincy in Africa**

##### **4.11.2.1 Introduction**

While affluent nations build more prisons to reduce congestion, poorer nations force great numbers of inmates into cramped and dilapidated structures. The focus of most penal programs in Africa is not on rehabilitation and reintegration, but rather on punishment and detention (see Kibuka 2001). The challenge would be to identify what good prison governance and management can entail in the context of Africa. African prisons are characterised by severe overcrowding. In most cases the cell capacity is limited and there are no plans in place to increase that capacity in order to provide more dignified living space to inmates (Prison Reform International 2003:7). Studies show that poor leadership and management practices impede the proper functioning of most prisons in Africa (see CSPRI 2005; Tapscott 2005; Piron 2005, Muntingh 2005).

Studies that investigate prison reform in Africa, the reasons for the increased prison population and recidivism are scarce. Studies are necessary if traditional notions of justice are to be challenged, the use of alternative forms of sentencing encouraged. Prisons in Africa also lack the staff and rehabilitation programs that could make a difference. Rehabilitation programs are generally limited because most African states see prison as a place of punishment rather than rehabilitation. Consequently, there is a lack of motivation and innovation among the staff and prison officials to design and implement such programs that could bring meaningful change. They rather focus the available resources on the therapeutic needs of inmates (Sarkin 2008:22). Critical reflection on chaplaincy in the context of Africa can open the way for positive new directions.

This study explores the interface between theology and the practical situation in the field of prison chaplaincy. It provides a perspective for social change in the prisons of Africa.

The complexity of Africa prisons is explored to enable a better understanding of praxis. Engagement with praxis results in practical wisdom as well as knowledge which inform practice. Throughout the centuries faith is viewed as a significant aspect of the psycho-social and spiritual wellbeing of inmates. Nation building in Africa should include the development of people who are stable, in harmony with themselves and the community around them and become citizens who can make a positive contribution to society and their country.

A lack of infrastructure, overcrowding and rehabilitation programs is characteristic of incarceration in Africa (see Wagner 2003:256). There is a “proliferation of illegal cells and clandestine jails, increasing spread of temporary confinement linked to conflict and wars that constitute a growing problem of prisons in Africa” (Bernault 2003:39). The 1960s, 1970s and 1980s saw the political leadership using arrest and detention to stay in power (see Wagner 2003:262).

The situation of most prisons in Africa is a challenge to the provision of valuable spiritual and pastoral services that could be beneficial to people in custody (PCCR 2006:43). Collaboration and better communication can minimise the duplication of services and enrich pastoral care interventions in prisons. Pastoral care and prison chaplaincy aim to contribute to curbing recidivism and to the successful reintegration of inmates into society when they leave the prison.

Well-organised outreach programs from faith communities are largely lacking. Collaboration and cooperation with others could be much improved. A growing concern is whether faith communities in Africa could define what best practice would entail in prison pastoral work. Prison ministry could play a significant role in building character, helping inmates rediscover their values and become better persons. This study investigates ways in which pastoral care and chaplaincy can play a positive and life-changing role in the lives of those who are in custody in Africa. It explores ways in which pastoral caregivers, chaplains and religious volunteers can contribute to restoring the dignity and humanity of people in the prisons of Africa. The study focuses on three contexts, namely chaplaincy in Kenya, South Africa and Zimbabwe.

#### **4.11.2.2 Prison chaplaincy in Kenya**

Prison conditions in most parts of Kenya are harsh. Inmates experience hardship, beatings, hard labour and hopelessness. The harsh conditions produce hardened criminals and promote the spread of infectious and communicable diseases (East Africa Standard 2000:10). Prisoners are subjected to rigorous punishment. This is not in keeping with the goal of penal institutions which is the rehabilitation of inmates. The Handbook on Human Rights in Kenya prisons (HHRK 2006:146) rejects such harsh measures and promotes rehabilitation as the goal of penal systems. Section 32 of the Constitution of Kenya (2010) stipulates that those who are in custody should not experience torture or inhuman and degrading treatment. The Kenyan Prison Mission Statement focuses on dignity and humanity, safe conditions in custody, the responsible administration of justice, effective social reintegration and the protection of the community. However, there is no blueprint as to how all of these should be put into practice. The rehabilitative goal of prisons therefore requires much more attention than it is given if this goal were to be realised in practice.

Incarceration has economic, moral and socio-psychological implications for inmates, families and society. Chaplaincy can contribute toward realising Kenya's Vision 2030 of a more safe and productive environment for all. According to the Kenya Prison Service Manual (2006:69), prison chaplaincy in Kenya began in 1957, but the official deployment of chaplains to civil service only took place in 1963 after independence. The vision was to provide pastoral services and spiritual rehabilitation that guarantee the welfare of inmates.

The Kenyan government appoints full-time chaplains who provide spiritual care in prisons. Permits are also issued to volunteer spiritual caregivers. The chaplaincy statistics for 2013 indicates that of 108 prisons only 90 have at least one chaplain. Catholic chaplaincy in Kenya works in collaboration with Protestant and Islam chaplaincy services. The three chaplaincies take care of the spiritual needs of prisoners, staff and families. The main aim of prison chaplaincy is to work toward the overall goal of the reintegration of inmates into the community in such a way that they are supported to live meaningful lives without reoffending.

According to Gatumu (2014:1) chaplains provide trusted and regular contact with inmates through pastoral ministry that touches on both the spiritual and the practical aspects of incarceration. Chaplaincy work also goes beyond the gates of the penal institution and extends to the community.

The chaplaincy team and pastoral caregivers range from passionate individuals to established international prison ministries. The Kenya Episcopal Conference (KEC) of Roman Catholic bishops commissioned research on chaplaincy. These studies were to assess the contribution of chaplaincy toward rehabilitation, reformation and the reintegration of inmates into Kenyan communities. The aim was to establish ways in which Prisons Catholic Chaplaincy (PCC) could assist in promoting and enhancing collaboration and a spirit of cooperation among the pastoral caregivers. The study objectives were:

- to define the role of spiritual and social welfare in the rehabilitation and reintegration of inmates;
- to examine the challenges faced by chaplains;
- to investigate the growth and development of prison reform programs over the years in Kenya.

The study commissioned by the PCC, made realistic recommendations that could be adopted by chaplains. A problem with the study project was the lack of available data and documentation on the activities of prison chaplains. Stories were told by inmates, caregivers, penal officials and other relevant stakeholders. These narratives provided some data. The study shows how complex the prison environment is, mostly due to the great variety of social customs, norms, practices and challenges that had to be taken into account. Despite some setbacks and deficiencies, the project received much cooperation, encouragement and keen interest from prison managers, staff, inmates and pastoral caregivers. The study finds that not much effort has been made to assist ex-inmates with the process of reintegrating into society after having spent time in prison (PCCR 2006:3). Much more would be needed in terms of capacity building, especially in areas such as the vocational, educational and professional training of inmates and chaplains.

Chaplaincy is seen as a valuable resource for the rehabilitation and reintegration of inmates throughout Kenya. Ministry in some form is present in each of the 103 prisons in the country although most faith communities are not yet involved (PCCR 2006:7). Through vocational training, spiritual and psychological care programs offered by the chaplaincy service, inmates are taught life skills and coping mechanisms. Chaplaincy gives hope and can transform inmates' worldview. The focus of chaplaincy is on spiritual, psychological and moral empowerment (PCCR 2006:34).

The study shows that there is much appreciation for the work done by Roman Catholic Chaplaincy in promoting rehabilitative and reformatory components in Kenyan prisons (PCCR 2006:24). Great strides were made when other stakeholders were engaged to assist in the reintegration of inmates into their respective communities (PCCR 2006:25). A certificate of good conduct and human formation is issued to released inmates to introduce them to communities as transformed and spiritually empowered persons (PCCR 2006:26). The community then readily accepts them. They are also introduced to social welfare organisations which provide them with money to start up small businesses and with tools to build a workshop (PCCR 2006:27). Employment opportunities reduce the stigma attached to ex-inmates. Follow-up programs help them to acquire further education and training. All of this had the effect of mitigating reoffending behaviour (PCCR 2006:29).

Organisations regularly do follow-up visits to released inmates to provide moral support. These visits create good relationships as inmates resettle in the community. Factors that promote recidivism include: poverty, unemployment, the lack of family relationships, community support, peer pressure and ignorance of the law. The prisons department, as well as faith communities and other stakeholders invest in helping ex-inmates to overcome these challenges in order to reduce crime. Some organisations participate to narrow the gap between rehabilitation and reintegration.

Efforts are needed to make prison chaplaincy more meaningful and effective to attend to the needs of the incarcerated. Prison chaplaincy is not yet a core part of the vision and mission of prisons everywhere.

Orr (2013) points to the fact that prison chaplaincy services should be designed in such a manner that they develop life-changing skills that meet spiritual and social needs of inmates. Effective rehabilitation of inmates calls for a holistic perspective on prison chaplaincy interventions. Prison chaplaincy should provide spiritual care that brings transformation to the hearts, minds and lives of inmates (Schmallegger 2006:64). The majority of chaplains and staff lack the professional competency for dealing with the needs of inmates. The Handbook on Human Rights in Kenya (HHRK 2006:68) provides details with regard to the training of prison chaplains, but points out that such training does not consider the changing trends in the country.

Chaplaincy that is guided by spiritual principles is best suited to help reconstruct inmates' lives. A meaningful life can be beneficial to inmates and others (see Garland 1990; Maruna 2002). The Kenyan Human Rights Commission regards overcrowding, physical and psychological challenges as "probably the most pervasive problem in Kenyan prisons (KHRC 1996:27). The KHRC was shocked to discover that "religion is the only area in which policies and conditions are not inadequate" (KHRC 1996:36-80). When the researchers accompanied chaplains when visiting the different wings and work areas in the prisons, it was evident that most of the inmates knew who the chaplains were. Chaplains also knew most inmates by name and were familiar with their circumstances. In the parish ministry it is not possible for clergy to know and be known by people who are not members of their church. Prison chaplains have unique opportunity to offer counsel, preach, teach and pray with people who would otherwise be unknown to the faith community. However, the close proximity with inmates sometimes puts chaplains at risk. They can be seen as strangers and intruders in the penal institution.

The government of Kenya does not provide much spiritual or sufficient financial support for chaplains (Madoka Commission 2008:57). Some prisons lack a budget for chaplains and counselling programs. There is a scarcity of trained personnel to carry out chaplaincy services and inadequate offices and counselling rooms (Madoka Commission 2008:57). A study with the title "Towards methods of improving prison policy in Kenya" (Penal Reform International 2004:31) show that chaplaincy can be improved through increasing resources.

The study suggests that prison chaplaincy could work with the government of Kenya to bring about moral decency, security and human dignity to inmates and chaplains.

The reintegration of people who have been released from custody into society is also difficult due to a lack of financial resources, the necessary expertise and the goodwill of the community members (Nation 2010:37). Prison chaplaincy should cooperate with professionals from other disciplines in order to adequately address inmates' physical, spiritual and emotional needs. Knowledge of the situation, the environment and of strategies that can be employed to bring about change is needed.

Prison chaplaincy in Kenya can benefit from a systematic approach to rehabilitation and the reintegration of inmates (Wambugu 2014:34). Pastoral engagement with inmates and officials is not adequate in all the prisons. Most faith communities do not become involved in the transformation, rehabilitation and reformation process. Their involvement will be invaluable to the delivery of the necessary services to people in custody. Findings on chaplaincy in Kenya present a practical and ethical challenge as they point to the important role of the community in fighting crime and recidivism, a gap that is yet to be filled adequately (Renatam 1997:16).

Professional, pastoral and popular notions on chaplains need redefinition in the context of Africa since the context of prisons and pastoral work in Africa differs from that in other parts of the world. The following section investigates prison chaplaincy in the context of another African country, namely South Africa.

#### **4.11.2.3 Prison chaplaincy in South Africa**

The public in South Africa, like elsewhere in the world, is faced not only with a lack of information on correctional services but they also lack of knowledge with regard to the goal of rehabilitation in penal systems (Muntingh 2005:5). South Africa has high levels of poverty and unemployment. Unequal access to education and health care challenges large sectors of the population (see Du Toit 2004:1). Many young people lack the knowledge, skills and support to achieve much in life through socially acceptable means. Cultural, racial, and religious differences are a central focus in discussions on correctional services. In South Africa the major religion is Christianity but with strong African cultural tenets (Landman 2005:789-791).



Some tribes veer to African independent churches. Marked differences exist in the worship styles of churches, especially along racial lines. Some Christians incorporate traditional healing in their spirituality although some people regard it as “pagan” (Landman 2005:791).

Tensions escalate when different races are together in a correctional environment. Differences are often seen as insurmountable, which makes living together in harmony problematic. Whites cannot identify with the way in which black people express their spirituality. Hence, “religious rehabilitation” is a bone of contention in most correctional facilities. Some male inmates join criminal gangs to protect and affirm themselves while the females often resort to religious groupings. Devotional literature is available and some inmates take courses in pastoral counselling and the interpretation of Scripture. Sunday services are often provided for by pastors from Pentecostal, Dutch Reformed, Charismatic and African Independent traditions.

