



Jan Váně, Lukáš Dirga ■

## The prison chaplain as a part of penitentiary care? Transformation of the Czech prison system after the fall of communism<sup>1</sup>

### Opieka duszpasterska jako część opieki penitencjarnej? Przemiany czeskiego systemu więziennego po upadku komunizmu

**Abstract:** The prison system in the Czech Republic has been carrying out a reform process since the end of the communist regime, and has gone through more than 30 years of transformation, based on an effort to make it a modern European correctional system. Part of this change is the transformation of pastoral care, which is presented as one of the key pillars of penitentiary (and also post-penitentiary) care in the Czech Republic. This text is focused on the historically changing role of prison chaplains in the process of release preparation and rehabilitation of inmates in post-communist Czech prisons. Our aim is to compare official declarations, which are reproduced in written documents, with everyday practice from the perspectives of three different groups within the prison environment. This study is based on ethnographic research conducted in Czech prisons for men. The data corpus includes qualitative interviews with selected actors of the prison world (prison chaplains, inmates, and representatives of prison management), material gathered through observations inside prisons, and an analysis of the documentation on the Czech penitentiary system. We have found that although prison chaplains have become an integral part of the Czech prison world, their position is still specific in comparison with the rest of prison staff. In our study, we will focus on the

Jan Váně, Department of Sociology, University of West Bohemia in Pilsen, Czech Republic, vanejan@kss.zcu.cz, ORCID: 0000-0002-5199-503X

Lukáš Dirga, Department of Sociology, University of West Bohemia in Pilsen, Czech Republic, dirga@kss.zcu.cz, ORCID: 0000-0001-8838-2055

<sup>1</sup> This study was supported by the project *Professional training of prison chaplains in the context of prisons* by the Technology Agency of the Czech Republic in ETA programme (no. TL02000390).

historical evolution of the position of prison chaplains within the organisational structure of prisons, the nature of their work with inmates, and interactions with other prison actors.

**Keywords:** prison, chaplain, penitentiary care, religion, Czech Republic

**Abstrakt:** Od zakończenia reżimu komunistycznego czeski system więzienny przechodził ciągly proces reformowania. Ponad 30-letnia transformacja była oparta na dążeniu do osiągnięcia poziomu nowoczesnego europejskiego systemu penitencjarnego. Ciepłota tej zmiany była transformacja opieki duszpasterskiej, która jest przedstawiana jako jeden z kluczowych filarów opieki penitencjarnej (a także postpenitencjarnej) w Czechach. Niniejszy artykuł koncentruje się na pokazaniu zachodzącej na przestrzeni lat zmiany roli kapłanów więziennych w procesie przygotowywania więźniów do zwolnienia oraz ich resocjalizacji w czeskich więzieniach postkomunistycznych. Celem artykuła jest porównanie oficjalnych, udokumentowanych informacji z codzienną praktyką pokazaną z perspektywy różnych grup uczestników systemu więziennego. Niniejsze opracowanie jest oparte na wynikach badania etnograficznego przeprowadzonego w czeskich więzieniach dla mężczyzn. Dane wykorzystane w artykule obejmują wywiady jakościowe z wybranymi uczestnikami systemu więziennego (kapłanami więziennymi, więźniami, przedstawicielami funkcjonariuszy służby więziennej), materiały zebrane podczas obserwacji w więzieniach oraz analizę dokumentacji dotyczącej czeskiego systemu penitencjarnego. Pokazują one, że kapłani więzienni stali się integralną częścią czeskiego systemu więziennego, jednak ich pozycja – w porównaniu do reszty personelu więziennego – jest nadal specyficzna. Przeprowadzona analiza skupia się na zmianie pozycji kapłanów więziennych w strukturze organizacyjnej więzień, jaka się dokonała na przestrzeni lat, specyfic ich pracy z więźniami oraz interakcji z innymi osobami obecnymi w systemie więziennictwa.

**Słowa kluczowe:** więzienie, opieka duszpasterska, system penitencjarny, religia, Republika Czeska

## Introduction

This study is the result of an effort to grasp, conceptualise, and reflect on the problems associated with the changing role of religion in the prison environment within the Czech Republic. Our aim is to analyse and describe the process of institutionalisation of spiritual care within the Czech post-revolutionary prison system. We want to approach the specificity of the role of prison chaplains in working with convicts, and their position within the organisational structure of the prison. Our reasoning is based on current ethnographic research conducted in Czech men's prisons, which is part of our long-term interest in this research field. In the current study, we conducted semi-structured interviews with selected groups of respondents, which we supplemented with observation in the interior of prisons, along with an analysis of relevant documents related to the issue in question.

Spiritual care and the status of prison chaplains are described using a hybrid model that takes into account the differences in the performance of spiritual care compared to other standardised forms of treatment/care. The chaplains we interviewed used a strategy in their daily practice which we call long-term, based on an effort to contribute towards changing the value orientation of prisoners. This

strategy differs in many ways from the usual methods of working with prisoners, and contributes significantly to the (re)production of the special status of chaplains. On the one hand, they are a standard part of the process of institutionalisation taking place in the Czech prison system, while the other hand, we are able to perceive that it is evident this process of institutionalisation is to the contrary.

### **1. The process of institutionalisation of spiritual care in the Czech prison system**

For most European countries, it is now a standard in the prison environment to pay attention both to spiritual activities involving chaplains and to the convicts' rights of freedom of religion. In other words, religion has various functions in prisons (Kerley et al. 2005), such as helping prisoners cope with guilt (Johnson 2011; Vaně and Dirga 2016), reducing aggression, and increasing motivation for lifestyle change. In addition, spiritual care for convicts is expected to contribute to reducing the risk of possible criminal recurrence (Walters-Sleyton 2013).

These expectations are based on traditional practice in Western European countries, where spiritual care is based on the special relationship the prison chaplain and convicts create and maintain (Hoge 2011). The characteristic features of this relationship include social proximity, the expression of mutual respect, and the minimisation of power inequalities resulting from different positions within the organisational structure of the prison (chaplain versus convicted persons).<sup>2</sup> Last but not least, it is assumed that the effect of individual denominations will be positively reflected in penitentiary care (Jensen and Gibbons 2002), which, however, is qualitatively different from other commonly used, standardised treatment programmes.

Long-term legislative practice, as well as the findings of the above-mentioned research, show that in the international context, efforts to integrate religion into prisons prevail. At the same time, however, there is no consensus on the evaluation of the effectiveness of spiritual care in relation to the reintegration of convicts and the prevention of their possible criminal relapse after release. In this respect, the context of post-communist countries is a specific one, which, moreover, has to do with the remnants of the communist regime. It is precisely the transformation of the prison system and the place of religion in it that we concentrate on in this study.

