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0521622468 - Religion in Prison: Equal Rites in a Multi-Faith Society

James A. Beckford and Sophie Gilliat

Excerpt

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1 Equal opportunities and multiculturalism in prisons

'WE'LL DIE FOR OUR RIGHTS IN PRISON'

Halal food row leads to jail hunger strike

Furious Muslim prisoners who claim that they are being forced to eat haram food have gone on an all-out hunger strike since last Friday.

Hamid Quereshi and over 80 fellow prisoners at Strangeways Prison, in Manchester, are shocked that they are eating food fried in bacon fat oil when they have opted for the 'halal' menu.

(Eastern Eye, 14 January, 1996)

Prisons are challenging and problematic for all sorts of reasons. The mass media are full of stories about such problems as overcrowding, excessively harsh or excessively soft regimes, inconsistent sentencing policies, brutality, the drain on public resources, the allegation that prisons function as 'crime factories', and so on. The history of penal policy shows that none of these problems is entirely new or peculiar to the twentieth century. In fact, penal policy seems to move in cycles or, at least, in a pendulum motion.

Nevertheless, one aspect of prison life and of prison problems has been largely ignored by journalists, politicians and academic researchers alike. This is the place of religion in prisons. Of course, many observers of prisons are aware of the importance of religion to various campaigns for reform of penal policy and practice. Historians of prisons also emphasise the centrality of evangelical Protestantism to the prototype of, for example, solitary confinement or continuous surveillance (Grünhut 1948; Fox 1952). Chaplains held considerable power and influence in English prisons throughout the nineteenth century; and religious motivations lay

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behind many of the attempts to make prisons more disciplined and orderly institutions (Ignatieff 1978). Yet, for all this attention to early religious influences on prison regimes, very few studies have examined the provision of religion in modern English prisons. This book will examine the place of religion in prisons in detail and will explain why it has become more problematic as English society has become religiously more diverse. It will argue that these problems are a microcosm of many of the better publicised difficulties surrounding multiculturalism and equal opportunities for ethnic minorities and non-Christian faith communities in the United Kingdom and other countries.

The lack of attention to issues surrounding religion in prisons might suggest that the well-attested decline in the power and influence of prison chaplains, particularly in comparison to the mounting status of such 'caring' professionals as welfare officers and psychologists in the Prison Service, has been mirrored by the eclipse of all religion in prisons. Indeed, we shall show in chapter 2 that a declining proportion of prisoners is willing to take an active part in collective Christian activities or even to declare that they belong to any religious grouping. But at the same time religion is becoming more contentious and therefore more interesting in prisons. The fact that the overall level of prisoners' religious practice is declining should not be allowed to obscure the more important fact that a growing number of prisoners from faith communities other than Christianity are declaring themselves to be, for example, Buddhists, Hindus, Muslims or Sikhs. Moreover, these prisoners from 'other faiths'¹ are making demands on prison authorities which expose deep-rooted problems and imbalances in the prison system's provision of facilities for religious practice. These problems are a leading theme of this book.

The increase in numbers of prisoners from other faiths in English prisons has been strong since the early 1980s but is not the sole cause of problems associated with religion. It is the conjunction of a basically Christian system of prison chaplaincy and a disproportionately high rate of increase in the number of prisoners from non-Christian faith communities which presents a more serious challenge to the Prison Service's capacity to deal with religious diversity on a large scale. This type of challenge is not unique to prisons: it reflects the difficulties which are widespread in the rapid transition that the United Kingdom is making from being a country with many variations on Christianity (and a few on Judaism) to becoming a country in which varieties of Christianity and Judaism pale into insignificance compared with the more radical differences between Christianity, Hinduism, Islam, Sikhism and other smaller faith communities.