Societal norms, values, morality and their link to crime are noticeable in the discourse on crime. The establishment of the Moral Regeneration Movement in the office of the Deputy President of South Africa indicates the importance given to crime issues in the nation. The debate on moral regeneration is given much space and is worthy of further theological reflection. In the context of correctional services inmates and staff are challenged to identify and define activities that are morally regenerative. The moral regeneration movement has been embraced by a range of interest groups, including religious groups, the business community, political parties, the government and intellectuals. It seems as though its ideological campaign is producing results in terms of strengthening the social fabric of the nation and reducing crime.

The South African government passed the Correctional Services Act III of 1998 in October 2004. Five months later the Department of Correctional Services (DCS) released the White Paper on Corrections in South Africa (2005). The White Paper on Corrections focuses on moral regeneration and commissions the DCS to play a significant role in reviving societal norms and values through ensuring that its correctional centres become moral regeneration institutions where offenders are taught positive values that are acceptable to the communities.

The White Paper provides a historical analysis of correctional services. It redefines the tasks and duties of correctional services. It confesses to the abusive practices and policies in the past. The White Paper makes a statement of intent to heal the wounds of the past that divided the nation. The rehabilitation of inmates is stated as the correctional system's main response to crime. The White Paper and Correctional Services Act III give direction to the strategic vision of the DCS.

The Correctional Services Act III states that the purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society through enforcing sentences of the court in the manner prescribed by the Act. Inmates are to be kept in safe custody while their human dignity is ensured. The Act emphasises social responsibility and the goal of the human development of inmates and persons subject to community corrections. Rehabilitation will not take place if people are detained in unsafe and inhuman living conditions.

The task of the DCS is to break the cycle of crime. Its aim is to provide an enabling environment, interventions aimed at rehabilitation, guidance and support to probationers and those on parole in community. The duties of the DCS also include: provision for correction, the development of people in custody, reconciliation of inmates with the community, to enhance the productive capacity of people and to promote healthy and cordial relations. The White Paper on corrections is a high level document that guides the implementation of the goals of DCS. The Correctional Services Act and White Paper place the responsibility on the DCS because they see rehabilitation as the right of every inmate, not as a luxury that is dependent on the availability of resources. However, the scarcity of resources can negatively affect the implementation of the goals and objectives of the DCS.

Rehabilitation involves processes such as the correction of offending behaviour, the human development of inmates and the promotion of social responsibility, and moral and ethical values. Rehabilitation is not only a strategy to prevent crime but should be a holistic strategy that encourages social responsibility, social justice, participation in democratic activities, empowering inmates with life skills and making prisons in Africa a better place to live and work in (Muntingh 2005:5).

The rehabilitation and reintegration of inmates is a complex process. A punitive approach will not contribute to reducing crime, nor will longer sentences facilitate rehabilitation. Cullen & Gendreau (2000:112) describe rehabilitation as follows: “Interventions are planned and specifically undertaken, they target aspects of inmates’ behaviour that cause them to commit crimes and are aimed at reducing inmates’ likelihood to break societal norms in the future”. The attitudes of inmates, cognitive mechanisms, personality, mental health, social relationships, education, vocational skills and employment possibilities should be carefully examined on how they can contribute to either counteract or promote crime. How rehabilitation is achieved, is the concern of the DCS.

The White Paper puts forth a high level framework for offender rehabilitation and reintegration but does not present a theoretical understanding of offending behaviour and how reoffending can be prevented. An accurate description of the problem that contextualises the expectations can contribute to a better understanding of what offender rehabilitation and reintegration could achieve. Theoretical insights regarding the nature of human behaviour and envisaged change should be applied to the prison environment if success is to be achieved in practice. Whether an intervention program is effective depends on what the intervention aims to achieve. Assessment, careful planning, the implementation and the evaluation of the program and the outcomes are crucial.

The White Paper paragraph 9.13 describes the social reintegration of offenders, and the aftercare, the role of the family and communication with the outside world as key components. Reintegration is a process, not a once-off intervention. Previous interventions should be followed by subsequent interventions in a chain of purposeful actions. Successful reintegration is linked to a process of support that begins during custody and continues during release and thereafter (Borzycki & Baldry 2003:2). Successful reintegration reflects the ability of ex-inmates to function in a family and place of work, to manage situations through good decision making and behaviour that avoids risks and further conflict with the law. Implementing rehabilitation and reintegration on the scale which is envisioned in the White Paper requires a broad

assessment of the target group of people with an accurate description of the salient characteristics and areas of concern.

Problems inmates face when they are released include the following: securing financial stability and sustainable employment, dealing with trials and temptations, addressing issues of mental and physical health, being accepted into family networks, finding adequate housing, community acceptance or stigmatisation, a low level of literacy, developing and maintaining relationships.

The moral choices made in the reality of life in prison are complex and fluid. These moral choices and decisions are interpreted in the light of the theory of rehabilitation and reintegration. According to Paragraph 9.4.3 of the White Paper data is collected on the causes, nature and circumstances of criminal behaviour, conviction records and social status of inmates by means of profiling. It is not stated what and how the data will assist the DCS in implementing effective services since not all inmates are career criminals. Assessments during incarceration can contribute to the success of interventions through ensuring an optimum correlation of program content with the needs of the participants. The quality of interventions and its impact will be advanced if policy and practice were informed by the data on the characteristics of prison subculture. Unfortunately, data on effective rehabilitation and reintegration programs in South Africa is scanty (Muntingh 2005:36). Further studies can be undertaken to provide information on the dynamics of prison culture. The Australian Department of Corrections, for instance, is categorical that prison programs must be evaluated for their success in effecting positive change in behaviour, attitudes and life options for prisoners (Hunter, Fritzgerald & Redston 2001:96). Knowing what does not work is as important as knowing what works. In the absence of rigorously obtained data on South African guidelines, principles from studies done in other countries can be useful to fill gaps.

Prisons in South Africa frequently come under the constant scrutiny of the media and feature in the political debates. Prisons in South Africa also experience violence, intimidation, criminal syndicates, sodomy, prostitution and drugs and the active participation of corrupt correctional officials in all of this (Sarkin 2008:60).

South Africa in recent years has been experimenting with the concept of privatisation whereby the state transfers the responsibility for the punishment and rehabilitation of inmates to companies with a business and profit motive. It is backed by the notion that the management of private prisons will be cost effective and better run (Cullen & Gendreau 2000:148).

The White Paper views corrections as the responsibility of society. Effective intervention requires a comprehensive approach, good program design, integrity in the implementation and skilled staff (Muntingh 2005:41). This requires an enabling environment and the necessary resources. The objective of the White Paper is to correct offending behaviour in a safe, secure and humane environment that is adequate for facilitating rehabilitation and reintegration processes (Zhou 2013:185).

South Africa, Uganda and Botswana have made an effort to improve rehabilitation. The focus is on vocational and educational training, social and psychological support and counselling, the promotion of contact with family and friends outside prisons, access to religious services and open sentencing centres that promote the reintegration of offenders into society. The programs present a positive trend towards increasing the role of rehabilitation in prisons across the continent. Literature on correctional ministry emphasises that effective interventions include long term cognitive behavioural approaches that view individual inmates in their totality. The focus is on redefining how they view and respond to the penal environment. It is an endeavour that is time consuming. The White Paper on Corrections sets an ambitious plan for ensuring successful implementation. This requires a careful assessment of possibilities, opportunities and pitfalls. Implementation is a daunting task, since the South African prison population is large. Thousands of inmates are released on a monthly basis. Substantial gaps in the available information hinder the strategic planning for the rehabilitation and the reintegration of inmates.

To implement the White Paper poses a significant challenge to DCS. The challenge for the way forward in the journey of transformation is to conceptualise an operational model for the rehabilitation and reintegration of inmates (Department of Correctional Services Plan 2005/6-2009/10).

Centres of excellence spread across six correctional management areas were established to deal with the tasks in a manageable way. Imprisonment in South Africa has visible connections with a history of marginalisation, exclusion and difficult circumstances. Certain communities experience a higher rate of incarceration than is the norm. A sociological perspective on these phenomena is needed. Hence, the approach taken by the DCS should be informed by data that is historical, qualitative and predictive (Muntingh 2005:43). The DCS program is not specific about what it intends to achieve through interventions, what works, how success would be achieved and how it is measured. Success should be measured against the objectives. This requires rigorous planning, effective implementation and stringent evaluation. An investment in the necessary resources is required to improve the evaluation of interventions.

Africa is on a new route of reformation, policy development and improved practice, but should take cognizance of lessons learnt elsewhere with regard to what works and what does not. Principles and guidelines should be tailored to suit local contexts in Africa. Initiatives to support the White Paper's vision to cultivate effective practice include: effective programs, the training of practitioners, improving planning and evaluating skills. The development of minimum standards will eliminate ineffective practices of offender rehabilitation and reintegration. Minimum standards set an effective baseline for interventions that ensure quality in the programs rendered through collaboration with DCS.

According to the Annual Report 2003/2004 the DCS still has much to do with regard to capacity building in order to ensure maximum compliance with policies, especially at the level of correctional centres (DCS 2004:18). Several state prisons visited by the CSPRI (2005) have a shortage of custodial staff and professionals such as social workers, nurses and other remedial specialists. The need for capacity building could be a result of the uncertainties arising from efforts to transform the penal institution. The DCS acknowledges that there is an acute shortage of the professional services that are required to ensure the effective rehabilitation of inmates (Tapscott 2005:9). Severe staff shortages could eventually lead to stress and burnout among the existing staff.

Staff shortages adversely affect the way in which workers carry out their functions. Recognising the need for capacity building, the White Paper (2005) concludes that the human resource provision strategy of the DCS should be informed by sound principles of the staff and inmate ratio that is appropriate to the security risks inherent in managing a correctional centre (DCS 2005:62). The restructuring of prisons also leads to institutional instability and affects the smooth running of prisons across the nation.

The experience of South Africa with privately run correctional centres is relatively positive compared to other parts of Africa with particular reference to management of human resources, staff security and programs for the rehabilitation of inmates. The correctional services department is committed to uphold the constitution of the nation and comply with international standards for human rights and the dignity of inmates. Good prison governance can only be achieved through policy frameworks, available resources and the correctional officials who are willing to implement the policies in a transparent, accountable and ethical manner. Effective management is measured against whether the basic human and constitutional rights of inmates are upheld and respected. It involves the way in which inmates are treated and the opportunities they are given to reshape their lives towards a more constructive future (Tapscott 2008:5). Key factors for successful rehabilitative programs include (Sarkin 2009:7):

- a focus on addressing employment related skills;
- flexibility for meeting individual needs;
- integrated and multidimensional services that address a variety of issues;
- regular monitoring and follow-up mechanisms with a balance between quality and quantity;
- collaboration with family and community;
- measures to facilitate restorative justice where inmates accept responsibility for crimes committed;
- a minimum duration of nine to twelve months for every intervention.

High levels of poverty and inequality of service delivery prevail in South Africa due to economic repression and oppression.

In 1994, the National Institute for Crime Prevention and Rehabilitation of Offenders (NICRO) reported on the role of the Department of Correctional Services (DCS) in the rehabilitation of inmates (Gumanda 2001:28). The report showed that there was not much progress in the development of an effective rehabilitative approach since the law was passed in the 1970s. Rehabilitation efforts are gradually shifting focus from deterrence and retribution to developing law-abiding citizens (Coetzee 1995:41). Rehabilitation programs include aspects such as psychology, education, social welfare and religious instruction. The rehabilitation approach emphasises the needs assessment of inmates to determine what kind of program will be suitable for them (Dissel 2008:162). The White Paper outlines the vision of the rehabilitation of inmates for the Department of Correctional Services for the next twenty years (Dissel 2008:162).

In contrast to the situation in other countries (see Beckford 1999, Gagnon 2008), there are not many interfaith chaplaincy networks in most of Africa. The various faith groups are granted access provided they meet the security needs of the institution. Some ministers and volunteers from different religious faith groups are granted access to prisons as chaplains and volunteers. Chaplains in Africa are concerned that extremism should be addressed and that adequate models for pastoral work for penal ministry should be developed.

African countries do not feature in the list of prisons with huge numbers of female inmates. Women constitute between 1% and 6% of prison populations in Africa although in the past decade there was a dramatic increase in the number of women imprisoned in some African nations (Sarkin 2008:25). Imprisonment in Africa, like elsewhere, is a dominantly male issue. Problems faced by female inmates are similar to those men face but there are differences on how they survive challenges of prison culture. According to Greer (2002) women experience a duality in their emotional experiences while in prison. The services available to female inmates in prisons across the continent are inadequate. Few recreational and vocational programs exist and those that do exist often reinforce gender norms and stereotypes. Access to adequate mental and physical healthcare is as severely lacking for women as it is for men.



Globally, studies on sexual behaviour and attitudes of women in prison are scarce. According to Landman (2005:789) there are not many studies on the sexuality and spirituality of women who are in custody in South Africa. World-wide such information is also scanty. Studies are often done by males who have only restricted access to women in correctional centres. According to Shaw (1995:35-38) chaplains do not have the power to influence sexual behaviour in a “world of reversed morality”. In prisons strong inmates prey on weak ones and rape them.

Chaplains generally understand the variety of spirituality of inmates. They provide the opportunity for honest conversation about humanity, spiritual questions of hope and reconciliation. Chaplaincy needs public legitimacy and should have the capacity to respond professionally to questions of meaning and identity. Much is yet to be done in developing the knowledge base that will support prison chaplaincy to respond to diverse spiritual and religious needs in penal institutions. Discussions on chaplaincy in multi-faith contexts raise the concern of suitable theologies that support dialogue between faith-specific approaches. The situation of most prisons in Africa call for theological reflection on how to better serve the growing needs of people who find themselves in the penal environment.