The theoretical basis on which we base our thinking and analysis of the prison environment is the concept of deprivatisation of religion by José Casanova. It was Casanova who pointed out that since the late 1980s, there has been an apparent rise

<sup>2</sup> Proof of the specific perception of spiritual care by prisoners is the marking of the chapel space as a place of freedom in an otherwise unfree world (Becci 2012; Snyek 2013; Becci and Dubler 2017).

in religious groups and their efforts to re-enter the public space, from which they have been crowded out in modern times.<sup>2</sup> Casanova tried to demonstrate that religion is leaving the place it used to have assigned to it in the private sphere, and that it is entering a non-differentiated public sphere of civil society, where it participates in conflicts on the redrawing of social borders as they have existed until now. In the resulting situation, religious groups no longer see themselves as integrating social elements of individual nations, but rather transgress to a new trans-national level, acquiring a global identity that enables them to be compared with the nation-state, and the current social order. In such a situation, deprivatisation takes three forms: a) religion as a tool of mobilisation and defence of traditional forms of life against the state and economic expansionism, b) religion as a defence against 'wild' capitalism, and c) religion as a barrier against individualism (Casanova 1994: 225–230).<sup>3</sup>

All three points share the assumption that religion is able to re-establish itself in a given public space and to raise public themes. Casanova uses the facts of the Catholic environment to consider the process of religion's transformation<sup>4</sup> and return to the public sphere (Casanova 1994: 75–134, 167–207). It shows that the Catholic Church once again represents one of the influential players in the socio-political field.

Also, it was the Catholic Church which, in the Czech environment at the end of the 1980s, made a public demand that was directly related to the prison environment. In 1987, it was possible to read in Czech churches on 29 November the *Common pastoral letter of the bishops and administrators of the Czech and Moravian dioceses for the year of Blessed Agnes Přemysl*, which started with the words 'stand up straight and lift your heads'. This pastoral letter initiated the so-called Decade of Spiritual Restoration, which was prepared by the Catholic Church in cooperation with underground Catholic structures.<sup>5</sup>

It was about establishing religious themes, overlapping with the public space.<sup>6</sup> The petition *Suggestions of Catholics to address the situation of religious citizens in CSSR* was signed on the same date, which contained 31 areas concerning the role of religion in the public space of communist Czechoslovakia. This petition was soon supported by Cardinal Tomášek.

<sup>2</sup> In the Czech or Czechoslovak context, the displacement of religion from the public space (in this case, the prison environment) was enhanced by the dominance of the Communist regime.

<sup>3</sup> For more on the application of Casanova's concept see, e.g. Váň, Štícha (2016).

<sup>4</sup> Casanova demonstrates that in late modern societies, traditional religious groups (Catholicism) have ceased to view themselves as integrative social components of the nation, and have shifted to a new transnational form of global identity, allowing them to confront the nation-state and its current social order. (Casanova 1994: 48–51).

<sup>5</sup> The decades of spiritual renewal of the nation was a pastoral initiative in 1987–1997. It was declared in a pastoral letter on 29 November 1987 by Cardinal František Tomášek. For more on this, see (Opavský 1992).

<sup>6</sup> Concerning religious issues in the public space in the post-communist period in the Czech Republic, see (Váň 2012; 2015; Váň and Kalvas 2013).

In connection with our research topic, point no. 10 was key; it stated, "We ask to be permitted to visit priests and hospitals when patients, prisoners, or their relatives so wish, but also at the priest's own request. Enable religious rites in prisons and hospitals. Allow believers in prison to wear crosses and other religious symbols, and to carry religious literature. Allow them confession and spiritual conversations with priests."

We present this event not only to illustrate the theoretical framework on which it is based, but also mainly because this public demand has further developed in the post-communist period, and takes on an institutionalised form, which we will continue to focus on.

Before we do so, it is necessary to state that religion or spiritual care realised by chaplains in the environment of Czech prisons did not appear for the first time after 1989. Father František Josef Rezáč worked as early as the nineteenth century as a prison chaplain in Svatováclavská trestnice (St. Wenceslas Penitentiary) in Prague. He devoted himself not only to his chaplain ministry, but also to the prison environment. Thanks to his writings, we have surviving reports of how he considered the role of religion and chaplain ministry in prisons. In his texts, he emphasised the education of prisoners, which he considered key for their rehabilitation. This means attempts at institutionalising religion and its role in the prison system in the Czech lands have more than a century-long tradition.

With the establishment of an independent Czechoslovak state (1918), a new prison system was gradually built, but it was based on the previous Austro-Hungarian model. Religion maintained its prominent position. Spiritual services and education were available to all convicts who were interested in them. However, this promising development was soon interrupted by the Second World War and the subsequent long period of non-freedom (the Nazi and Communist regimes), during which the rights of prisoners were systematically suppressed, and religious activities all but disappeared from the prisons of that time (Synek 2013).

After the fall of Communism, the demand of churches to re-enable their leaders to enter prisons and restore the role of religion in working with prisoners gradually became a reality. This 'search for an imaginary place' is a story of the institutionalisation of religion under the conditions of the Czech prison system. Religion, which is mainly represented in Czech prisons by prison chaplains, has become a formal part of the prison system, and is described as one of its current pillars (Ministry of Justice of the Czech Republic 2016).

Priests began to work in Czech prisons from the beginning of the post-revolution era. However, the beginning of the 1990s was marked by uncertainty and confusion in the performance of spiritual ministry, which at that time was not legally anchored. Internationally accepted documents, in particular the Standard Minimum Rules for the Treatment of Prisoners and the European Prison Rules, were the key support for spiritual activities in prisons.

The year 1994 brought a significant change, when the *Agreement on spiritual services between the General Directorate of the Prison Service of the Czech Republic, the Ecumenical Council of Churches, and the Czech Bishops' Conference* was signed (within the framework of the Prison Service of the Czech Republic, binding as Regulation of the Director General No. 3/1994). This established the formal foundations for the systematic provision of spiritual care in Czech prisons.

The professionalisation of the Prison Clerical Service was further strengthened in 1997 by the creation of the first positions for prison chaplains as prison staff. Since 1998, these posts have been gradually filled and the number of prison chaplains working in Czech prisons as employees of the Prison Service of the Czech Republic has been gradually increasing. In recent years, this trend has intensified even more, with 35 chaplains (of which 5 were full-time) working in Czech prisons in 2010, and in 2018 there were 50 chaplains (of which 10 were full-time). There was also a unique situation in 2018, where every prison in the Czech Republic had at least a part-time chaplain (Prison Service of the Czech Republic 2019).

And it was in 2018 that the Prison Service of the Czech Republic celebrated the twentieth anniversary of priests' professional activity in Czech prisons, which since 2001 has been organised by the Ecumenical Prison Chaplaincy. It is a congregation of prison chaplains who have been commissioned by churches to work in Czech prisons, and who are also employees of the Prison Service of the Czech Republic.<sup>4</sup> The establishment of the Ecumenical Prison Chaplaincy represents an important milestone in the institutionalisation of religious activities within the Czech prison system. However, as we have already shown, the connection between religion and prison has a much longer history in the Czech context.