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Moreover, the difficulties emerging in the Prison Service's encounter with other faiths have their parallel in the spheres of education, employment, housing and health care. The sudden and rapid growth of religious diversity, beginning in the 1960s, was experienced as a shock and a challenge in all these spheres but it was submerged by the preoccupation with diversity perceived in terms of 'race', ethnicity or skin colour. This is one of the reasons why so many journalists and politicians overlooked the fact that the number of immigrants to the United Kingdom from Ireland, Italy, Poland and other 'white' European countries was greater than that of the so-called non-white immigrants in the post-war period. The differences between the ways of life displayed by immigrants and refugees from the Caribbean, East African and South Asian regions and those of the majority of Britons were usually framed in racial or ethnic terms. As a result, the contribution of religion towards the different ways of life was relegated to a relatively insignificant role. Schemes to combat prejudice and discrimination against people from Black and Asian communities also focused on the importance of according them equal opportunities for access to such things as employment chances, public office and social services. It has taken several decades to realise that many British Asians and members of other faiths are pressing for equal opportunities and equal respect for their cultures and religions as well (Poulter 1987; Modood 1994a; Nye 1996). The delay in acknowledging that equal treatment for minorities' cultures and religions was also important may, according to Talal Asad (1990), have derived from the assumption that cultural differences would either be flattened out in a process of assimilation to a supposedly unitary British culture or would be relegated to the sphere of private life where their impact on the social order would presumably be slight. Yet, a recent survey of ethnic minorities in the United Kingdom showed that 80 per cent of Asian respondents did not think of themselves as 'black'. Instead, most of them preferred to identify themselves in religious terms as Hindus, Muslims or Sikhs (Modood 1997).

The reason why the issue of equal opportunities for religion has become so important in prisons is that it arises at a major point of tension between the state, the Church of England and other faiths. It is an issue which epitomises and, by virtue of being an extreme case of a general phenomenon, clarifies some of the underlying difficulties facing the UK's transition to a religiously mixed society. It does so by challenging taken-for-granted assumptions about the basis for societal cohesion and social justice in a society characterised by an imbalance of power between majority and minorities and by many types of diversity. The concepts of a 'multi-faith' and a 'multicultural' society need to be explored at this point since they are the terms in which discussion of these issues usually takes

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place. But we insist on addressing the ambiguities and implicit assumptions which often pervade these terms in order to expose their inadequacies from our point of view.

‘Multi-faith’

The starting point is that both ‘multi-faith’ and ‘multicultural’ are loaded with positive connotations. They are not neutral terms of description. They usually imply that diversity of faith communities and cultures is to be welcomed. In other words, these two concepts convey the notion of diversity but they also go beyond it to suggest that diversity is a good thing. This is why ‘multicultural’ is often encountered in the form of the noun ‘multiculturalism’, meaning an outlook or an ideological position which regards the diversity of cultures as a benefit for societies. It sometimes implies that steps should be taken to promote the expression of diversity for its own sake, but this usage can be problematic, as we shall explain later.

With specific regard to religion, ‘multi-faith’ occurs most often in connection with activities which bring representatives of different faith communities together. ‘Multi-faith worship’ is the clearest instance of such usage, for this is an activity which involves the orchestration of different forms of worship from different religious traditions in a joint ceremony. It raises all sorts of theological and liturgical questions which attest to its contentious character. Even the committed advocates of multi-faith worship acknowledge the need for care and caution (Church House Publishing 1992).

But ‘multi-faith’ can also have a less contentious meaning, as in the designation of a room in a hospital or prison as a ‘multi-faith room’. This is a weaker sense of the concept, meaning that people from different faith communities may simply share the same room for the purposes of worship. They are unlikely to participate in joint ceremonies in the room: it is merely a facility which is available to each faith community separately.

Probably the weakest sense of the term occurs in the characterisation of a country as a ‘multi-faith country’. In this case, it simply means that a diversity of faith communities is found in the same place. As it happens, however, ‘multi-faith’ tends to be used in this particular sense only when speakers or writers wish to commend or welcome the fact of religious diversity. It is unlikely that an opponent or critic of religious diversity would use ‘multi-faith’ except perhaps in an ironic or sarcastic mode. In view of the term’s wide range of applications and implications we shall use ‘multi-faith’ sparingly and only as a stylistic alternative to ‘religiously diverse’.

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Turning now to the term 'multicultural' we encounter even more variability of usage and problems. This is why we need to be careful about its precise denotation in this book. As with 'multi-faith', the simplest meaning is nothing more than the co-existence of different cultures in the same society. Very few societies at the end of the twentieth century are not multicultural in this sense of the term. It is even used in this way to designate societies which have a dominant culture and various sub-cultures or 'subaltern' cultures. This has been true, of course, of many societies at most periods of history.