The empirical study described in the following chapter provides a detailed account of a specific scenario of prison chaplaincy in Africa. The focus of chapter 5 is on the experiences of chaplains in the context of Zimbabwe as an exemplar of the situation of pastoral care and prison chaplaincy in Africa, though the study acknowledges that every African country faces its own particular challenges. The cultural diversity in Africa also contributes to a variety of philosophies and practices with regard to transgression and punishment. However, through the situation in Zimbabwe a glimpse can be caught of the broader situation in Africa. With much of what this particular context shows, other contexts in Africa will be able to identify with its reality of prisons. The conversation can be fruitful to the field of pastoral care and prison chaplaincy in Africa.

## CHAPTER 5

### AFRICAN PRISON CHAPLAINCY IN THE FIELD

#### 5.1 Introduction

A review of literature in the field of chaplaincy and pastoral care in the prison setting served as historical and conceptual framework for the study. International literature on penal institutions, which is substantial, mostly focuses on rehabilitation and treatment. There are fewer systematic studies on the factors that can contribute to good prison administration and management and how this can be conducive to meeting the needs of inmates in such environment (Tappscott 2005:4).

A wide range of services are expected from chaplains by the penal system which employs them, as well as by society and the faith communities they also serve (see Shaw 1995; Williams 1996; Beckner 2012). According to Coyle (2002:17), literature on the theory and practices regarding the management of large public institutions such as schools and hospitals abounds, but studies specifically on penal institutions, officials, chaplains and pastoral caregivers are relatively few. This is even more so with regard to the African context.

The aim of this study was to contribute to filling the gap with regard to the African penal context. Prison chaplaincy from an African perspective differs in many ways from other contexts. The study therefore focuses on the role of prison chaplains in Africa. In the previous chapters various cultural contexts, including the African context, were investigated to ascertain the influence of culture and society on perceptions, theories and practices regarding correctional services. From this broad background the focus narrowed to three countries in Africa. Their philosophies, policies and practices were perused by means of documentation, and compared. Similarities and differences were identified.

In this chapter, one of these contexts, namely Zimbabwe, has been chosen for an empirical investigation. Data from the field that was gathered by means of qualitative interviews with four chaplains from Zimbabwe is to be supplemented with data from an interview with the Prisons Chaplains' General of Ghana.

The chaplains were asked about their activities and experiences, what they deem their contribution to be, how they see their role, and how they think they are perceived by the penal authorities, churches and the community. The chapter concludes with a theological reflection on the processed data with regard to pastoral care in some prisons in Zimbabwe and the similar situation in Ghana. Other contexts in Africa will be able to identify with some aspects, whereas they may differ in other respects. The conversation among various African contexts and cultures can be enriching to the whole and provide insights into the larger situation of prisons and prison chaplaincy in Africa.

## **5.2 The Zimbabwean context**

The name Zimbabwe comes from the Shona phrase “dzimba dza mabwe” meaning “houses of stone”, which refers to the Great Zimbabwe, a royal Shona settlement built in the ninth century close to Masvingo. Zimbabwe is a landlocked country in the Southern African region with Harare as the capital city. It shares boundaries with Mozambique, South Africa and Botswana. Leaders ruled through ancestral sanction. Their power was reinforced economically through the control of herds of cattle and the extraction of gold (Zhou 2013:78-79). Social cohesion was strong in traditional communities. People shared resources and the land belonged to all. The relationship between humans and nature is expressed through totems and rituals which connected community members to one another and to the world of which they form a part.

The first prisons were established in the 1890s by the settler government. By 1910 nine prisons had been constructed by District Magistrates who reported to the Ministry of Justice. It was also the magistrates’ responsibility to staff the prisons. The Prison Service in Zimbabwe in 1995 defines “prison” as a place of punishment (Zhou 2013:9). The Zimbabwe Prison Service is led by the Commissioner of Prisons under the Ministry of Justice, Legal and Parliamentary Affairs. All matters relating to policy and the direction the Zimbabwe Prison Service is taking are regulated by the Prisons National headquarters in Harare. From there directives go out to the four regional headquarters in Mashonaland, Matabeleland, Midlands/Masvingo and Manicaland,

and to their 46 prisons. The mission statement of the Zimbabwe Prison Service is (Zhou 2013:10):

As part of the criminal justice system the Zimbabwe Prison Service is responsible for the protection of society from criminal elements through the incarceration and rehabilitation of the offenders for their successful reintegration into society whilst exercising reasonable safe, secure and humane control.

In spite of these lofty ideals, many difficulties and hardships are encountered in Zimbabwean prisons. These are compounded by the cultural, social, religious and economic realities of the nation (Zhou 2013:1). Inmates are not in any way able to participate in community activities as citizens of the country. The approach is that prison is a place of punishment and the aim is to prevent criminal acts through imprisonment. Punishment is harsh in order to deter people from crime. This is also the reason for the generally long sentences imposed by the courts.

In 1955 the United Nations issued standard minimum rules for the treatment of offenders and outlined what basic prison conditions should be. This was followed in 1988 by a set of principles for the protection of persons in any form of detention. These basic principles were incorporated into Zimbabwean law in 1990. This included minimum standards regarding the classification and disciplining of inmates, their opportunities to communicate with the outside world, as well as their healthcare, complaints, work, recreation, and rights with regard to religion and culture (Bastick & Townhead 2008:2). Though this was ratified by various bodies in Zimbabwe, it has not been implemented in most of its prisons. As is the case in Zimbabwe, most governments in Africa are battling to comply with international standards. This is due to a lack of training, personnel, adequate legislation, resources, and insufficient budgets (Sekhonyane 2005:3). Most penal systems in Zimbabwe are outside the reach of communities and NGO's. Not many academic studies have been done on the conditions in prisons (see Zhou 2013:4).

The government does not show much interest in the penal system when it comes to human rights issues.

Existing rehabilitation and reintegration processes are inefficient. The prisons now do not differ much from what they were like under colonial powers. The legislative processes, framework and infrastructure have not seen much transformation over the years despite the communication links between the Zimbabwe Prison Service and stakeholders who promote the welfare and wellbeing of inmates (Zhou 2013:11). The stakeholders include the Prison Fellowship, the Zimbabwe Association for Crime Rehabilitation of the Offender (ZACRO), faith-based groups and faith communities, human rights activists and agents of the criminal justice system.

The social, economic and political situation in the country contributes to an increasing rate of crime and imprisonment as well as to the reduction of rehabilitation programs and processes. The latter is due to the shortage of personnel and resources (Zhou 2013:191). Overcrowding in the prisons violates the dignity of inmates. Their need for space, privacy, and opportunities for physical and mental stimulation and inspiration is not met (Sarkin 2008:73). This study focuses on the role the chaplains in the prisons of Zimbabwe play in order to come to a deeper understanding of prison pastoral care in Zimbabwe in particular and, through this lens, also gain some insight into the situation that prevails on the African continent. Maxwell (2005:16) points out that a qualitative study which is not necessarily representative of a larger population can nevertheless be valuable as it provides an account of a setting or population that illuminates a specific case.

### **5.3 Chaplaincy in the field**

A qualitative research methodology is chosen for the empirical study in order to come to a deeper understanding of what chaplaincy in an African context entails and to gather data on diverse prison cultures and chaplaincy activities. Data collection using qualitative methods provides a broad understanding of the phenomenon and the issues of concern.

Literature in the form of texts, training manuals and chaplaincy service guidelines was procured with the help of Zimbabwean chaplains Zhou and Kusada. These sources provide insight into the daily operations and life in prisons.

They provide perspectives on the structures and culture in which chaplains function in these secular institutions.

Field data was gathered by means of interviews with four chaplains. The ethical implications of the study were discussed by the Research and Ethics committee of the Faculty of Theology, University of Pretoria for approval of the investigation. A letter of recommendation from the University was conveyed to relevant prison authorities and access to the chaplains was gained. Detailed information on the purpose and objective of the study was made available to participants. They read, understood and signed the consent forms to indicate that they were willing to take part in the study.

The empirical investigation comprises four interviews with spiritual and pastoral caregivers in Zimbabwe and is supplemented by an interview with the Prison General of Ghana. The chaplain participants were selected due to their accessibility and the availability of spiritual care programs in their work environment. They were all from Zimbabwe and they are all Christian. Participants were asked to speak freely about their work in prisons. A point of interest was what the motivation was for the chaplains' choice of this particular vocation. Their work and role in the penal system were examined from a personal, spiritual and pastoral care perspective. The areas that were explored included the sources that were available for fostering the spiritual and religious life of inmates as well as their relationships to clergy and other spiritual care workers. The goal was to understand what is being done in pastoral care and chaplaincy programs, why it is done, and whether the intended results are achieved (Roberts & Powers 1985:100).

The interviews were not done in person, but by means of written interview questions to which they provided a written response. Interview sheets were sent out to ten chaplains and four were returned. The participants were asked to reflect on their experiences as chaplains in their specific context. They were asked specifically about their motivation for working in the penal system, their experiences in that working environment, and what meanings they allocate to their experiences (see Hicks 2010:51).

The interviews also explored not only chaplains' work with inmates of their own faith, but also interaction with other faiths and with penal officials. Participants were asked to respond on the activities in their particular penal environment in order to gain insight into life in those specific penal settings. The objective of the study was to investigate how participants make sense of their world in the penal environment and also on the service they render. They were asked about how they think pastoral care affects others in the penal environment. They were asked how they understood their role and made meaning of their presence in the prison.

Though the respondents were all from the Christian faith, they were from diverse denominations and their employment portfolios also differed. The responses provide a brief summary of the purpose and outline of their work. The questions were asked as to the place, role and position of chaplains in their work environment and social context. The interviews asked for their opinion on African notions of pastoral care and chaplaincy. Some answers of respondents were general rather than specific. Todd & Tipton (2011:22) point out that the distinctive role of the chaplain is better understood from investigating the interplay of the pastoral and religious role rather than assessing their individual impact on the correctional environment. It is in this way that the distinctiveness of chaplaincy can be explored. Chaplaincy is not only about the skills and knowledge that are needed to do the job, but is also about the beliefs and moral concerns of those who do the work (Fine 2003:76). It is through socialisation that individuals develop a work culture that enables them to adjust to discrepancies between the work role expectations and the realities of their life.

Listening and conversation are at the heart of all human and pastoral encounters. Formative experiences are communicated and interpreted through stories people tell about themselves and their experiences (see Willows & Swinton 2000:15). The empirical study examines the practices of chaplains, including pastoral counselling, Christian education, Bible studies and worship. They were asked as to the impact of the programs on inmates (see Pierce 2006:ix). The purpose of this empirical part of the study was to come to an understanding of the experiences of the respondents as well as of the social trends that have an impact on their lives and shape context of ministry (see Osmer 2008:41).

Participants were challenged to explore the different ways in which prison chaplaincy and pastoral care was addressed over the years. They were asked questions relating to their knowledge of studies in the field. The questions opened the way for focused theological reflection on prison chaplaincy in response to their specific lived experience in prisons of Africa.

The interview questions addressed issues and themes that are particular to prison chaplaincy. The experience of chaplains, case studies, self-reports and narratives, provide points of entry for pastoral care, counselling and theological reflection (Lartey 2013:4). The historical and socio-cultural boundaries between the role and identity of prison chaplaincy in Africa were explored because of the growing tension between the secular demands on chaplains over against their faith-based role in the prison environment.

Respondents were asked to comment on negotiations in their setting with regard to the incorporation of prison chaplaincy into the daily operations of the penal systems. The ways in which prison chaplaincy is organised, has developed. Negotiations with regard to resources such as places of worship, as well as strategies to incorporate religious practices into the daily running of the institution, were examined. How chaplaincy services were accepted in the institution, the variety of tasks that were carried out, the chaplains' opinions on equality and inequality in the prisons system and with regard to their work, and issues between chaplains and other faith groups were explored.

The study will contribute to the body of knowledge in the field on the place and role of chaplaincy in penal institutions in Africa. Rich data was gleaned from respondents due to their different denominational backgrounds, beliefs and practices. The questions focused on aspects of chaplaincy, spiritual, pastoral, psychological and emotional care and counselling. They were asked to reflect on pastoral and spiritual care from the perspective of theology and ethics.

### **Respondent 1**

The first respondent was a Methodist priest with a diploma in Religious Studies who has five years of experience in prison pastoral work in Zimbabwe. The penal institution where he works does not have a mission statement that defines the role of prison



chaplaincy. The prison system does, however, focus on the rehabilitation and empowerment of inmates and not only on punishment and safety. In this regard the chaplain sees himself as a partner whose contribution focuses on the spiritual level. In the administrative hierarchy beginner chaplains are ranked third from below. After having gained some experience they can be promoted to higher levels. Chaplains do have the leeway to suggest ways and means of improving prison life, but they cannot approve and implement such changes. Chaplains can approve, schedule and monitor the progress of inmates of their own faith in prison, but not with those who belong to other faith groups. Sometimes chaplains are also asked to monitor non-religious programs and activities. Some prison officials provide administrative support for chaplains. They also provide administrative support with volunteer groups who come in to assist with the reintegration program. A scarcity of chaplains is a problem in that particular setting. There are only two full-time and five part-time chaplains in the prison.