In summary, prison chaplains have become an important part of the professional treatment of prisoners over the past thirty years, and their role has been standardised and even formalised. However, our research shows that the position of chaplains in Czech prisons is not entirely problem-free. The activities of chaplains and the provision of spiritual care are not perceived and evaluated entirely positively by all actors of the Czech prison system. Therefore, religion in prisons still represents, to a certain extent in the Czech context, if not a controversial, then definitely an ambivalent phenomenon. The ambivalence of approaches to the role of religion in prisons is linked mainly to doubts about the effectiveness of spiritual influence on prisoners, i.e. the influence of chaplains on the possible rehabilitation of convicts. Another topic discussed is the use of spiritual care by prisoners in order to gain faster release, which is associated with the phenomenon of 'pragmatic faith' (Váně and Dirga 2016).

<sup>4</sup> Along with the prison chaplains, who come together within the framework of the Ecumenical Prison Chaplaincy, there is also Prison Spiritual Care in Czech prisons, which is a non-governmental organisation of clerics and members of churches and parishes who volunteer to provide spiritual and pastoral care in prisons.

Therefore, the formal integration of spiritual care does not necessarily mean the full integration of religion into the Czech prison system. Despite the above-mentioned development towards greater institutionalisation of spiritual care, prison chaplains maintain a relatively exceptional position within the prison organisation itself, which is also reflected in the specific ways of working with prisoners. We turn to the topics related to the position of religion and chaplains in Czech penitentiary practice in the following part of the text, which is based on the realisation of our field ethnographic research, whose methodology we can briefly introduce below.

## 2. Methodology

In this paper, we start from our own empirical research, which we have complete or are currently in the process of carrying out. In our case, the first entrances to the environment are dated 2013, and have persisted to varying degrees. Our research is primarily based on an ethnographic approach that we have implemented in several research waves in the prison environment (Dirga and Hasmanová Marhánková 2014; Dirga et al. 2015; Dirga 2016; 2017; 2020; Dirga and Váně 2016; Váně and Dirga 2016; 2020). In the Czech context, this methodological approach has long proved to be one of the most effective in examining the prison environment (e.g. Nedbálková 2006; Dirga and Hasmanová Marhánková 2014; Dirga 2016; Beláňová 2018; Beláňová and Trejšalová 2020; Lochmannová 2020).

The fieldwork was conducted in medium-security Czech prisons for men.<sup>9</sup> In 2019, we conducted qualitative semi-structured interviews<sup>10</sup> with 35 respondents in 5 different prisons. Specifically, there were 10 prison chaplains, 13 convicts, 4 volunteers, 2 psychologists, 1 special educator, 1 educator, 1 guard, 1 deputy management representative, and 2 church representatives.<sup>11</sup>

Some of the interviews took place on prison grounds (especially interviews with convicts and prison staff), and some were conducted outside the prisons. The length of the interviews varied depending on security conditions. Especially in the case of interviews conducted inside the prisons, the time allocated was relatively limited. At the same time, only the interviewer and the respondent participated in

<sup>9</sup> Since 2017, the Czech prison system has recognised two basic types of prisons, according to 'external differentiation': with surveillance/medium security, and with increased surveillance/high security.

<sup>10</sup> The interviews were recorded, transcribed, and analysed.

<sup>11</sup> Among the prison chaplains (10 prison chaplains in all), there were seven representatives of the Catholic Church, one from the Methodist Church, one from the Orthodox Church, and one from the Evangelical Church. A total of two church representatives were representatives of the Catholic Church.

the interviews, thereby limiting any disturbing effects resulting from the presence of another person (for example, a prison employee performing an inspection).

We used contacts within our own social networks and contacts from previous surveys to reach potential respondents. To increase the number of respondents, we also used the snowball method. Conducting interviews with the convicts presumed automatically being granted permission to enter the prison's interior. In this case, the directors of the individual prisons have the decision-making power.

We obtained permission from the directors of three of the aforementioned five prisons to carry out research on the premises.<sup>17</sup> Thanks to this permission, we were able to extend our dataset to include observations, during which we were guided round the prison by a particular employee, with a special emphasis on places related to religious topics, such as chapels, 'refectories', or special sections dedicated only to religious convicts. Overall, we carried out approximately 23 hours of observation.

The interviews and observations were complemented by an analysis of documents related to the research problem. These were mainly international documents with an impact on the Czech prison system, conceptual documents at the Czech national level, legislative sources, and internal regulations of the Prison Service of the Czech Republic, which were made available to us.

### 3. Religion as a 'peculiar' part of penitentiary care

The involvement of religious activities in penitentiary care can be described as a hybrid model, which is characterised by a certain degree of institutionalisation of spiritual care within the professional influence on convicts, but this institutionalisation has its own limits and specifics.

In principle, there are two basic models of working with convicts. The first is referred to as a standardised model, which is based on standardised methods (referred to as programmes in professional terminology) for the treatment of prisoners. In particular, professional employees of the prison service, who are responsible for them under the internal regulations of the Prison Service of the Czech Republic, participate in it<sup>18</sup> and are considered to be special educators, psychologists, sociologists, social workers, educator/therapists, educators, and leisure time

<sup>17</sup> Within the framework of our long-term study of the Czech prison system, we strive to continually expand cooperation with prisons (not only) in the Czech Republic, in order to maximise opportunities for future research activities, for example in the form of repeat visits.

<sup>18</sup> This definition is pursuant to Regulation of the General Director of the Prison Service of the Czech Republic No. 5/2016 on Employees and Members of the Prison Service of the Czech Republic Ensuring Custody, Imprisonment, and Security Detention.



educators. Such standardised treatment is provided to all convicts and all of them are obliged to carry out at least a minimum treatment programme.<sup>14</sup>

The second model is described as the spiritual model, which involves voluntary spiritual care. This care is based on individualised content, i.e. exclusively the individual approach of chaplains (and volunteers) to the prisoners and their needs.<sup>15</sup> Compared to the standardised model, significantly fewer prisoners participate in the spiritual model, and they must apply to participate in the spiritual activities themselves.

This institutionalisation of spiritual care in the context of treating convicts is therefore a story of incorporating the spiritual model into the standardised model. From the interviews conducted, it appears that the spiritual model within the Czech prison system has to a large extent become an independent part of penitentiary care, which constitutes an imaginary superstructure above the basic treatment.

The basic tools of the standardised model are the treatment programmes, which are a form of action on convicts with the aim of preparing them for release (rehabilitation). The treatment programme includes a plan of individual professional activities to be carried out with the convict in order to fulfil the purpose of the sentence as much as possible (i.e. rehabilitation). The treatment programme, according to the provisions of § 36 of Decree of the Ministry of Justice No. 345/1999 – which established the Code of Imprisonment – is divided into working activities, educational activities, special educational activities, interest activities, and forming external relationships. Spiritual care can be part of leisure activities. Formally, it is interesting, that convicts are obliged to devote themselves to satisfying their spiritual needs in their personal leisure time (pursuant to §22 (2) of Decree of the Ministry of Justice No. 345/1999).