Yet, even this apparently commonsensical usage of 'multicultural' entails problems. The first is that it runs the risk of implying that earlier and perhaps 'normal' human societies were 'uni-cultural'. Yet, this state of affairs may never have existed except in societies composed of a few hundred individuals living in isolation from others. For the fact is that, if culture is defined broadly as 'widely shared meanings' or 'a complete way of life', even very small, isolated societies give rise to a wide range of cultural meanings, not all of which are shared by all members. The degree to which meanings are shared is always variable; and the degree to which individual human beings use, or conform with, shared ideas is also variable. Consequently, claims that societies which are now multicultural must have been homogeneous in the past are dubious.

A further difficulty with 'multicultural' is that it tends to exaggerate the extent to which it is possible to mark out sets of shared meanings or ways of life as discrete cultures or sub-cultures. In Steve Vertovec's view, multiculturalism tends not only to exaggerate the homogeneity of cultures and of the communities which are supposedly identified by them but also to exclude such communities from the 'meaningful parts of the public domain' (Vertovec 1996: 60). He agrees with the argument that minority communities are integral to British society and therefore entitled to participate in forging the country's public culture. This can only occur, however, 'if communities feel confident enough to engage in a dialogue and where there is enough public space for them to interact with the dominant culture' (Parekh & Bhabha 1989: 27). We shall suggest that the field of relations between the Prison Service Chaplaincy and representatives of other faith communities is precisely the kind of area in which minority religions might be able to achieve a mode of effective involvement in public life but that it is important for them to do so without being patronised or co-opted by more powerful agencies.

Does this mean that the term 'multicultural' is virtually redundant since the contrast class of 'unicultural' societies is empty? Not entirely, is

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our answer. For, it is often overlooked by scholars who rush to denounce any suggestion that clear boundaries can be drawn around cultures and sub-cultures that some administrative practices actually create, reinforce or impose such boundaries. So, although there are good intellectual reasons for being sceptical about the unicity and boundedness of cultures, in practice some social processes create a strong impression that cultures are clear-cut entities. For example, the Prison Service of England and Wales operates with a complex categorisation of more than eighty 'permitted religions' to which prisoners may declare themselves to belong. Since the records in this system are now computerised, staff who register prisoners on reception have no latitude with regard to how sensitively they record each prisoner's religious affiliation, if any. Thus, the category 'Hindu' or 'Sikh' is clear-cut, unambiguous and definite as far as the Procrustean administrative procedures are concerned. Prisoners must simply accommodate themselves to one of the categories on offer. This encounter with rigid categories is their lived experience, and it probably influences their self-identity despite the fact that some prisoners may not be able to recognise or to categorise themselves in such an unequivocal fashion. Although scepticism about the unitary character of cultures is justified, then, it is a mistake to ignore the fact that some institutions function *as if* the boundaries separating cultures were sharp and impermeable. Prisons exemplify the kind of institutions which do not easily tolerate ambiguity or confusion of 'official' categories.

The only safe assumption to make is that cultural variation has been a feature of English society at least since early modern times (Colley 1992). The justification for talking about multiculturalism in the late twentieth century is that a relatively new aspect of diversity has been introduced and that it is considered to make a significant difference to social and cultural life. In short, we believe that an important change has taken place in the nature or degree of 'normal' cultural variation in recent decades.

What is this significant change? It is not simply the fact or the extent of novelty. Much more significant is the spread of the idea that varieties of cultural meaning systems all have claims to equal respect (Taylor 1992) and that the human groups which share these relatively different cultures can also claim the same opportunities as other groups to put their cultures into practice. Diversity is not the only consideration in this sense of 'multiculturalism'. The demand for equal respect and equal opportunities is no less central to this strong version of the concept (Rex 1994).