There are no specific programs that care for the needs of inmates. The services rendered are geared towards their spiritual formation. Chaplains have the use of a multipurpose area in which to carry out religious functions. Rooms that are supposed to serve as sacred spaces are also available for one-on-one discussions with inmates. However, often these rooms are not used for religious purposes.

Chaplains and volunteers together form part of the strategic team and suggest ways of improving prison life, culture and programs. In this particular penal setting volunteers participate actively and show a keen interest in reintegration programs. All chaplains report to the Chaplain General who monitors religious activities in prisons. The respondent describes the pastoral care role of chaplains as follows: "Inmates who have social problems and request the services of a chaplain and those inmates who are being prepared for release – I sit down with them to prepare them for the life out of prison".

In this prison it is the inmates who ask for the pastoral care services of chaplains. They seem to value that the chaplain journeys with them through their time in custody until they leave the prison environment. With regard to the faith formation of inmates, the

respondent reports as follows: “I encourage inmates to have a relationship with Christ; my pastoral care is based on the general principles of faith. How to make the best of what Christ’s love has shown to us”. The services of the chaplain are aimed at showing the love of Christ, compassion and care to those who are in pain.

To the question as to his motivation for choosing this particular ministry as his vocation, the respondent replied that the choice to work in the prison environment was not an easy decision to make. He explained his choice as follows: “I felt it was one area where people were neglected as far as love, pastoral care, spiritual upbringing are concerned because I realised not everyone was guilty who lives in prison”. The respondent pointed out that inmates are not often shown love. That is why providing pastoral care and spiritual nurture to them while they are in custody, is important to the respondent. He is also convinced not all who find themselves in prison are necessarily really guilty of having committed the offence for which they are being punished. He has a special passion for ministering to the needs of those who have been imprisoned, both justly and unjustly.

Challenges and risks abound in the life and work of a prison chaplain. Serving in a prison setting, the respondent identified the following challenges from his experience: “There is a lack of resources and proper training because there are hardly specific models and training on how to take care of inmates but we have to learn to be innovative”. Chaplains need training for the role they are called to play. In the absence of training they have to invent ways to cope with the daily challenges. After a conversation with others on pastoral care models and resources the respondent felt particularly despondent with the limited success that he was having. Support from prison officials is often insufficient to help them face the challenges of the penal institutions. The respondent suggests the following to improve matters: “Create separate spaces for counselling inmates, provide opportunities to seriously consider prison pastoral work and train pastoral caregivers, make available prison educative workshops and relevant literature on the field”.

Effective counselling is difficult to achieve due to an acute lack of space as well as the security and custodial concerns in the penal system. Many theological institutions and

seminaries in Africa do not offer chaplaincy courses. That would have made a difference to the work of practitioners in the field. Workshops, conferences and seminars that build capacity are not only scarce but difficult to organise in Africa. At international conferences representation for Africa is often low.

When asked to attempt a job description for chaplains in Africa respondent wrote: “A chaplain is to be involved in the day to day administration and planning, and is to take charge of spiritual formation and the integral elementary life of the inmates”. This is the ideal, but does not always find expression in practice in prisons on the continent of Africa. For most pastoral caregivers in the prison setting, chaplaincy is but a part-time job. The respondent himself has other duties outside of chaplaincy. He is also a counsellor, a minister of religion, and a church leader. He points out that the workload in the prison setting is high and the needs are many: “There is a lot of work and even more needs”. Chaplaincy is mostly not a full time ministry for those who serve in prisons in Zimbabwe.

When asked to comment on prison chaplaincy in Africa, respondent said: “There is a lot to be desired especially in terms of how the work is done. I feel more can be done as far as the work is concerned because throughout my experience, I am always running short in terms of the qualification and there is not a uniform operational model throughout. Many think it is just about church services. However, chaplaincy is complicated. Also, the salaries for chaplaincy are low, which is a bit unfair especially in as far as the work is concerned. The Chaplain General is not as influential as he should have been. This leads to our job being underestimated. The job of chaplaincy is made too simple, even though its lots of work”.

Much work is still to be done to make prison chaplaincy visible in Africa. What happens in most prisons in Africa is that church services are held, but not much else is done. Pastoral care to inmates, which should be the focal point of the work, often does not happen. Chaplaincy is complex. Themes raised by the respondents include: mission statements, pastoral care with inmates, work relations, motivation and the future of the field. Mostly a mission statement can be found on the institutional profile of prisons.

Chaplains visit the penal institution in order to offer spiritual care and support to inmates. Without much in terms of guiding principles or a roadmap for the way forward for chaplains in prisons, pastoral care and chaplaincy are a challenge. Their low ranking in the prison system tends to demotivate as they see it as a devaluation of their contribution. They know that their services are valued, but this is not shown by the system which does not include them in the planning. All of this contributes to a lack in motivation. Support from prison officials is often not sufficient, considering the challenges chaplains face. Much work is yet to be done to turn the tide for pastoral care and prison chaplaincy in Africa, which is often particularly complicated.

## **Respondent 2**

The second respondent is a minister from a ZAOGA (a group of Pentecostal churches in Zimbabwe) church who has a diploma in theology and four years of ministry experience. He also indicated in his interview that a mission statement for pastoral work in the prisons is lacking. Chaplains are mainly concerned with the rehabilitation and reintegration of offenders. They use church services and Bible studies towards this end. Church services and Bible studies serve the religious needs of inmates. There are three full time and three part time chaplains who approve, schedule and monitor their own religious programs and those of volunteers. Chaplains interact with the volunteers and exchange ideas on rehabilitation and the reintegration of inmates into society. Chaplains report to the Chaplain General.

The respondent describes his role in pastoral care as follows: “I started as an “attachee” (learner) to the chaplaincy department in the year 2011. I was working under the supervision and according to the instruction of the qualified chaplain.

In 2013 I qualified as a chaplain. I came up with the idea to present lectures and hold debates on the Bible in prison with the aim to involve the inmates. I encourage inmates to give their life to Jesus and to attend the Wednesday and Sunday church services. During the week I teach the word of God to inmates who are clustered in groups according to their needs and problems.” The respondent is passionate about “converting” inmates to the Christian faith. He believes that this is achieved through preaching and teaching the gospel message.

This respondent's motivation for chaplaincy work is "to win souls to Christ and reconcile prisoners with society they wronged, encourage forgiveness beginning with inmates forgiving themselves and society forgiving inmates". The reconciliation of inmates with the self and community is the central goal of prison chaplaincy. However, it is a difficult task with many challenges, such as "resistance by community to accept offenders and offenders who fail to embrace the gospel of Christ. Often inmates join prison fellowship while incarcerated but quickly forget about the word of God once they have been released". Some success is achieved with reconciliation between inmates and those against whom they have perpetrated the crime.

Pastoral care, counselling and resources are shared with others in the penal environment. The respondent proposes the following for the improvement of life and work in prison: "Provision should be made for worship spaces and Christian literature". Criteria for recruiting chaplains should include "a diploma or degree, preferably an Honours degree in pastoral care or something related. A professional counselling qualification is a must as well as a certificate of ordination from a recognised church". This respondent too had other duties outside of this chaplaincy work. He is also an evangelist and a counsellor in the faith community.

With regard to prison chaplaincy in Africa, the respondent said the following: "Mostly prison chaplaincy in Africa is not taken seriously, firstly, by the society who to a greater extent perceive prisons as a source of pain to their imprisoned relatives, secondly, by some few inmates who have reached a denial stage, that is prisoners who believe life will not change for the good even if they repent.

However, through resilience and perseverance of the prison chaplaincy in Africa, prisons have become generally peaceful. There is not much in terms of prison riots. Many prisoners have turned to Christ while in prison and even after prison. It is my belief that through an increase in the availability of biblical literature and the installation of cable television with religious channels, many lives will be changed, both those of prison officers and those of inmates. The two groups need Christ in their lives in order to coexist peacefully." The respondent is of the opinion that prison chaplaincy is not taken seriously especially as society views prisons from a punitive perspective and

wants inmates to compensate for crimes committed. Some inmates are in a state of denial. Other think life cannot improve for them, even if they participate in the programs offered in prison. However, through resilience and the persistence of chaplaincy services, inmates can find peace with themselves, their victims and the community. Some prisons in Africa report that chaplaincy services contribute to their clean record with regard to escapes and riots.

Pastoral care is on-going in most prisons, with offenders struggling to break with the cycle of crime. Proposals for reforming penal institutions include: good Christian literature, the installation of cable television that provides life changing programs which can contribute to transforming the lives of people in African prisons. Mostly staff and inmates co-exist peacefully in prisons.

### **Respondent 3**

The third respondent is an Anglican minister who holds a Bachelor of Theology degree. He has 12 years of experience in ministry. He is one of 8 full-time chaplains employed by the institution. According to him, chaplaincy work aims at reaching and forming the spiritual person. The mission statement of the penal institution on chaplaincy places the emphasis on improving the spiritual lives of persons. The chaplain “empowers inmates to be reintegrated as different and better people into their communities”. Offenders are empowered to become transformed persons who will be welcome in society and make their positive contribute as citizens.

Chaplains have administrative responsibilities in the penal institution. They monitor religious programs, schedule appointments with volunteers and report to the Prison General. The respondent told the following story of success in his pastoral care work: “I have managed to help one young man who had suicidal tendencies and indeed attempted suicide in the prison. He has received Christ and has since started working well with others. There were no more suicide attempts”. The respondent sees his task as listening to the problems of inmates and scheduling appointments to meet them regularly. It often takes time and a sustained effort before visible change can be seen in the inmates and they show signs of coping better with their problems and challenges. Chaplaincy has the potential to contribute to meaningful change in the

lives of inmates. Chaplains probe the life histories of inmates and are sometimes allowed to journey with them towards restoration and transformation. The motivation of this respondent for doing this work is the following: “It is an area of interest of mine. I feel that this area is neglected. There is much more that can be done to improve the scope and areas that are still to be covered, especially the aspects of counselling and the skills needed by chaplains”. His own interest in this neglected area of pastoral care and the necessity to improve the scope of chaplaincy especially in the areas of counselling and skills development brought this respondent to chaplaincy work.

Pastoral care in prisons is an area of interest for some individuals who then become chaplains, but it is generally neglected by faith communities. Prisons have a need for ministerial and pastoral services. Skills development and counselling are crucial for inmates who want to improve their lives and their ability to cope while they are in custody.

To the question on the challenges of prison ministry, the respondent answered as follows: “A lack of adequate time and resources is a challenge. I feel that inmates are not sufficiently motivated to set priorities for themselves as far as their spiritual life and general integration is concerned. More could be done for them and with them”. With regard to the stumbling blocks he encounters in his chaplaincy the respondent said that he was “slowly getting there” and achieving some success. Workshops enable him to share pastoral care methods and resources with others in the prison environment. There is, however, a general lack of time, attention and resources for prisons on the continent of Africa.

The respondent’s suggestions for improvement are the following: “I think there is a need for us to be exposed to what is going on in other prisons in Africa. For example, there are good services and programs offered in Port Elizabeth, South Africa. This can broaden the spectrum of what we have and are doing here”. According to the respondent, the chaplaincy services and programs offered in Port Elizabeth in South Africa can promote and enhance genuine transformation. If chaplains in Africa are exposed to other ideas, practices and programs, that could help broaden the scope of chaplaincy in Africa. The respondent wondered in what ways valuable programs that

have been developed elsewhere could be made available to those in prison ministry in Africa. The task of chaplains in Zimbabwe is largely to “monitor, educate and sustain the spiritual development of inmates and integrate social, spiritual and other life experiences in the inmate’s life”. Therefore the role of chaplains is seen as holistic, since the emotional, spiritual and psychological welfare of inmates is involved.

Other than his chaplaincy duties, the respondent is also a part-time lecturer, congregational minister and community leader. According to him, prison chaplaincy in Africa is stressful and therefore chaplains need motivation and support for their work. “As far as my exposure in this ministry is concerned I feel there is a lot to be done in most 3rd world countries especially as far as the training and the effective programs is concerned. I had the privilege to visit some other prisons. In South Africa it is different from Zimbabwe and Zambia. I will recommend that, throughout Africa, there should be a kind of program for chaplains. Zimbabwe has potential, but much should still be improved. If people are given exposure to other contexts, that would make a difference. To begin with, training could be broadened because at present the scope of prison chaplaincy services is rather limited. There should be a board which regulates the training especially for it to be relevant to prison work as well and not only to pastor training”. Much remains to be done to train and develop programs for chaplains to offer professional pastoral care and chaplaincy services to inmates. Cooperation among institutions across borders can be valuable.

#### **Respondent 4**

The fourth respondent is a minister of the Zimbabwe Christian Church (ZCC). He holds a certificate in theology and has 3 years of experience as a prison chaplain. Three fulltime and two part-time chaplains serve the prison facility. According to the respondent there was no mission statement on pastoral care and prison chaplaincy in his institution. Despite this, the chaplains form part of the leadership of the penal system. Their main task is to build up people’s spirituality. Church outreach and Bible studies serve the religious needs of the penal institution. Chaplains also supervise, approve, schedule and monitor non-religious programs. Chaplains’ work focuses on the inmates. They set up appointments, book a room, sit down with the inmates and



invite them to talk. They also follow up where possible. Their task is further to preach, evangelise, present the gospel message and do counselling. The passion to work with inmates and serve the needs of people in custody led this respondent to prison ministry. With regard to the interaction with faith group volunteers, he says the following: "Scheduling of appointments is done through the administration. After the visits volunteers report back to the chaplain who is in charge. Chaplains do not monitor non-religious activities. Chaplains themselves report to the Chaplain General".