The treatment programmes are set with regard to the needs and risks of individual convicts. Since 2012, the SARPO evaluation tool – *Souhrnná analýza rizik a potřeb odsouzených*, which translates to the 'Tool for Assessing Offenders' Criminogenic Risk and Needs – has been used by the Prison Service of the Czech Republic to assess the risks and identify the needs of prisoners.

<sup>14</sup> A convicted person who refuses to participate in the treatment programme shall be included in the programme of basic incentive treatment, which emphasises the observance of order and safety, along with weak activity which corresponds to the state of the convict's health. The incentive programme is characterised by an individual degree of professional intervention in order to motivate the prisoner to change their attitudes and behaviour (according to the provisions of §37 of the Decree of the Ministry of Justice No. 345/1999, which lays down the Code of Imprisonment).

<sup>15</sup> The sentenced/convicted prisoners described the relationship with the chaplain as different from the one with other prison staff. In their opinion, the difference consisted of a greater degree of mutual trust, an individualised approach, and more time set aside for mutual discussion ('the chaplain has time for us, others don't') (see Belátová and Třebulová 2020). The chaplains were even compared to family members and close friends by some convicts. The chapel, as a physical space, was then referred to as 'a place of freedom in an otherwise non-social environment' (see Šynek 2013).

SARPO consists in an analysis of criminogenic risks and needs, in the form of static and dynamic factors (Iřička et al. 2014). The SARPO is operated by professional staff, who create an assessment related to their designated part (industry specialization). At the end of this process, a comprehensive report is produced, and this serves as the basis for developing treatment programmes for individual convicts. Therefore, if the basic instrument for standardised action on prisoners is a treatment programme, the basic instrument for developing the treatment programme is the SARPO.

Using the SARPO and setting treatment programmes, it is possible to demonstrate the limits of institutionalisation of spiritual care within penitentiary activities in Czech prisons. The analysis shows that prison chaplains are only marginally involved in establishing and implementing standardised treatment programmes.

Prison chaplains do not work with the SARPO or participate in the creation of a comprehensive report, which is a key output of SARPO analysis. Assessments are included in the comprehensive report by educators, special educators, social workers, and psychologists. A comprehensive report is elaborated into the final form of a treatment programme by a special educator, who, according to the internal regulations of the Prison Service of the Czech Republic, should cooperate with other professional staff. From a formal point of view, there could be room for chaplains to participate in the preparation of treatment programmes. However, the interviews have shown that in practice, chaplains are not involved in the preparation of treatment programmes, with only a few exceptions.<sup>16</sup> Then, they only participate in the implementation of treatment programmes if the convicted person actively requests it.

The limited/low influence of chaplains on the establishment and implementation of treatment programmes is, to some extent, also due to their unique position within the organisational structure of the prison. Professional staff are defined by the aforementioned Director General Regulation No. 5/2016 as employees of the prison department, which each prison must have. However, prison chaplains are not considered employees of the department, and their activities are governed by their own regime and, from an organisational point of view, the chaplains are subordinated to the first deputy director of the prison. The definition of the status and role of chaplains (of spiritual care in general) is enshrined in a separate Regulation of the General Director No. 54/2017. This also proves their uniqueness within prisons' organisational culture.

<sup>16</sup> Chaplains can theoretically cooperate in the preparation and implementation of treatment programmes because, according to Regulation of the General Director of the Prison Service of the Czech Republic No. 54/2017 on the organisation and performance of spiritual service in the Prison Service of the Czech Republic, they 'may participate in the preparation and implementation of the ratically similar treatment programmes'. In practice, however, it is less likely to be expected, and is not used.

On the one hand, spiritual care is partly subject to the pressure of institutionalisation and standardisation by formalising the involvement of chaplains in penitentiary care in the form of employment. Because the chaplains are a formal part of the prison service, their work is partially bound by and formalised in written rules (internal regulations).<sup>17</sup> On the other hand, it seems (based on the interviews we have conducted) that the full institutionalisation of spiritual care, i.e. the incorporation of the second model into the first, is not preferred by either the chaplains or the management of the Prison Service of the Czech Republic. We believe that at the moment, the institutionalisation of spiritual service has reached its maximum. The result is a hybrid model, based on individualised care, provided to a (relatively) small number of convicted people. Chaplains, therefore, still occupy a special position within the organisational structure of the prison, and use special methods of rehabilitating prisoners in their work (especially in the form of deep, personal relationships).

## Conclusion

In our view, the post-revolutionary process of integrating religion back into prisons is twofold. Firstly, there is a gradual development of formal acceptance of spiritual service by the state, which in this case is mainly represented by the Ministry of Justice of the Czech Republic, and especially the Prison Service of the Czech Republic. Formal acceptance then incorporates spiritual care into the legislation and internal regulations of the Prison Service of the Czech Republic. One of the outcomes of this formal acceptance is the creation and increase of formal employment arrangements for chaplains working in Czech prisons.<sup>18</sup>

Secondly, there are still practical difficulties in integrating chaplains into the process of working with convicted persons (see the chaplain's inability to use the SARPO, or the minimal participation in preparing/implementing treatment programmes). At the same time, it appears that the formal increase in employment has not resulted in a difficulty in subsequently filling the jobs created (from 'fighting' for places to searching for human resources). In other words, our research shows that the process of institutionalisation has slowed down in recent years (it may even have reached its maximum).

<sup>17</sup> Internal regulations and methodological instructions define the form and scope of the spiritual care provided. Compliance with the rules is then regularly checked by the Chief Chaplain of the Prison Service, who heads the Ecumenical Prison Chaplaincy.

<sup>18</sup> In spite of the fact that the number of working hours for chaplains has undoubtedly increased, the number of chaplains is still very low when compared to other groups of professional employees. In other words, if there is one chaplain in the prison, it is considered a success for the prison, but psychologists, special educators, educators, and other professional staff are usually several times more frequently represented in prisons.

The limits of the institutionalisation process are found, in particular, in the special nature of a chaplain's work described above, and in the possibilities of operationalisation (and the measurability of effectiveness). On the one hand, the chaplains have earned a respected position (where they were given space in individual prisons). However, the strategy of their work with prisoners differs from that of the prison staff (Beláňová and Trejbalová 2020). Quantification and associated gamification of their performance (spreadsheets) – most popularly profaned by the statement 'paid for by our taxes' – force the prison management, who in turn force their employees, to perform a clearly quantifiable performance. Paper statements summarising, for example, the number of hours spent implementing treatment programmes, or the number of prisoners participating in them, have become key indicators of their work. These indicators are objectified in the SARPO programme, which is another way of quantifying/operationalising the work of professional staff. A common measure of the effectiveness of their work is the rate of criminal relapse. This approach is, to some extent, understandable, as society wants to know the level of recidivism, and whether prisoners' rehabilitation works and how likely is their reintegration.