Why is an insistence on equal opportunities thought essential to a workable notion of multiculturalism? The main reason is to prevent the diversity of cultures from simply being fêted for its own sake or as an exotic side-show² without giving consideration to the unequal distribu-

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tion of power or life-chances among, for example, minority ethnic or faith communities. For, unless multiculturalism is allied with equal opportunities, there is a danger that ‘The existence of cultural difference can . . . become a marker of the boundary between those who are accorded and those are not accorded social, legal or political rights’ (Rex 1986: 10). It is unusual, however, to employ ideas of equal opportunities in connection with religion; they are usually confined to spheres such as employment, housing or health care. But there is a sound reason for considering them in relation to religion in prisons. This is because the Prison Act 1952 obliges the Prison Service to make provision for prisoners to receive the services of appropriate ministers of religion. In other words, Christian chaplains and Visiting Ministers of other faiths are officially appointed by an agency of the state to deliver pastoral and religious care to prisoners and Prison Service staff. Resources for these religious services come from the public purse. This is why issues of equal opportunities are relevant to religion in prisons.

Prisoners can choose to ignore the services on offer, and it is important to emphasise that our concern in this book is not primarily with the positive or negative value of religion. Recognising that it is a statutory requirement for the Prison Service of England and Wales to make provision for religious personnel, we merely investigated how public resources were deployed for this purpose. Moreover, it seems to us that the notion of equal opportunities in the field of religion should include the right of prisoners not only to take no part in religious or pastoral activities but also to be protected against undue pressure to associate with members of their own faith communities. However, we have collected no evidence that exploitative forms of ‘fundamentalism’ have benefited from a multiculturalist ethos in prison (Yuval-Davis 1992). Nevertheless, we believe that religious care should be available to all prisoners equally, regardless of their particular faith if such provision is made at all. If the provision is not perceived to be even-handed, accusations may be made about discrimination. As we shall argue throughout this book, the fact that responsibility for administering the provision of religion to prisoners rests mainly with clergy of the Church of England gives rise to difficult questions about the equality of opportunities for non-Christians to have access to religious personnel and care. The conventional wisdom that religion is a private matter and therefore outside the public sphere in which consideration of equal opportunities is normally relevant does not apply to the special circumstances of prisons. In fact, as we shall now argue, the question of multiculturalism and equal opportunities for access to religious services is especially challenging in prisons.

Why are prisons especially challenging sites for multiculturalism? In

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addition to the 'racial', ethnic and cultural diversity of the prison population in England and Wales (Genders & Player 1989; FitzGerald & Marshall 1996), other factors help to make relations between some faith communities politically sensitive. In the first place, prisoners are by definition deprived of certain rights and opportunities enjoyed by the rest of the population. And, as was argued above, prisoners' identities are subjected to various pressures. This is a situation in which the demand for respect for the distinctiveness of the cultures with which prisoners identify themselves is likely to be strong. Symbols of belonging and of commitment to revered sources of collective identity tend to be highly prized and vigorously defended, especially if prisoners believe that disrespect is deliberately shown to them. It is as if the confined nature of prison life increases sensitivity to matters of individual and collective respect. For example, prisoners have sometimes reacted violently to Prison Officers who touched their sacred texts while conducting routine searches of cells. Perhaps the individual prisoners' exposure to daily indignities and deprivation sharpens their sensitivity to perceived offences against symbols of their collective identity. Moreover, the Prison Service's race relations policy makes it an offence to discriminate on grounds of religion, among other things, so that there is a measure of official backing for demands that religion should be respected.

Another reason for the heightened significance of relations between faith communities in prisons is the fact that, at least in some basic respects, most prisoners are subject to the same conditions, the same regulations and the same discipline. In these circumstances, if prisoners perceive that privileges or penalties are given to certain categories of prisoners for no legitimate reason, feelings of resentment will be strong. The provision of opportunities, facilities or resources for practising religion and the ways of life associated with religion can be the occasion of resentment if equality of respect is not perceived for all religious practices. The resentment may be felt by members of religious minorities towards the Christian majority and their chaplains. No less sensitive, however, is the issue of competition and resentment between minority groups, especially when it comes to special diets and release from work without loss of earnings on religious holidays.

Finally, multicultural issues in prisons take on added significance when the focus is on equal respect for religions. This is because religions claim to represent a level of reality which is ultimately true and irreducible to any other meaning system. Religions are about absolutes. Consequently, religious believers who perceive that their particular religion does not receive the same degree of respect as do others may feel seriously disadvantaged and offended. No compromise is possible when it comes to

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matters of absolute significance for the believers. They find it unacceptable to have to put up with what appears to be at best *relative* or conditional respect for their religion. Some prisoners actually become more serious about their religion precisely because they object to perceived slights against its value or integrity.