With regard to pastoral care services the respondent says the following: "A crucial aspect of my work is to book appointments and sit with people to try and help them with everything they need. I make the appointment, book a room, and talk with them. If possible I have follow up session. The follow up session is usually in the same place".

The motivation of the chaplain to follow this vocation is explained as follows: "It was a passion of mine from the time I learnt about how these people [chaplains] work". The respondent learnt about what a prison chaplain's work entails and was interested. He had no initial preparation for service in the prison environment.

The greatest challenge he faces is his on-going studies: "I am limited in terms of my studies. I am still working on my studies and this is difficult at the moment".

In this enterprise which would greatly benefit the institution in the long run, he does not get sufficient support from prison officials.

His suggestions for improvement of the penal environment and the work done there are as follows: "More education and support systems for the inmates and also for the chaplains themselves are needed." Professional training for those who want to enter into prison chaplaincy is mostly lacking.

The respondent articulates his job description as follows: "I preach, evangelise and present the gospel to inmates and help with counselling during and after prison life". The respondent derives satisfaction from working with inmates. He also serves as a minister of a church. He regards learning as a continuous process that happens daily.

With regard to prison chaplaincy in Africa the respondent says: "I am very limited in my exposure of chaplaincy in Africa but judging from where I am there are few people who

are interested and want to be involved in chaplaincy work. There is a big need out there for improving the systems”.

This chaplain is limited with regard to further studies. Opportunities to study are scarce, and there is not much support. Also, support systems for inmates are inadequate. Prison chaplaincy in Africa is generally rather limited with regard to resources and opportunities. There is a need for exposure to other ideas and environments. There is a need for people who are willing to become involved in prison work. There is a general lack of training and a need to improve prison ministry on the continent of Africa.”

### **Respondent 5**

The fifth respondent is the Chaplain General in Ghana. He operates from the national headquarters and all prisons fall under his supervision. He did not respond to the questions asked due to busy schedules but provided an overview of chaplaincy in Ghana for the purposes of this study. This was contained in an email he sent across. His response is considered because issues he raises concerning chaplaincy in Africa are similar to those in Zimbabwe.

Data from him constitute another resource for the study. Prison chaplaincy in Ghana is at a developmental stage with prospects for the future unlike other African countries. The Ghana Prison Service was created out of the defunct criminal justice system of the nation. Its goal is to contribute to the security of the nation through a functional, efficient, humane and safe reformatory system governed by the laws of the land. The Ghana Prison Service works for the preservation of human dignity and integrity of inmates. There are forty-five prisons located in the ten regions of the nation. According to the respondent, chaplaincy activities and services are progressing steadily in Ghana. Faith-based groups are given access to prisons by penitentiary officials. Some visit the penal institutions weekly. In the larger prisons there are full-time chaplains who direct the pastoral care and chaplaincy services. Chaplains preach, teach and discuss the Bible with both inmates and officers.

With regard to prison reform the focus has always been on the inmates’ well-being, rehabilitation and reintegration. Having attended a restorative justice course in

Canada, the Chaplain General applied what he learnt there to the situation in Ghana. The aim was to facilitate peace between victims and offenders without losing sight of community involvement. Through this, prisoners are able to reconnect with victims. They are also becoming involved in common ventures such as evangelism work. Some victims even become members of a church that is founded by the person who perpetrated a crime against them.

Bible schools are available in some prisons. Inmates who choose to follow these programs generally work hard. They receive a certificate upon graduation. Some inmates study theology, practical ministry and missions as part of the Bible school curriculum. Educational programs are available in some of the prisons to enable those who have dropped out of school to continue with their education. The Chaplain General describes the progress: "I have established a prison ministry with my church which is doing well. I am looking for a foreign partner for support to carry out all our planned activities each year. This ministry has been able to open a church in one of the prisons with membership not less than 1200". Without external support and funding of activities and programs not much will be achieved.

Most pastoral care and chaplaincy teams do not receive funding from the state for religious interventions in African prisons.

#### **5.4 Reflection**

Prison officials are crucial to the development of chaplaincy services. It is the duty of wardens to guarantee the right of inmates to pastoral care and chaplaincy services. Though their work in prisons is often not their only task, chaplains take the time to minister to those in custody. They are interested in the field and have a passion for helping people who find themselves in the difficult environment of prison. They also make themselves available for the various needs of the penal institution itself. Generally, prison chaplaincy seems to operate without a solid structure, agenda, and support system. In spite of this chaplains serve the needs of people in the prison system, both inmates and officials and offer pastoral care that can give meaning to the lives of people (see Brault 2014:3). Prison reform, steps toward improving the quality of pastoral care and counselling services in prisons is often difficult. Chaplains have to

find a way to be creative in order to provide religious and spiritual care. Most chaplains view pastoral counselling as their primary task in the prison.

The study critically examined the services of chaplains who minister in the prisons in Africa. The specific context of Zimbabwean prisons served as a case study. In the empirical part of the study the perspectives of chaplains in the field with regard to the role, contribution and the challenges they encountered while providing pastoral care to inmates, were obtained. By means of this data the situation of chaplaincy in an African context could be described. The data showed that chaplains focus on carrying out religious and spiritual services in penal institutions. Chaplains also create opportunities and access for volunteers and people of other faith groups to offer their services. Insights as to the motivation for doing this work were obtained. The respondents explained their commitment to chaplaincy and the pastoral concern they have for those who find themselves in a very difficult situation in life and often lose hope. They find their work in the prison challenging but also inspiring.

A goal of the study was to systematically explore the issues that face chaplains as they provide pastoral care to inmates and prison officials.

Another aim was to investigate strategies that could improve prison chaplaincy in Africa. Concerning their work of providing pastoral support to inmates, all the respondents who work in a prison setting appreciate the opportunity to have access to inmates who need and want their services. They listen to the concerns of offenders irrespective of whether these are religious issues, or pastoral or family concerns.

Chaplaincy, according to the respondents, has to change its pastoral ministry focus to accommodate growing institutional demands. Though the penal system did not always provide chaplains with much guidance with regard to their job description, the respondents were able to explain and define their own role in the penal environment. Some of the respondents question the relevance of their ministry in prison. In order to really address the problems prisons and prisoners face, some form of help will have to be found. This includes sourcing what is needed from governments, churches and outside funders. The need for recruitment and the training of personnel in order to create a truly professional chaplaincy ministry was also expressed.

Chaplains report to the Chaplain General. According to some, resources from the Chaplain General's office and from the government could be instrumental to bringing about positive change that could greatly benefit prisoners, chaplains, penal officials and the community. It is imperative for chaplaincy leadership and penal personnel to maintain regular communication between the hierarchy and the chaplains so as to promote team work and an appreciation of each other's roles and responsibilities. If the chaplaincy services team and penal personnel work in collaboration, it could be possible for them to launch a recruitment effort for chaplains and to train recruits for pastoral care and counselling.

Chaplains have voiced different motivations for choosing to do this work. They feel called to show love, help people to encounter God in their lives, and do pastoral care and spiritual formation with inmates. They all feel that prison chaplaincy work suffers from a lack of attention and find that it is a neglected area of ministry.

Besides offering pastoral care, most chaplains are involved also with other duties, for instance in their faith communities.

This leaves them with little time for effective pastoral work in the prisons. Pastoral care is cumbersome since there are many needs in prisons that warrant serious attention. The duties of chaplains in Zimbabwe include: helping to facilitate the smooth running of the penal institution, participating in planning, and providing for the spiritual and moral formation of inmates. Chaplains carry out programs with offenders that prepare them to face the harsh realities of life in prison and to prepare them for reintegration into society when they leave the penal institution.

Chaplains often do have the opportunity to exchange ideas with one another, which helps them in their work of facilitating rehabilitation and reintegrating inmates into society. By means of the gospel message and pastoral encouragement pastors work towards the reconciliation of inmates and those who were the victims of their crime. Some success has been achieved in reconciling inmates with victims.

One of the respondents suggested a diploma program in pastoral work, professional training in the area of counselling and certificate of authorisation from recognized faith-based institutions that can be used as a criterion for the appointment of prison

chaplains. Most training institutions in Africa do not provide specific training in prison pastoral care. This means that there is a shortage of professional chaplains in most prisons.

It is difficult to navigate around the deficiencies of the system and achieve success with the challenging work in prisons. This can only be done with the help and support of prison officials. Together, chaplains and officials can attend to the challenges of life and the scarcity of resources more creatively. Officials can provide separate rooms for counselling when requested by the chaplains. The multipurpose area is often secluded enough to be used by chaplains to minister to inmates with staff. The prison officials help with security during pastoral services.

Chaplaincy in Africa is complex and complicated. The remuneration of chaplains is generally poor. Most earn low wages and their position is not one of great influence. Penitentiary officials sometimes underestimate their role. Chaplains' services are seen as straight forward and simple, though in actual fact it is complicated and involves much work.

Prison chaplaincy and pastoral care is just starting to get off the ground in Africa. However, professional training is largely lacking and resources are most often not sufficient. Chaplains have to be innovative in order to provide a quality service to those who are in custody and to prison personnel.

The culture of prisons can be a stumbling block to the rehabilitation of inmates. It is necessary to come up with creative ways and means that support healthy growth, and changing of negative habits that promote crime. Love, creativity, awe and religion seem out of place in a hard and harsh environment such as prison. However, this exactly is the task and the gift of chaplaincy. Chaplains see their work as open ended. It is about the process rather than tangible results. The initial goal for chaplaincy was rehabilitation of inmates through religious growth and redemption. The "taming of hearts" was also considered a form of rehabilitation. Rehabilitation is a crucial goal for the criminal justice system while redemption is the goal for religious services (prison chaplaincy). Chaplains try to make sense of what chaplaincy entails and what their

role is in the penitentiary system. Reintegration into society already starts in custody where inmates are guided to change their attitude and behaviour.

Most respondents reported having to learn on the job since there was not much orientation before they started their ministry in the prison. It is a concern whether general theological training is sufficient for fulfilling a pastoral role in a prison setting. Pastoral care in prisons differs from other ministerial and chaplaincy settings such as the parish, hospitals, schools and military. Most of the participants found that their previous professional training was inadequate to prepare them for prison ministry. All the respondents also had another job. If this is a tendency throughout Africa that chaplains have multiple jobs, they will more often than not lack the time, energy and resources needed for effective full-time pastoral care and prison chaplaincy work. If such concerns are adequately addressed, prison reform and the rehabilitation of inmates in the prisons of Africa can move forward.

There are very few studies on the prison system in Zimbabwe partly because the world of incarceration remains relatively closed and particular sets of skills are essential to run penal systems. In former times, basic legal and administrative skills acquired through civil service and military were considered sufficient to run prisons. Today particular and specialised skills are necessary for the smooth operation of prisons. There has been a progressive movement for reform for quite some time in the prisons of Africa (see Zhou 2013:205).

Chaplains play an important role in the protection of religious rights and the opportunities offered inmates to practice their faith. They also protect the human rights and dignity of the people who are not religious. They are called to be witnesses for justice in correctional settings (Hicks 2010:147). Corruption in the ranks of prison officials is a perennial problem that seriously affects the human rights and dignity of inmates in Africa. Overcrowding can also lead to conditions that cannot be regarded as dignified or humane.

Prison chaplaincy is an “inherently caring occupation” because caring is an essential part of their professional identity (see Hicks 2010:154; Holmes & Newitt 2011:139).

The interviews have shown that the chaplains in the field were positive about their ministry because they regard it as meaningful to them and to those they serve.

Chaplains encounter trends in society before the rest of the community and the faith community are confronted with them. This makes chaplains valuable sources of information with regard to such trends and the religious resources necessary for responding to the issues of society.

In order to develop efficient and effective chaplaincy that would produce benefits of pastoral care to all in Africa, the following is necessary: experience, situational and theological reflection, critique of theology and pastoral action (see Lartey 2013:4). This is appropriate, because theological reflection encounters hermeneutical problems in the search for relevance and meaning in an environment where chaplaincy interventions are not holistic and sustainable (Wambugu 2014:1).

As was seen in the interviews, clergy involved with prison chaplaincy often serve only on a part-time basis since they also have other jobs and duties. This state of affairs causes chaplains to feel overwhelmed and ineffective. Pastoral care which aims at developing and nurturing worldview that differs from the criminal mind-set that led to the imprisonment of people, takes time, effort and dedication. Since this is crucial for Africa, everything possible should be done to support such work in order that it can be as effective as possible. This would benefit all of society.

Rehabilitation and reintegration as the main focus of the penal system, rather than retribution and punishment, is new to the penal system in Africa. The philosophy has now been appropriated by most countries. This should now be translated into effective policies and practices. There is also a need for the education of communities in this regard. Faith communities which often adhere to society's thinking about crime and punishment should be the first to support the more positive approach of rehabilitation and reintegration which is in harmony with the gospel of Jesus Christ. From the side of the government, society, and faith communities in Africa the positive developments that have begun to show a potential for success, should be increased and supported.