In prisons, however, there are three conflicting strategies. In the short term, they are mainly represented by uniformed prison guards (referred to in the Czech context as members of the Prison Service of the Czech Republic). Their job is to ensure order in the premises of the prison and to prevent or eliminate violations against the discipline or the order of the prison. The specific indicators of the overseers' work are the number of 'extraordinary events' (serious breaches of order and security) and cases of breach of discipline.

The medium-term strategy is primarily implemented by the above-mentioned professional employees. Their aim is to develop and implement treatment programmes that would contribute towards risk reduction in selected areas/factors, assessed on the basis of SARPO. A specific indicator in this case is the evaluation of the effectiveness of activities in the given areas.

The third type of strategy, the long-term one, is embodied in the chaplains themselves, whose aim, according to one interviewed prison chaplain, is to

Help the wounded and achieve at least a basic value change, ... because I am not under the illusion that the several-generation criminals will not relapse. The aim is to influence at least a little in the future, to move at least two degrees away from how they are living now.

And this shift is very difficult to quantify or convert into SARPO methodology, especially if a chaplain is working in a prison where there are short sentences, as the prisoners in these facilities come and go at six-month intervals. Evidence that the pendulum has gradually shifted from decades-long efforts to institutionalise spiritual ministry in the prison administration system to slowing the process of unconditional merging with the environment suggests repeated answers to the

question of what working practices the chaplains have performed best in prisons. 'Not to be pulled down to libertarianism, in such a way that I will do it my way, despite the rules of the prison. And at the same time, not be pushed by the apparatus of minimalism' (excerpt from an interview with a prison chaplain).

We believe that in this example statement, we can point out the difficulty of the chaplain's role, which constantly lies between Sklyář's defiance of the totalitarian institution and Charybō's submission to the system of rules. The tendency not to be ensnared in the rules and regulations of the prison has been the phenomenon of chaplains' behaviour for a long time. This stems from retrospective testimonies recalling the 1990s. The regime in prisons, both in terms of the rules and the mentality of the administrators and supervisors, was significantly charged with ideas and behaviours taken from the communist regime. In such a situation, the defence mechanism advocated by the chaplains was understandable. But as prison staff gradually changed over the years, and the Czech Republic gradually implemented the prison standards in force in the European Union, the presence of chaplains (the role of religion in general) in prisons became a typical feature (at least a phenomenon that did not give rise to resistance, as in the '90s). This positive change, at least according to some chaplains, could become a less obvious trap.

It appears that the process of institutionalising religion on prison grounds was further influenced mainly by the following processes. On the one hand, there was the aforementioned gradual replacement of prison staff by supervisors and management. Among the guards, the number of individuals with the higher education required of them and proportion of younger guards – who have gone through different processes of socialisation (education, values, and culture) – has increased, thereby weakening the communist ethos in the approach to prisoners (the prisoner as an enemy of the state, or an incorrigible person). However, this does not mean that the basic strategy described above as 'short-term' has changed, focusing on the immediate 'pacification' of convicted persons.

On the other hand, there has also been a generation change among the chaplains. Our findings show that part of the older generation of chaplains (those who began working in prisons in the 1990s) were motivated to work in prisons, especially because of their own experience with the Communist State Secret Police (STB). This also resulted in their watchful attitude towards the guards, often expressed by pointing out the communist past of many guards. We would like to provide a few examples from the statements of the chaplains: 'Yes, in the 1980s, I counted on the option of being locked up, and one of the things a chaplain needs is empathy and some experience with repression, which opens the way to the prisoners'. 'Thanks to the repeated interrogation and pressure from the STB on me, I know what someone in prison can be exposed to.'

A similar experience with imprisonment also applies to some of the interviewed volunteers, who pointed out the psychological pressure associated with a detention centre:

Because when you get into custody, you are experiencing a crisis – a life-long crisis. First, you don't know how many years you will get. You have a law there that threatens you. You don't know how your family will react.... And all this bothers them, because they have no vision of what will happen in the future.

This personal experience of persecution, loss, or restriction of liberty was one of the causes of the chaplains' vigilance against many guards. But, once the transition from declared cooperation to actual cooperation given by the individual approach of the specific prison governors or directors started, very progressive procedures began to be implemented.<sup>17</sup>

From the statements of the chaplains interviewed, the negative attitudes towards the role of chaplains in prisons seem to have weakened in recent years. This is evidenced by the words of one of the chaplains:

I think that today, the service, although there is still some tension between us (between the chaplains and the guards) – but for other reasons – that relationship has become much more professional. At least, as far as I know, over the last eight years.

The displeasure of supervisors and educators over the inclusion of chaplains has eased, but they partly see a new threat in administrative actions, and the need to record their activities, which some see as a reason for paying only a standardised minimum.

In spite of these ongoing tensions, we can say that in the period from the end of the communist regime to the present day, the foundations for institutionalising spiritual care in Czech prisons have been successfully laid. However, we believe that in order to make spiritual care more effective and sustainable long-term, more coordination and closer cooperation between chaplains and professional staff (especially psychologists and special educators) is needed (Beláňová and Trejbalová 2020). If

<sup>17</sup> For example, one whole floor was established in one of the prisons where there was a section for convicted persons who were believers and prisoners with an interest in spiritual values. This block existed for over four years, and the capacity was around 60 people. Individuals referred to as 'MOŠI' (subjects at risk of possible attack) and 'MNUŠI' (individuals with low mental capacity) were placed together with them on this block. Those individuals who showed an interest were included in the section. A convicted person was included in the programme with the prison management's approval, based on the expert recommendation of a special educator and a psychologist. Prisoners' testimonies showed that the demand for placement in this section exceeded supply, and that it was a unique project within the Czech prison system. The project has 'collapsed' in recent years, not because of a lack of interest, but because of the massive demand of the labour market, where labour shortages ensure long-term work for convicts. As a result, the programme associated with spiritual care, such as regular prayers, etc., could not be continued, due to the work of the convicts. This project, however, inspired other Czech prisons, where they put at least some elements into practice in their prisons.

prison officers are also motivated to cooperate, the situation is almost 'ideal'. During our research, we had the opportunity to see such cooperation in three prisons. However, given the total number of 35 prisons in the Czech Republic, this cooperation needs to be further strengthened. This also applies to cooperation with non-governmental, non-profit organisations which are active in the field of post-penitentiary care, where spiritual care also finds its irreplaceable application.

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historical evolution of the position of prison chaplains within the organisational structure of prisons, the nature of their work with inmates, and interactions with other prison actors.