For all the above reasons, then, considerations of equal respect are serious in prisons, especially when they concern religion and culture. No doubt this is why the European Prison Rules specify that 'The religious beliefs and moral precepts of the group to which a prisoner belongs shall be respected' (Loucks 1994: 48). If grievances centre on the suspicion that prison authorities do not accord equal respect to the religious faiths of all prisoners, there is the potential for dissatisfaction, resentment and possibly unrest. This is one more strand in the complex web of competition and manipulation which characterises many of the social relationships in prisons. As we shall show in this book, however, many of the grounds for grievance in relation to religion are different for Christians and members of other faiths.

So far, we have discussed the concepts of 'multi-faith' and 'multiculturalism' in largely abstract terms, but the truth is that they are part of the daily experience of prisoners, chaplains, prison officers and prison officials. They are experienced, for example, as claims for recognition of the need for prisoners to wear, to eat, to possess and to do (or to be excused from doing) certain things as requirements of their religious faith. The claims are sometimes based on comparisons with provisions already made for members of other religious groups or inmates of other prisons. In other words, multiculturalism is a field of broadly political or ideological struggle. Since it is about competition and relativities it is never static but is, at best, in a state of provisional equilibrium. As we shall show in this book, Christian chaplains and Visiting Ministers of other faiths are crucial to the process of making claims for equal respect, countering them or acceding to them. Negotiation is constant. Multiculturalism is not abstract in the context of prisons: it is a daily reality. This does not mean that there is any clear agreement about the meaning or value of multiculturalism. There are only the Prison Service's official statements about 'race' relations and about the treatment of 'permitted' religions. In the absence of agreement or policy, it is only a mild exaggeration to describe religion as something of a political 'battleground' (Wallerstein 1990) in prisons. At this writing, there are no signs that the 'battle' is subsiding; but there is widespread concern to prevent matters from deteriorating further.

It is important to stress that our usage of 'multiculturalism' in the sense of demands for equal respect for religious faiths is only one specific application of broader and more ambitious notions of multiculturalism.

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Contrary to the situation in Sweden, for example, where it is the state's policy to promote multiculturalism through schemes for creating equality, freedom of choice between immigrant and indigenous cultural forms and partnership between all communities (Ålund & Schierup 1992), the situation in English prisons is less a matter of official policy and more a matter of political struggle between contending interest groups. This is why we characterised multiculturalism as a 'field of struggle'. Moreover, our interest in the multicultural aspects of religion in prisons is not part of a concern with trying to preserve minority cultures for their own sake. And it is certainly not our intention to suggest that better 'management' of religion in prisons could or should contribute towards the control of 'difficult' minorities. Our first concern is with the ways in which issues of equal respect arise in the relations between prison authorities, Christian chaplains and representatives of other faiths (principally Visiting Ministers).

Secondly, we are concerned with the ways in which the struggle for equal respect for other faiths in prison feeds into the wider issues of political empowerment and of full participation for religious minorities in the nation's public life. This is the very opposite of marginalising religion or of ghettoising it. The question, by contrast, is how far religion can serve as a vehicle or medium of political *and* cultural values – not just for the sake of peaceful coexistence or frictionless assimilation of minorities into majority cultures. But there is no implication in this question that religion and culture are the only effective avenues through which minorities can pursue their rights and their interests. Nor are we suggesting that political and social problems are 'really' cultural or religious. We want to resist such a 'culturalist' claim. Indeed, we assert that many of the difficulties facing ethnic or religious minorities in prisons stem from the material and political realities of their communities outside prisons, including overt racism, institutionalised racism and generalised discrimination. Our view is that it is desirable for communities of interest to have equal opportunities to participate fully in public life and to pursue their interests by whatever legal means they see fit to choose. Religion is only one of these means but it can be pursued alongside other strategies and does not indicate that the most significant problems are necessarily religious or cultural. Indeed, the rejection of a distinction between politics, religion and culture is a feature of some non-Christian religions.

One other aspect of debates about multiculturalism must be discussed at this point. It concerns a distinction between the public sphere and the private sphere, which is central to some versions of the concept. Thus, multiculturalism is sometimes said to involve a defence of the rights of minorities to equal opportunities for participation, without discrimina-