Most faith communities in Africa are at present not very positive about pastoral care programs that can contribute to making a positive impact on the lives of prisoners



(Atabong 2007:1). This is a disgrace to and failure of the central message of the faith community. Likewise society will continue to live with the disgrace and failures of its prison systems if a new reality is not put in place (Ward & Maruna 2008:177). Prison chaplaincy in Africa should focus on pastoral care and counselling, preaching, listening and accompanying prisoners on a journey of transformation and healing (Allard & Allard 2009:330). With, among others, spiritual intervention, pastoral care and chaplaincy services, a new reality can come to pass which can have a positive impact on prisons (see O'Neill 2009:74-75). That will then also have a positive impact on society at large. This is possible through persistent love and nurture with the intention to bring healing to inmates, victims of crime and injustice (see Griffith 1997:203-205). This is possible in faithful daily living through the practice of ministry that brings about transformation of society. Pastoral care and prison chaplaincy in Africa requires an indigenous African-based theology to effectively address the therapeutic needs of prisoners.

It is difficult to imagine transformation without the efforts of human rights groups, civil society and faith-based communities on the continent. For successful rehabilitation to take place, pastoral care and chaplaincy should be given a rightful place in the prisons of Africa. From a theological perspective, the image of God is violated when people are stripped of their dignity as human beings. Governments, faith-based communities and civil societies in Africa have the task to transform the old reality of prisons serving as places of punishment to something new – places of hope and healing.

This chapter presented the results of the investigation of the role of chaplaincy in some Zimbabwean prisons and the perspective of someone from the highest managerial position in another African context, namely the Prison Chaplain General of Ghana. The insights of the respondents were interpreted in dialogue with the literature in the field, taking the specific context of the African continent into account. From a theological and ethical perspective the chapter reflected on principles that guide the conversation on pastoral care and chaplaincy in Africa.

The investigation focused on what is needed to provide pastoral care to inmates and others whom chaplains encounter in the course of their work in order to facilitate the

wellbeing of all. The aim of the study was to enlighten and enrich ecclesial practice and theological understandings of chaplaincy with a focus on Africa and with four prisons chaplaincies in Zimbabwe as exemplar.

The investigation aimed to ascertain what chaplaincy could contribute to improving the culture and life in most penal systems. Chapter 6 presents the findings of the study with regard to pastoral care and prison chaplaincy in Africa and makes some recommendations.

## CHAPTER 6

### FINDINGS

#### 6.1 The paradigm shift

This chapter presents the findings of the study. The study aimed to contribute to a positive new paradigm for pastoral care with prisoners in Africa today. The goal of practical theology is to provide a relevant, meaningful and viable form of theological reflection that is personally and socially transformative, and has the potential to uplift the hearts and improve the lives of all people, especially those who are vulnerable. Part of the task of practical theology is to search for appropriate models, amend or create new models for new paradigms.

The study investigated the crisis with regard to prisons and prison chaplaincy which takes different forms in different parts of the world in order to gain insights that can be applied to the context of Africa. According to social constructionist theory, multiple realities are taken into account while meanings emerge from shared interactions of individuals in community and human society. Insights from Western and Latin American contexts provided a framework for exploring African prisons and prison chaplaincy, which is the focus of this investigation. The goal was to discover what insights, reforms and best practices could contribute to an improved praxis.

Globally, there is a trend in correctional services to set new goals for their work with people who are in custody. From both a humanist and a spiritual and religious perspective, practices are designed to contribute to the formation of meaningful identities in inmates. The objective of the study was to investigate models for pastoral care and chaplaincy services to ascertain what is effective in the various contexts and to evaluate what could be applied to an African context.

In the exploration of chaplaincy in contexts such as the United Kingdom, the United States of America, and Latin America, the history and development of pastoral care in prisons in the Western world and its colonies were traced. The critical investigation of the models of pastoral care and chaplaincy in the United Kingdom, the United States of America and the Latin American context facilitated a theological reflection on

chaplaincy in the context of Africa. From the perspective of colonised nations, the approach of liberation theology was particularly useful as a good theoretical and theological foundation for practices that would bring dignity and humanity to prisons and the people who are held in custody.

The history of penal institutions shows that religious personnel have always been at the forefront of change and treatment programs that aimed to bring solace and make asylum possible for the inmates of penal institutions. Chaplains have been an asset when it comes to providing life changing services. The character of prisons and the challenges inmates encountered, were the reasons why spiritual, intellectual and religious care was needed in the penal environment. This led to the establishment of pastoral care and chaplaincy in order to provide counselling and education for people in custody. The current secular nature of and religious diversity in penal systems has brought new challenges, also with regard to pastoral care and chaplaincy. The question then is: can chaplaincy still be effective and make a relevant contribution in such a milieu?

During the formative years of penal institutions chaplaincy played an integral role in the penitentiary system because of the religious background of penitentiaries around the world. Chaplains were of considerable importance, had power over the daily workings of prisons and engaged in penal debates. The 1800s saw chaplains spending time visiting inmates, leading worship in prisons and providing general religious services to correctional facilities. The 1900s saw a decline in the significant power held by the chaplains. This was due to the rise of rationalism and positivism also in the field of penology, as well as the troubled history of prisons. All of this gave birth to a more secular approach to issues of criminal justice.

There was also a shift in the philosophy underlying chaplaincy. Chaplains now saw their primary role in prisons as one of providing pastoral care in a non-judgmental manner to all without bias to their faith traditions and beliefs. The role of the chaplain was still to provide religious support and facilitate prisoners' religious observance of times for prayer, worship, education and counsel, but their role in the penal institution was no longer restricted to religious functions and to serving people of their own

religious tradition. Gradually the perceptions and expectations of what chaplains' work entails, changed. The chaplains with whom the interviews were done in this study all saw their pastoral role as firmly rooted in and motivated by their faith. This, however, does not prevent them from rendering humanitarian services to all inmates. In fact, inmates and prison officials are less likely these days to connect the role of the chaplain solely to religion and religious functions. They tend to understand the chaplain's role in humanitarian terms.

## **6.2 The paradigm shift and Africa**

The study has shown that there is a scarcity of systematic studies and academic literature on prison chaplaincy especially with regard to Africa. In order to better understand the situation in African prisons, it was necessary to understand African culture and worldview. Identity, cultural, social, economic and political issues were explored to identify underlying attitudes as well as economic realities, both of which impact on the situation in prisons and the treatment of people in custody and those who have been released from prison and must find their way again in society.

A central factor in Africa, which differs from Western contexts, is that religion is still the ultimate guiding principle in people's lives, conduct and behaviour. Religion and moral conduct are organised and practiced in community. It is not a private matter. In the African worldview, life is seen as one big whole and religion permeates all aspects of life. Spirituality is what brings the different parts into unity.

In exploring crime, punishment and spirituality in Africa the study showed how belief in the supernatural causes of distress in the community shaped the attitudes and behaviours of people towards those who transgress. The rationale for incarceration in Africa is mostly still punishment and retribution, even though the official government rhetoric has changed in keeping with global trends which focus on rehabilitation, restitution and reintegration into society rather than retribution. This has officially been accepted by most African countries and adopted by law. However, it has not changed society's attitude or penal practices. A punishment and retribution approach is what is mostly found in the African context and results in untold suffering and hardship for inmates in prisons on the continent.

Only if the community understands and supports the basic approach of building up human beings rather than breaking them down, can the community play a constructive role in fighting and reducing the impact of crime in Africa. Religion can be the force to bring about such change.

On the African continent there is much inequality and corruption. Democratic institutions, where they exist, are often weak and unstable. Natural resources are depleted on a large scale. Human development is not a central part of politics in Africa. These tendencies perpetuate poverty, crime and violence on the continent. The political turmoil of the postcolonial era had a significant impact on the human rights of prisoners in Africa. The breakdown of effective governance, coupled with economic collapse in some countries, led to the neglect of prison infrastructure, which resulted in the appalling condition of detention centres in many parts of Africa. Often and during times of social unrest dictatorial regimes on the continent detained great numbers of their opponents as political prisoners. This made some prisons in Africa into instruments of political repression rather than centres for the rehabilitation of inmates. With regard to rehabilitation, it took a long time for African societies to begin to move away from the understanding of imprisonment as punishment and retribution, make the paradigm shift to rehabilitation, reconciliation and restoration. An underlying reason why making this transition is slow and often reluctant can be found in African belief systems.

On a purely pragmatic level, the community can find some reasons to change its perspective on crime and punishment if it takes into account the abundant evidence of modern-day scholarship that shows that the deterrence and rejection of inmates does not produce the desired results. This insight can contribute to communities in Africa developing a more supportive and positive attitude and a less punitive attitude towards inmates. In this regard the judiciary in Africa should also make the shift from a punitive to a restorative perspective. The courts should preserve their constitutional independence and show concern for both victims and offenders. Courts should be more accessible to the communities and their proceedings should be made more intelligible.

Together the courts, law enforcement agencies, skilled mediators and communities in Africa have the potential to create imaginative and effective solutions for crime rather than adhering to conventional incarceration.

The various religions, of which Christianity is particularly strong in Africa, can contribute to a more positive anthropology. Cultural criticism in the light of the gospel will emphasise the value of all people as God's creation. The ethical response of believers to this is to acknowledge their own and others' value before God and to therefore treat others as people who have value to God.

Theological reflection on the social, political and penitentiary institutional contexts where practitioners function and serve excavated some deeper meanings on the nature, purpose, intentions and assumptions of penal systems. Using a practical theological approach, critical reflection was done on some of the practices of faith communities as they participate in God's redemptive purposes to and for the world of prisons.

### **6.3 Humaneness in response to crime**

In Africa, the discipline and punish response to crime and transgression still prevails. The study has shown how this leads to the inhumane treatment of inmates and a lack of concern with the appalling conditions in which they often live. From a philosophical and theological perspective this raises the question of humaneness and human dignity. This is explained by means of Foucault's ideas on Jeremy Bentham's panopticon. Foucault's work provides insights on how power structures and control function and what psychological effect this has on people. If power and control measures give people the sense that they are constantly watched, this wreaks havoc on the soul. The desired outcome of these measures, which is the reduction of crime, is not attained. Prisons that focus on discipline and punishment, on breaking the human spirit and creating docile bodies, just succeed in making delinquents by isolating and categorising people as "criminal types" and constructing new social objects.

In Africa this equalising of people in prison systems reaches a particular low point. Most governments officially accept, but in practice do not respect, the rule of law

regarding the observation of basic human rights in prisons. More often than not, rehabilitation which is supposed to be the main goal of penal institutions is not pursued with much enthusiasm. Penal reform in Africa faces many challenges, among which is the negative attitude of the public and the disinterest of governmental authorities. Public ignorance and a lack of interest in penal issues lead to gross negligence with regard to the penal system itself, the people in custody and the people who work in penal institutions. It is this lack of interest and understanding that leads to the many abuses in the prisons of Africa.

Prisons and inmates on the continent of Africa should be regarded as marginalised and “vulnerable people”. Marginal groups of all kinds require voices that advocate on their behalf, they should not only raise awareness, but also serve as whistle-blowers with regard to the plight of the suffering and oppressed. They should be approached with the same compassion and helped with the same zeal that other categories of vulnerable people are.

In today’s world there is much advocacy on behalf of the vulnerable in various institutions. However, prison communities, that are the epitome of being marginalised and vulnerable, do not elicit the same compassionate response from the people of the world and especially in Africa. Theological reflection provides an avenue and the opportunity for chaplains to make their voices heard on penal issues in Africa and on behalf of the vulnerable people they serve. Not only basic humanitarian values on which the global world is increasingly reaching consensus, is relevant here. When the light of the gospel of Jesus Christ falls on cultures and practices, the appeal is for an ethical response. People who live in right relationship with God are obliged to treat others as the children of God that they are.

#### **6.4 Chaplaincy for humanity**

This study pointed out that the practice of religion and spirituality are integrated in African culture and life. This would then call for the integration of the religious ethical principles of love and compassion into the penal system, which would make it more humane and conducive to the growth and development of the inmates. The work of religion in prisons takes the form of pastoral care and chaplaincy.



Chaplains do advocacy for justice and humanness in prisons and provide support to people who have received a prison sentence prior to, during and after imprisonment.

Chaplains are a symbol of morality and humanity in the prison environment. Prison chaplaincy provides a distinctive form of care and support which differs from that of other professionals such as medical personnel, psychologists, psychiatrists and social workers. Chaplains are an independent source of support since they are not part of “management” or part of the prison regime of rehabilitation and psychological evaluation. Their particular contribution and distinctive value in penal institutions rests on their independence and neutral status. Prison chaplaincy as a service in the penal system is identified as apart from rather than aligned with discourses of control, discipline and punishment, and the features of the culture and life in prison. Their role is to ameliorate the effects of penal structures on the humanity of the inmates.

The role of chaplains and religious services in penal systems and the impact of chaplaincy in the penal environment were explored in the study. The historical survey of chaplaincy and pastoral care in the introduction to this study indicated the research gaps in the field. The study has shown that the role of prison chaplains in penal systems is controversial, often unclear and is in need of a more precise description. The data gleaned from interviews with four prison chaplains in Zimbabwe confirmed this.

The quest of chaplains to define the functions and articulate the value of their work was notable in the investigation. Chaplaincy takes diverse forms. Where there are no sufficient training and guidelines as to best practice, much is left to the chaplains themselves. They have to be innovative and find their own way. That can stimulate creativity and provide good results. However, the uncertainty with regard to their job description, the lack of support from penal authorities and the system in general, as well as their doubts as to what value they add, how they are valued by the inmates, officials, the faith community and society, leaves them in an untenable position. The study has shown that in the penal system there is inequality with regard to chaplaincy services and pastoral care as compared to other functions in the penal environment.