**Keywords:** prison, chaplain, penitentiary care, religion, Czech Republic

**Abstrakt:** Od zakořičení režimu komunistického český systém vězňů přechodil částečně proces reformování. Požad 30-letní transformace byla opřena na důležitosti osvojení postmoderního evropského systému penitencijního. Částí této změny byla transformace péče duševní, která je představena jako jeden z klíčových faktorů péče penitencijní (a také postpenitencijní) v Česku. Následující článek koncentruje se na ukázkou zachycující na přibližně 10 let změny rolí kaplanů vězňů v procesu přípravy na propuštění do společnosti a jejich resocializaci v českých věznicích postkomunistických. Cílem článku je porovnání oficiálních, u dokumentovaných informací z každodenní praxe získaných z perspektivy různých skupin účastníků systému vězňů. Následující zpracování je opřeno na výsledcích etnografického průzkumu provedeného v českých věznicích pro muže. Údaje jsou použity v článku k objasnění vztahů mezi jednotlivými účastníky systému vězňů (kaplany, vězňů, věznicemi, představiteli funkcionáři služby vězňů), materiály získané během pozorování v věznicích a analýzou dokumentace českého systému penitencijního. Ukazují, že kaplani vězňů stali se integrální částí českého systému vězňů, ale jejich postavení – v porovnání do zbytku personálu vězňů – je nadále specifické. Průzkumná analýza soustředí se na změny postavení kaplanů vězňů v struktuře organizace vězňů, jaká se došlo na přibližně 10 let, specifické jejich práce s vězňů a interakci s jinými osobami přítomnými v systému vězňů.

**Slova klíčová:** vězení, péče duševní, systém penitencijní, religie, Republika Česká

## Introduction

This study is the result of an effort to grasp, conceptualise, and reflect on the problems associated with the changing role of religion in the prison environment within the Czech Republic. Our aim is to analyse and describe the process of institutionalisation of spiritual care within the Czech post-revolutionary prison system. We want to approach the specificity of the role of prison chaplains in working with convicts, and their position within the organisational structure of the prison. Our reasoning is based on current ethnographic research conducted in Czech men's prisons, which is part of our long-term interest in this research field. In the current study, we conducted semi-structured interviews with selected groups of respondents, which we supplemented with observation in the interior of prisons, along with an analysis of relevant documents related to the issue in question.

Spiritual care and the status of prison chaplains are described using a hybrid model that takes into account the differences in the performance of spiritual care compared to other standardised forms of treatment/care. The chaplains we interviewed used a strategy in their daily practice which we call long-term, based on an effort to contribute towards changing the value orientation of prisoners. This

strategy differs in many ways from the usual methods of working with prisoners, and contributes significantly to the (re)production of the special status of chaplains. On the one hand, they are a standard part of the process of institutionalisation taking place in the Czech prison system, while the other hand, we are able to perceive that it is evident this process of institutionalisation is to the contrary.

### **1. The process of institutionalisation of spiritual care in the Czech prison system**

For most European countries, it is now a standard in the prison environment to pay attention both to spiritual activities involving chaplains and to the convicts' rights of freedom of religion. In other words, religion has various functions in prisons (Kerley et al. 2005), such as helping prisoners cope with guilt (Johnson 2011; Vaně and Dirga 2016), reducing aggression, and increasing motivation for lifestyle change. In addition, spiritual care for convicts is expected to contribute to reducing the risk of possible criminal recurrence (Walters-Sleyton 2013).

These expectations are based on traditional practice in Western European countries, where spiritual care is based on the special relationship the prison chaplain and convicts create and maintain (Hoge 2011). The characteristic features of this relationship include social proximity, the expression of mutual respect, and the minimisation of power inequalities resulting from different positions within the organisational structure of the prison (chaplain versus convicted persons).<sup>2</sup> Last but not least, it is assumed that the effect of individual denominations will be positively reflected in penitentiary care (Jensen and Gibbons 2002), which, however, is qualitatively different from other commonly used, standardised treatment programmes.

Long-term legislative practice, as well as the findings of the above-mentioned research, show that in the international context, efforts to integrate religion into prisons prevail. At the same time, however, there is no consensus on the evaluation of the effectiveness of spiritual care in relation to the reintegration of convicts and the prevention of their possible criminal relapse after release. In this respect, the context of post-communist countries is a specific one, which, moreover, has to do with the remnants of the communist regime. It is precisely the transformation of the prison system and the place of religion in it that we concentrate on in this study.

The theoretical basis on which we base our thinking and analysis of the prison environment is the concept of deprivatisation of religion by José Casanova. It was Casanova who pointed out that since the late 1980s, there has been an apparent rise

<sup>2</sup> Proof of the specific perception of spiritual care by prisoners is the marking of the chapel space as a place of freedom in an otherwise unfree world (Becci 2012; Snyek 2013; Becci and Dubler 2017).

in religious groups and their efforts to re-enter the public space, from which they have been crowded out in modern times.<sup>2</sup> Casanova tried to demonstrate that religion is leaving the place it used to have assigned to it in the private sphere, and that it is entering a non-differentiated public sphere of civil society, where it participates in conflicts on the redrawing of social borders as they have existed until now. In the resulting situation, religious groups no longer see themselves as integrating social elements of individual nations, but rather transgress to a new trans-national level, acquiring a global identity that enables them to be compared with the nation-state, and the current social order. In such a situation, deprivatisation takes three forms: a) religion as a tool of mobilisation and defence of traditional forms of life against the state and economic expansionism, b) religion as a defence against 'wild' capitalism, and c) religion as a barrier against individualism (Casanova 1994: 225–230).<sup>3</sup>

All three points share the assumption that religion is able to re-establish itself in a given public space and to raise public themes. Casanova uses the facts of the Catholic environment to consider the process of religion's transformation<sup>4</sup> and return to the public sphere (Casanova 1994: 75–134, 167–207). It shows that the Catholic Church once again represents one of the influential players in the socio-political field.

Also, it was the Catholic Church which, in the Czech environment at the end of the 1980s, made a public demand that was directly related to the prison environment. In 1987, it was possible to read in Czech churches on 29 November the *Common pastoral letter of the bishops and administrators of the Czech and Moravian dioceses for the year of Blessed Agnes Přemysl*, which started with the words 'stand up straight and lift your heads'. This pastoral letter initiated the so-called Decade of Spiritual Restoration, which was prepared by the Catholic Church in co-operation with underground Catholic structures.<sup>5</sup>

It was about establishing religious themes, overlapping with the public space.<sup>6</sup> The petition *Suggestions of Catholics to address the situation of religious citizens in CSSR* was signed on the same date, which contained 31 areas concerning the role of religion in the public space of communist Czechoslovakia. This petition was soon supported by Cardinal Tomášek.

<sup>2</sup> In the Czech or Czechoslovak context, the displacement of religion from the public space (in this case, the prison environment) was enhanced by the dominance of the Communist regime.