There are also sensitivities surrounding religion and religious differences in many prisons.

In the African context, the interviews that were done with the four chaplains in Zimbabwe have shown that they have difficulty trying to visualise what it means to carry out pastoral care in prison. From official channels they do not receive much guidance. In order to assess the value of chaplaincy in African prisons, this study focused on the experiences of those who serve in the penal environment. From this a picture of the nature and interactions of chaplaincy in Africa prisons emerged. The study investigated both the forces at work in prison systems and the experiences of the chaplains in order to come to an alignment of the two. It was found that chaplains hold “ambivalent identities”. They fulfil multiple roles in the penal environment. These roles allocate different meanings to their identity. They learn to juggle and fulfil one function while engaged in another, often divergent activity.

Sacredness in prisons manifests in forms that are rooted in truths, denominational differences and personal commitment. As routine activities scheduled in advance for a specific time, religious practices in prisons are relatively old fashioned and even rather rigid. Careful arrangements which require the cooperation of penal officials are made for inmates who desire to attend a worship service. The study has found that experimentation in liturgy, theology and pastoral care is generally rare and the extent of interfaith and multi-faith activity is generally small. Spontaneity and flexibility in conducting religious services are rare in prisons. Fixed ideas prevail about specific times and places for religious activities and feelings can run high if routine schedule is disrupted especially when there are concerns regarding the security of inmates. Security trumps spirituality every other time. Theological, metaphysical, pastoral and philosophical dimensions are generally given less attention and energy than practical, down-to-earth conventional teachings. These are designed to nurture a collective identity, mutual support, and personal responsibility among inmates and chaplains.

The strategy of assimilation in many prisons, especially in the Western world, emphasises the equal rights of all citizens to participate fully without regard to differences of ethnicity, race, religion and culture. The example of French prisons is

informative. They collect no statistics on the differences but expect religious organisations to take much of the responsibility for providing spiritual and religious care to inmates on a voluntary basis. French states preserve their neutrality and even-handedness towards all faiths while facilitating freedom of conscience and religion. The strategy of assimilation can, however, work against the need of some inmates to receive support and protection from a group that shares a common identity.

Prison chaplaincy in the context of Africa is yet to be regarded as an integral part of the penal system. At present the work of chaplains is somewhat relegated to the margins. Their initial status in the institutional system is low. They often work there only part-time and have a variety of other duties that detract from their ability to work in a focused way in the prison and with the inmates. Relationship building and the establishment of trust is a time-consuming enterprise. It requires time and patience, availability and presence.

The spiritual guidance chaplains offer to individuals who are faced with difficulties, is an invaluable affirmation of their worth and value as human beings – something of which inmates are in dire need. Chaplains connect with those who need guidance, provide counsel and solace to those troubled in body, mind and spirit. Their work requires the ability of deep empathy. Chaplains are challenged to offer services that are meaningful, relevant and fit diverse needs in prison.

Chaplains generally view prison pastoral work as their mission and calling to serve the forgotten and less privileged in penal institutions in Africa. Unarmed chaplains face danger and hardship in the effort to bring hope and a glimpse of heaven to those caught up in the dilemmas of prison life and culture. They learn to live with tension even as they serve two masters and strive to be relevant to both.

## **6.5 The need for chaplaincy**

The existing literature shows that there is a need for professional penal services in the world which extends to and includes the development of pastoral care work and chaplaincy as a profession that requires both generic and specialised skills.

This would necessitate recruitment programs and training for prison staff at all levels. Some chaplains emphasise the humanitarian and social nature of the services they render to those in penal institutions. European nations stress the multi-faith and multicultural model of prison chaplaincy. Chaplains in the Western world generally see multi-faith cooperation in prisons as enriching to all.

In Africa there is not only a dire need of full-time prison chaplains who can focus all of their energy on their task of building up people who are in custody and facilitating change in their lives, but there is also a dire need for theological education and training for chaplaincy. Theological reflection on their difficult, diverse and multi-dimensional context of work in prisons, can enable chaplains to not get caught up in administrative bureaucracy or become despondent amid all the suffering they see every day, but to focus on their own spirituality so that they can advocate with renewed energy for the protection of the beauty and dignity of humanity, including those who are in custody. This should be prioritised in the reflections of practical theology in Africa.

Interviews with our chaplains working in Zimbabwe see pastoral care, the provision of religious services and spiritual support as the core contribution of chaplains. They regard these services as valuable, not only to themselves who perform these duties but also for those who receive them. They stressed that spirituality and religion touch the core of a person's humanity. That is why it is particularly important in the context of prisons where people have often already lost their humanity when they enter into the system, or the system contributes to their losing their humanity in prison. They all expressed, in some way or another, the privilege of being in a position to contribute on this deep level to the lives of people in dire need. They also acknowledged that the work was difficult and draining.

The contribution of prison chaplaincy should be recognised to a much greater degree than is currently the case. It has the potential to help the correctional institution reach its humanitarian institutional goals. It makes a spiritual, missionary and pastoral contribution to the lives of vulnerable people in custody to enrich their lives, build their sense of self-worth and guide them to find hope for a better future.

Chaplaincy provides an opportunity for prison inmates to find forgiveness for the crimes and offences they have committed, and to transform themselves and their lifestyle while in custody. Chaplaincy services can also help to improve the morale of inmates. Historically, chaplains were among the earliest paid non-custodial staff to provide education and counselling to inmates. However, in Africa religious activities and programs are scarce. The benefits of chaplaincy both to the institution and to the people who are in custody are therefore not felt so strongly in African prisons.

The study has shown that the work of chaplains in prison systems can contribute to reforming penal institutions on a continent that is plagued by challenges. Chaplaincy can contribute to shaping the broader context of the penal system in the country, the specific situation of a specific penal setting, and the lives of individual people whom they encounter either as inmates or prison officials. In theological terms, the aim of pastoral care and chaplaincy in the prison setting is to take the daily things of life and transform them into visible signs of God's presence and to bring love and light to the darkness of the prison environment.

## **6.6 A model for prison chaplaincy in Africa**

In the exploration of suitable pastoral care models for the penal environment in the context of Africa, it has become clear that the chaplain's role cannot be sufficiently described with the use of traditional parish ministry models such as that of the pastor as priest and the pastor as prophet. The task of the pastor as priest is to build the community's morality and relationship with God. The pastor as prophet speaks against injustice, is committed to the highest good, and proclaims God's word for particular events. The model added to the traditional ones by Yu, fills the gap that the other two leave with regard to the specific context of the penal environment. That is namely the model of the pastor as seer.

Seers played an important role in times of transition. Both the transition into the penal institution where successful adjustment has to be done, and the transition out of it and back into society where integration has to be done, are life changing periods of transition. Theoretical insights showed that a state of marginality and liminality can be a stimulus for positive and constructive change.

In order to make the best use of these times of transition in the lives of inmates, the role of the pastor as seer is to provide a clear vision of redemption, restoration and the renewal of covenant faith through the reordering of the lives of people. Another goal of the pastor as seer and the pastor as prophet is to also work towards reordering the penal environment itself. A pastoral care and chaplaincy model that is suitable for the prison environment should therefore integrate the priestly, prophetic and seer functions with emphasis on the role of the seer. In this integrated model of pastoral care the healing, sustaining, guiding and reconciling functions of pastoral care can be fulfilled effectively in the penal environment in general. Though useful to an African context, from an African perspective the model can be expanded. To the role of the chaplain as priest, prophet and seer can be added that prison ministry in the African context is:

- **A ministry of presence**

One of the respondents called his ministry in a prison in Zimbabwe “incarnational”. With the term “incarnational” the Zimbabwean chaplain evokes the theological connotation of the incarnational presence of God who is present with humanity in the person of Jesus the Christ. This term also emphasises the practical importance of presence in human relationship building. For the chaplain to journey pastorally with people in difficult circumstances and especially with those in prisons, is an exceptional challenge. This journey is about more than “doing something”. It is simply about being present, being there amid the emotional and spiritual ups and downs of the troubled people who are in custody. The very presence of the chaplain is symbolic of the concern God has for people who are suffering and are in danger and encounter problems in life.

- **An expectant ministry of waiting**

The ministry in prison is an expectant ministry in the sense that chaplains wait for and look out for opportunities that may or may not present themselves, in order that they can render the service for which they are there. Whereas in parish ministry the pastor has the freedom to take the initiative to offer pastoral care where and when it seems needed, prison chaplains wait expectantly in the hope that someone would require and

want their help. This is the time in which they discern which tasks to accept and engage in – “whatever your hand finds to do, do it” (Eccl 9:10), through the service of being present, being visible and waiting. In their visibility and presence lies the invitation. In African culture the leader demonstrates fidelity by inviting others to speak and by listening. A leader figure showing fidelity in this way can be trusted. Then meaningful interaction can take place.

- **The prison chaplain as representative**

Prison chaplains represent the spiritual realm, the world of God and God-self. The chaplain is also the representative of society – communities of people who, together, want to build up their lives, not break them down or have them broken down by others. The chaplain forms a bridge between those who break, the perpetrators who are in custody for what they did, and the community that has been harmed. The chaplain as the representative of society and mediator is in a position to affect reconciliation. The chaplain is also a representative of the correctional institution which should have the image of a place that helps and repairs, not one that neglects, dehumanises or destroys people. Here too the chaplain acts as mediator. In African culture the legitimacy of the mediator lies in that the mediator is not affiliated with those who have power, but is an independent operator with neutral status, who may even be marginalised. Such a mediator is legitimate and can be trusted as worthy. Also in this function the Jesus as mediator is called to mind, mediating between the world of God and the world of corrupt and transient human beings and also mediating between people, bringing about reconciliation and justice.

## **6.7 Challenges**

In addressing the challenges to pastoral care in the prisons of Africa in the study, the meanings and definition of reality were seen as flexible and open to negotiation, depending on the circumstances, perception of knowledge and power structures. By means of theological reflection, the relationship between theory and practice in penal systems was investigated.

In a postmodern world, chaplaincy services in prisons and other secular institutions can no longer be taken for granted. In many contexts the multi-cultural and multi-faith realities of the environment require great openness and flexibility if chaplains are still to “fit in” sufficiently that they can provide their services. Much rewarding work can be done by chaplains in prisons. However, gaining access to the people is often a challenge. The chaplain’s role is no longer restricted to providing religious services but has changed and continues to change in response to the socio-cultural, political and economic realities of most countries.

In an African context, chaplains are scarce for reasons other than secularisation and postmodern trends. While religion is fundamental to the African mind-set, cultural values have long prevented people from seeing criminals, perpetrators and transgressors of cultural norms as people “worth saving”. Another reason for a scarcity of prison chaplains is the lack of resources and insufficient remuneration. Many pastors are only part-time chaplains and work two jobs. They do not have the time and energy to focus wholly on their chaplaincy work. They are often over-extended and overwhelmed.

There is a need all over the world and, for different reasons, also in Africa, for the mission, goal, structure and identity of chaplaincy to be clearly articulated in order for chaplains to retain their position and make a meaningful contribution to the institution. To this end the mission, goal, structure and identity of chaplaincy should be clearly stated. This can contribute to a greater understanding of the value that this service can add to correctional services in Africa. In order to maintain the role of chaplaincy through communicating value in secular terms requires a delicate balance. The lack of clarity on the role and value of chaplaincy gives rise to misunderstanding and results in inadequate attention given to the demands of the field by penal authorities who have the power to provide or withhold resources. It is crucial that prison authorities and staff understand and accept the presence of chaplains and value of their contribution to correctional services.

Professional chaplaincy education is especially needed in the African context, since this ministry requires specialised knowledge and skills.



General ministerial training is not sufficient to meet the demands of the work and provide professional and effective care to the people in custody and prison personnel. The global trend of a multi-faith reality in penal systems is also becoming a reality in the prisons of Africa. Chaplains will need special preparation and education for this.

## **6.8 The value of prison chaplaincy**

Chaplains are a source of “doing good” in the prisons. Most chaplains support a philosophy of rehabilitation rather than punishment. Along with the prison authorities and personnel they search for genuine, creative, humane and effective ways to reduce recidivism. Pastoral care and chaplaincy have the potential to influence the prevailing thought patterns, socio-cultural, economic and political systems of many communities and nations.

In the interviews the chaplains reported, in their different ways, a strong sense of vocation specifically with regard to working in a penitentiary institution. These were the people they felt called to serve – people on the edge and margins of society. Chaplains are valued not just as a pastoral resource but also for the religious functions they fulfil. The generous offer of prayers, rituals, active listening and practical help by chaplains plays an important role in penitentiaries. The hardships of life are intensified in the penal environment. The services chaplains render do not differ much in essence from what is done in parish ministry. However, it also goes beyond that to express a vision of God in ways that are also suitable for the broader society.