<sup>3</sup> For more on the application of Casanova's concept see, e.g. Váň, Štícha (2016).

<sup>4</sup> Casanova demonstrates that in late modern societies, traditional religious groups (Catholicism) have ceased to view themselves as integrative social components of the nation, and have shifted to a new transnational form of global identity, allowing them to confront the nation-state and its current social order. (Casanova 1994: 48–51).

<sup>5</sup> The decades of spiritual renewal of the nation was a pastoral initiative in 1987–1997. It was declared in a pastoral letter on 29 November 1987 by Cardinal František Tomášek. For more on this see (Opavský 1992).

<sup>6</sup> Concerning religious issues in the public space in the post-communist period in the Czech Republic, see (Váň 2012; 2015; Váň and Kalvas 2013).

In connection with our research topic, point no. 10 was key; it stated, 'We ask to be permitted to visit priests and hospitals when patients, prisoners, or their relatives so wish, but also at the priest's own request. Enable religious rites in prisons and hospitals. Allow believers in prison to wear crosses and other religious symbols, and to carry religious literature. Allow them confession and spiritual conversations with priests.'

We present this event not only to illustrate the theoretical framework on which it is based, but also mainly because this public demand has further developed in the post-communist period, and takes on an institutionalised form, which we will continue to focus on.

Before we do so, it is necessary to state that religion or spiritual care realised by chaplains in the environment of Czech prisons did not appear for the first time after 1989. Father František Josef Řezáč worked as early as the nineteenth century as a prison chaplain in Svatováclavská trestnice (St. Wenceslas Penitentiary) in Prague. He devoted himself not only to his chaplain ministry, but also to the prison environment. Thanks to his writings, we have surviving reports of how he considered the role of religion and chaplain ministry in prisons. In his texts, he emphasised the education of prisoners, which he considered key for their rehabilitation. This means attempts at institutionalising religion and its role in the prison system in the Czech lands have more than a century-long tradition.

With the establishment of an independent Czechoslovak state (1918), a new prison system was gradually built, but it was based on the previous Austro-Hungarian model. Religion maintained its prominent position. Spiritual services and education were available to all convicts who were interested in them. However, this promising development was soon interrupted by the Second World War and the subsequent long period of non-freedom (the Nazi and Communist regimes), during which the rights of prisoners were systematically suppressed, and religious activities all but disappeared from the prisons of that time (Synek 2013).

After the fall of Communism, the demand of churches to re-enable their leaders to enter prisons and restore the role of religion in working with prisoners gradually became a reality. This 'search for an imaginary place' is a story of the institutionalisation of religion under the conditions of the Czech prison system. Religion, which is mainly represented in Czech prisons by prison chaplains, has become a formal part of the prison system, and is described as one of its current pillars (Ministry of Justice of the Czech Republic 2016).

Priests began to work in Czech prisons from the beginning of the post-revolution era. However, the beginning of the 1990s was marked by uncertainty and confusion in the performance of spiritual ministry, which at that time was not legally anchored. Internationally accepted documents, in particular the Standard Minimum Rules for the Treatment of Prisoners and the European Prison Rules, were the key support for spiritual activities in prisons.

The year 1994 brought a significant change, when the *Agreement on spiritual services between the General Directorate of the Prison Service of the Czech Republic, the Ecumenical Council of Churches, and the Czech Bishops' Conference* was signed (within the framework of the Prison Service of the Czech Republic, binding as Regulation of the Director General No. 3/1994). This established the formal foundations for the systematic provision of spiritual care in Czech prisons.

The professionalisation of the Prison Clerical Service was further strengthened in 1997 by the creation of the first positions for prison chaplains as prison staff. Since 1998, these posts have been gradually filled and the number of prison chaplains working in Czech prisons as employees of the Prison Service of the Czech Republic has been gradually increasing. In recent years, this trend has intensified even more, with 35 chaplains (of which 5 were full-time) working in Czech prisons in 2010, and in 2018 there were 50 chaplains (of which 10 were full-time). There was also a unique situation in 2018, where every prison in the Czech Republic had at least a part-time chaplain (Prison Service of the Czech Republic 2019).

And it was in 2018 that the Prison Service of the Czech Republic celebrated the twentieth anniversary of priests' professional activity in Czech prisons, which since 2001 has been organised by the Ecumenical Prison Chaplaincy. It is a congregation of prison chaplains who have been commissioned by churches to work in Czech prisons, and who are also employees of the Prison Service of the Czech Republic.<sup>4</sup> The establishment of the Ecumenical Prison Chaplaincy represents an important milestone in the institutionalisation of religious activities within the Czech prison system. However, as we have already shown, the connection between religion and prison has a much longer history in the Czech context.

In summary, prison chaplains have become an important part of the professional treatment of prisoners over the past thirty years, and their role has been standardised and even formalised. However, our research shows that the position of chaplains in Czech prisons is not entirely problem-free. The activities of chaplains and the provision of spiritual care are not perceived and evaluated entirely positively by all actors of the Czech prison system. Therefore, religion in prisons still represents, to a certain extent in the Czech context, if not a controversial, then definitely an ambivalent phenomenon. The ambivalence of approaches to the role of religion in prisons is linked mainly to doubts about the effectiveness of spiritual influence on prisoners, i.e. the influence of chaplains on the possible rehabilitation of convicts. Another topic discussed is the use of spiritual care by prisoners in order to gain faster release, which is associated with the phenomenon of 'pragmatic faith' (Váně and Dirga 2016).

<sup>4</sup> Along with the prison chaplains, who come together within the framework of the Ecumenical Prison Chaplaincy, there is also Prison Spiritual Care in Czech prisons, which is a non-governmental organisation of clerics and members of churches and parishes who volunteer to provide spiritual and pastoral care in prisons.

Therefore, the formal integration of spiritual care does not necessarily mean the full integration of religion into the Czech prison system. Despite the above-mentioned development towards greater institutionalisation of spiritual care, prison chaplains maintain a relatively exceptional position within the prison organisation itself, which is also reflected in the specific ways of working with prisoners. We turn to the topics related to the position of religion and chaplains in Czech penitentiary practice in the following part of the text, which is based on the realisation of our field ethnographic research, whose methodology we can briefly introduce below.

## 2. Methodology

In this paper, we start from our own empirical research, which we have complete or are currently in the process of carrying out. In our case, the first entrances to the environment are dated 2013, and have persisted to varying degrees. Our research is primarily based on an ethnographic approach that we have implemented in several research waves in the prison environment (Dirga and Hasmanová Marhánková 2014; Dirga et al. 2015; Dirga 2016; 2017; 2020; Dirga and Váně 2016; Váně and Dirga 2016; 2020). In the Czech context, this methodological approach has long proved to be one of the most effective in examining the prison environment (e.g. Nedbálková 2006; Dirga and Hasmanová Marhánková 2014; Dirga 2016; Beláňová 2018; Beláňová and Trejšalová 2020; Lochmannová 2020).