The vocation to the field of chaplaincy is generally not explored during theological and ministerial training, mentoring and development processes. Such exploration can become keys to discovering a vocation to the field of chaplaincy and specifically prison chaplaincy. The main aim of penal services is “correction”, that is, “change”. Change involves the whole person on all the levels of their being. Therefore, change also has a spiritual dimension. Through walking with inmates, chaplains nurture this dimension of their lives through prayer, worship, discipleship and counselling. The spaces in the prison setting that are allocated for religious activities and chaplaincy services to provide asylum and reprieve for people who struggle to cope with the environment and its demands. Here they can find support and solace which provide them with the

strength to go out and face prison life. Often, the circumstances in which chaplains spend time with the inmates are distressful. Chaplains then need the support of the structures and networks in and outside of the penal institution for help improve the facilities. Finding places to feel safe and secure in prison is important for staff and inmates. If such places are not readily available inmates react defensively and this can have severe consequences for the safety and security of the prison. The penal institution could be likened to a cultural melting pot with a diversity of individuals and needs that must be met on a daily basis.

Chaplains hold a unique position in the hierarchy of prisons that requires of them to move between various roles and among people and meet different expectations. Their challenge is to facilitate the personal growth of inmates and the integration of spirituality and religion in the prison environment in order that people can be treated holistically in their time of need and suffering. They learn to negotiate, skilfully in their work with prisoners and officials, in ways that accommodate different paradigms. Chaplaincy asks of pastors to be open to forming relationships with people from diverse backgrounds and all walks of life. The challenge is to forge meaningful bonds that will sustain people through difficult situations in their lives. Pastoral care, prison chaplaincy, and religious or faith-based programs provide a unique opportunity to channel inmates' energies and talents in meaningful and beneficial ways.

The ability to counter as well as improve penal culture is particularly significant in managing the wellbeing of penitentiary service, staff and inmates. The question is whether this role of the chaplain is sufficiently valued in the system. Chaplains stand in the gap between the inmate as a person and prison culture. Chaplains point to the context and ensure problematic aspects are acknowledged, accepted and integrated. Chaplaincy is an ecumenical venture and activity as clergy from various faiths work for the growth and development of the institution. They are responsible for enhancing spiritual leadership which provides inmates with spiritual, moral, social and cultural support.

What chaplains bring to prison that is not provided by social workers and mentorship programs is their expertise on faith matters and their focus on spiritual dimension of life.

Chaplaincy is not only about working with the marginalised, but in a sense also being marginalised. Full-time chaplains often find themselves on the margins of the faith community. This contributes on the one hand to a sense of alienation. On the other hand, serving at cutting edge of mission and encountering “the real world” in all its harshness, gives them experience and the know-how that goes beyond that of faith communities and parish ministry. Their expertise can be highly enriching to faith communities and their missionary outreach to the world around them. From the margins they have a unique vantage point from which to reflect theologically on the nature of ministry and how it can best be served in different contexts. Faith-based groups and communities can derive new insights from the experiences of chaplains. Those issues with which the chaplain deals with on a daily basis are also the issues that faith communities will encounter in their service to the world. Chaplains are in a position to identify changing trends in society before the rest of the community of faith. Chaplains sharing their experiences from the margins can be valuable to the faith community and to society.

The role of the prison chaplain has undergone much change. Therefore, new ideas and strategies for prison reform are needed. The findings show that a core value of prison chaplaincy lies in the provision of a distinctive humanitarian pastoral care for inmates and staff. This is connected to the chaplain’s understanding of faith and is rooted in spiritual care traditions.

## **6.9 Recommendations**

The current state of affairs in most African prisons necessitates the establishment of an independent body or structure with the task to revisit the culturally entrenched principles of punishment and to provide governments with a framework for prison reform that will lead to an improved legal and humanitarian practice. Chaplaincy services leadership can be called upon to provide counsel for the parliaments of African countries in imaginative and apolitical ways.

Citizens should reflect critically on the principles of justice and vote for people who will respect those principles in their governance. Religious staff and faith communities should partner with justice systems and communities in order to help reduce crime. Developing evidence based penal policy should be the task of people who are knowledgeable in matters of prison reform and who know the African context. The results should make a difference to the current untenable situation.

Chaplaincy services throughout Africa should make information on the crisis faced by African prisons available to faith communities in order that they can get involved with humanitarian work and voluntary ministry with people who are in dire need of their attention and love.

Professional chaplaincy education which involves faith formation is needed in Africa. In-service training can help chaplains to keep abreast of professional developments. Intensive conversations across disciplines can provide theological wisdom and generally enrich the discussion penal services and the wellbeing of the people in the prison environment.

Chaplaincy provides a necessary and valued support system to the vulnerable and those struggling to cope with prison culture and life. For this it should be valued. The prison chaplaincy service should state clearly what its mission, goal, structure and identity entail. In Africa, prison chaplaincy should become an integral part of the penal system. That is not yet the case. Chaplaincy is still too marginal.

### **6.10 Further research**

Not many chaplains in the field are interested in carrying out research, material on chaplaincy, especially in the context of Africa with its many unique challenges, is scarce. Given the important role that religion and faith can play in prisons, chaplaincy studies could provide an avenue to explore further how faith practices connect with penal policies and practices. The changing role of the prison chaplain necessitates further studies, discussion and reflection, especially with regard to the development and mentorship of those serving in penal institutions.

Women in prison are often overlooked in academic discourse, especially in Africa. The number of women in prisons in Africa is slowly increasing. Africa lags behind Europe, North America and Australia, where the subject of women in custody is given adequate attention. A contributing factor regarding this neglect is the lack of available, reliable data concerning the conditions of detention of women in Africa.

Some penitentiaries engage in dialogue on the values, principles and ethics that are prerequisite to good governance and quality life in penal systems. Chaplains should participate in discussions on the values that should be in the mission statement. With their knowledge of the core values of the institutions and their experience in practice they will be able to point out where policies and practices do not concur with the core values of prisons. In some prison environments, chaplains find it difficult to convince authorities that their services can add value to the process of developing penal mission statements and values. Penal documents should address the question of how the institution plans to fulfil its mission and should indicate clearly which aspects will receive priority. Chaplaincy is yet to be recognised as a department in most penal systems on the continent. It is crucial for penal systems in Africa to understand what chaplaincy is, how it contributes to the life and work of the institution. Chaplains can and should become part of the decision making processes in prisons. If chaplaincy is to be taken seriously in a target driven environment, it is also crucial that measurable, achievable, realistic goals are set and achieved.

In the mission statement of the penal institution a clear description of what chaplaincy is, should be articulated, as well as how it contributes to aims and objectives of penal institutions. However, chaplains should not be “institutionalised” because this will compromise their independent position and role in the prison environment. Further research should investigate what specialist and professional chaplaincy services should entail, and how the collaborative programs can be designed to promote restorative justice. This is much needed in the prisons of Africa.

Pastoral care and chaplaincy can contribute to combating the dehumanisation of the penal institution and the people within its walls. The role of prison chaplaincy should be more directive than it currently is.

Pastoral caregivers should have sufficient opportunity for religious engagement and other practices that can enhance the process of rehabilitation. It is imperative for chaplains to develop and nurture practices of pastoral care and counselling that are effective in the penal environment. On this aspect too, further research is needed. Practical theology, religious studies and other disciplines should play an important role in training professional chaplains. This should inform the plans for prison chaplaincy training and development on the continent of Africa.

### **6.11 Beyond the walls**

Locally and nationally, the opportunity should be taken to celebrate the diversity of the contribution of prison personnel and prison chaplaincy to life in the penitential and justice systems in Africa. Existing effective models of team work and best practice should be identified and made available to others, in order to enhance the overall work of chaplains. Penitential institutions in Africa should embrace prison chaplaincy, and provide resources such as chapels and multi-faith rooms that can serve as a “safe space” for inmates. Penal officials should protect and respect the spaces where chaplaincy offers its valuable contribution towards the support, rehabilitation and reintegration of inmates.

The role of chaplains in correctional settings should be recognized, described and accepted by African governments. Prison chaplains have few opportunities to interact with others because of the distances between the penal institutions. The quality of chaplaincy varies because of various factors such as the chaplain’s personality and professional training. Pastoral care and prison chaplaincy in Africa could even go beyond contributing to rehabilitation and reintegration of inmates, and situate itself at the heart of corrections. Pastoral care can contribute to the liberation of people from all manner of oppressive tendencies, and work towards justice for all. Liberation should include freedom from negative cultural and religious structures which shape the identity of the people of Africa. Chaplains and chaplaincy should be fully integrated into the prison mission statements of faith communities and faith-based organisations. Chaplaincies are part of a mixed economy where various modes of ministry are used to reach different sectors of society.

New conversations in the area of reform can lead to meaningful transformation. There are also instances of good governance and quality pastoral care in some prisons in Africa. South Africa's Correctional Services is an example. For adequate penal reform to take place on the continent, the participation of all will be needed. It will require a concerted effort by chaplains, volunteers, human rights activists, African governments, faith communities and faith-based groups.

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## ADDENDA



UNIVERSITEIT VAN PRETORIA  
UNIVERSITY OF PRETORIA  
YUNIBESITHI YA PRETORIA

30 June 2016

### LETTER OF INFORMED CONSENT

#### **“AN AFRICAN PASTORAL PERSPECTIVE ON PRISON CHAPLAINCY”**

**BY REV ABRAHAM KWE AKIH**

Practical theology seeks to explore the complex dynamics of particular situations in order to enable the development of a transformative and illuminating understanding of what goes on in specific situations (Swinton & Mowat 2006:v). Prison chaplaincy suffers from a scarcity of academic literature because not many chaplains have written about their work and experiences in the prisons. The aim of this study is gain knowledge and insights into pastoral care with prisoners in the context of Africa.

Pastoral care with prisoners in Africa is different from what obtains elsewhere in the world. While some countries value pastoral care with prisoners and put in place a spiritual care service in the prisons others do not have such a system. However, a few clergy and people of goodwill volunteer their time, energy and scarce resources to reach out to prisoners. This study would investigate the role prison chaplaincy plays in correctional centres in Africa.

The study also hopes to develop a pastoral care / chaplaincy model that will lead to effective pastoral practice that is currently lacking in most African prisons. It is hoped that such a model could guide volunteers and clergy who do pastoral work in African prisons. The



findings could also support the work of the justice system, penitentiary staff and human rights groups who work to ameliorate prison conditions in Africa.

## **PROCEDURE**

Interviews would be conducted with clergy and spiritual care workers who can offer valuable, correct and credible information on pastoral care with prisoners in Africa. Participants would be selected from amongst spiritual care workers in Ghana, Kenya, South Africa, Zambia and Zimbabwe. The interviews will be audio-taped, transcribed, analysed and interpreted to discover emerging trends in the work chaplains do in African prisons. A qualitative data collection and analysis approach is foreseen for the project.

## **CONFIDENTIALITY**

Information gathered would be treated as confidential as pseudo names would be used in order not to put the participants at risk. Information gathered would be for educational purposes and made available to the University of Pretoria South Africa.

The researcher is convinced that there will be no risk involved in the gathering, analysis and interpretation of information as the study project is a voluntary exercise with no monetary gains. Hence, participation in the study project would be voluntary and subjects could withdraw their participation at any given time without any negative consequences. Participants and the University of Pretoria would be assured that data collected would be treated as confidential and used only for educational purposes. Anonymity would also be assured and data would be destroyed should a participant decide to withdraw.



**DECLARATION OF SUBJECTS / PARTICIPANTS**

I, the Consent Subject, have read and understood the content of the purpose of this study and I am willing to be interviewed under the conditions expressed in this letter of consent.

**PARTICIPANT**.....

**SIGNATURE**.....

**DATE**.....



## AN AFRICAN PASTORAL PERSPECTIVE ON PRISON CHAPLAINCY

1. Church Affiliation
2. What are your qualifications?
3. Do you have qualifications or training in pastoral care work with prisoners?
4. How long have you been involved in prison pastoral care?
5. Does the institution have a mission statement apart from the general mission statement of the Department of Corrections or Bureau of Prisons?
6. If so what do both statements say?
7. What is there in the mission statement that validates the ministry of the chaplain?
8. Where does the chaplain fit in the overall staffing plan of the prison system?
9. What specific programs serve the religious needs of inmates?
10. Are the programs compatible with the goals of the prison system?
11. Is there a dedicated chapel within the prison environment?
12. Are religious services held in a multipurpose area?
13. Are there additional rooms available for small group activities?
14. Are these only used for religious programs?
15. Describe the area that is available for counselling.
16. How many full-time chaplains serve in the facility?
17. How many part-time chaplains are there?
18. Are there institutional staff members who provide administrative support?
19. Do chaplains supervise (approve, schedule and monitor) all religious programs or only that of their faith tradition?
20. In what specific ways do chaplains interact with faith group volunteers?
21. Are chaplains asked to monitor non-religious activities?



22. To whom do chaplains report their activities?
23. Can you give a brief history of your pastoral care services to the prison?
24. Describe and explain how you go about pastoral care services in the prison setting.
25. Why did you choose to work in the prison system (motivation)?
26. What are the challenges you face in carrying out your pastoral care work?
27. Have you had some success with the challenges?
28. Do you share pastoral care methods / resources with others in prison pastoral care?
29. Do you get sufficient support from prison officials?
30. What improvements would you suggest?
31. If you were to write a job description for prison chaplaincy, what would you include?
32. Do you find satisfaction in this work?
33. In your opinion what is the most important task of the prison chaplain?
34. What ministerial responsibilities do you have or hold outside prison chaplaincy?
35. Is there anything specific you would like to share from your experience working in the prisons?
36. What is your assessment of prison chaplaincy in Africa?

**Please:** Feel free to clarify or expand on any of the above; mention other elements and perspectives on prison chaplaincy that are worthwhile.