The fieldwork was conducted in medium-security Czech prisons for men.<sup>9</sup> In 2019, we conducted qualitative semi-structured interviews<sup>10</sup> with 35 respondents in 5 different prisons. Specifically, there were 10 prison chaplains, 13 convicts, 4 volunteers, 2 psychologists, 1 special educator, 1 educator, 1 guard, 1 deputy management representative, and 2 church representatives.<sup>11</sup>

Some of the interviews took place on prison grounds (especially interviews with convicts and prison staff), and some were conducted outside the prisons. The length of the interviews varied depending on security conditions. Especially in the case of interviews conducted inside the prisons, the time allocated was relatively limited. At the same time, only the interviewer and the respondent participated in

<sup>9</sup> Since 2017, the Czech prison system has recognised two basic types of prisons, according to 'external differentiation': with surveillance/medium security, and with increased surveillance/high security.

<sup>10</sup> The interviews were recorded, transcribed, and analysed.

<sup>11</sup> Among the prison chaplains (10 prison chaplains in all), there were seven representatives of the Catholic Church, one from the Methodist Church, one from the Orthodox Church, and one from the Evangelical Church. A total of two church representatives were representatives of the Catholic Church.

the interviews, thereby limiting any disturbing effects resulting from the presence of another person (for example, a prison employee performing an inspection).

We used contacts within our own social networks and contacts from previous surveys to reach potential respondents. To increase the number of respondents, we also used the snowball method. Conducting interviews with the convicts presumed automatically being granted permission to enter the prison's interior. In this case, the directors of the individual prisons have the decision-making power.

We obtained permission from the directors of three of the aforementioned five prisons to carry out research on the premises.<sup>17</sup> Thanks to this permission, we were able to extend our dataset to include observations, during which we were guided round the prison by a particular employee, with a special emphasis on places related to religious topics, such as chapels, 'refectories', or special sections dedicated only to religious convicts. Overall, we carried out approximately 23 hours of observation.

The interviews and observations were complemented by an analysis of documents related to the research problem. These were mainly international documents with an impact on the Czech prison system, conceptual documents at the Czech national level, legislative sources, and internal regulations of the Prison Service of the Czech Republic, which were made available to us.

### 3. Religion as a 'peculiar' part of penitentiary care

The involvement of religious activities in penitentiary care can be described as a hybrid model, which is characterised by a certain degree of institutionalisation of spiritual care within the professional influence on convicts, but this institutionalisation has its own limits and specifics.

In principle, there are two basic models of working with convicts. The first is referred to as a standardised model, which is based on standardised methods (referred to as programmes in professional terminology) for the treatment of prisoners. In particular, professional employees of the prison service, who are responsible for them under the internal regulations of the Prison Service of the Czech Republic, participate in it<sup>18</sup> and are considered to be special educators, psychologists, sociologists, social workers, educator/therapists, educators, and leisure time

<sup>17</sup> Within the framework of our long-term study of the Czech prison system, we strive to continually expand cooperation with prisons (not only) in the Czech Republic, in order to maximise opportunities for future research activities, for example in the form of repeat visits.

<sup>18</sup> This definition is pursuant to Regulation of the General Director of the Prison Service of the Czech Republic No. 5/2016 on Employees and Members of the Prison Service of the Czech Republic Ensuring Custody, Imprisonment, and Security Detention.



educators. Such standardised treatment is provided to all convicts and all of them are obliged to carry out at least a minimum treatment programme.<sup>14</sup>

The second model is described as the spiritual model, which involves voluntary spiritual care. This care is based on individualised content, i.e. exclusively the individual approach of chaplains (and volunteers) to the prisoners and their needs.<sup>15</sup> Compared to the standardised model, significantly fewer prisoners participate in the spiritual model, and they must apply to participate in the spiritual activities themselves.

This institutionalisation of spiritual care in the context of treating convicts is therefore a story of incorporating the spiritual model into the standardised model. From the interviews conducted, it appears that the spiritual model within the Czech prison system has to a large extent become an independent part of penitentiary care, which constitutes an imaginary superstructure above the basic treatment.

The basic tools of the standardised model are the treatment programmes, which are a form of action on convicts with the aim of preparing them for release (rehabilitation). The treatment programme includes a plan of individual professional activities to be carried out with the convict in order to fulfil the purpose of the sentence as much as possible (i.e. rehabilitation). The treatment programme, according to the provisions of § 36 of Decree of the Ministry of Justice No. 345/1999 – which established the Code of Imprisonment – is divided into working activities, educational activities, special educational activities, interest activities, and forming external relationships. Spiritual care can be part of leisure activities. Formally, it is interesting, that convicts are obliged to devote themselves to satisfying their spiritual needs in their personal leisure time (pursuant to §22 (2) of Decree of the Ministry of Justice No. 345/1999).

The treatment programmes are set with regard to the needs and risks of individual convicts. Since 2012, the SARPO evaluation tool – *Souhrnná analýza rizik a potřeb odsouzených*, which translates to the 'Tool for Assessing Offenders' Criminogenic Risk and Needs – has been used by the Prison Service of the Czech Republic to assess the risks and identify the needs of prisoners.

<sup>14</sup> A convicted person who refuses to participate in the treatment programme shall be included in the programme of basic incentive treatment, which emphasises the observance of order and safety, along with weak activity which corresponds to the state of the convict's health. The incentive programme is characterised by an individual degree of professional intervention in order to motivate the prisoner to change their attitudes and behaviour (according to the provisions of §37 of the Decree of the Ministry of Justice No. 345/1999, which lays down the Code of Imprisonment).

<sup>15</sup> The sentenced/convicted prisoners described the relationship with the chaplain as different from the one with other prison staff. In their opinion, the difference consisted of a greater degree of mutual trust, an individualised approach, and more time set aside for mutual discussion ('the chaplain has time for us, others don't') (see Belátová and Třebulová 2020). The chaplains were even compared to family members and close friends by some convicts. The chapel, as a physical space, was then referred to as 'a place of freedom in an otherwise non-social environment' (see Šynek 2013).

SARPO consists in an analysis of criminogenic risks and needs, in the form of static and dynamic factors (Iřička et al. 2014). The SARPO is operated by professional staff, who create an assessment related to their designated part (industry specialization). At the end of this process, a comprehensive report is produced, and this serves as the basis for developing treatment programmes for individual convicts. Therefore, if the basic instrument for standardised action on prisoners is a treatment programme, the basic instrument for developing the treatment programme is the SARPO.

Using the SARPO and setting treatment programmes, it is possible to demonstrate the limits of institutionalisation of spiritual care within penitentiary activities in Czech prisons. The analysis shows that prison chaplains are only marginally involved in establishing and implementing standardised treatment programmes.

Prison chaplains do not work with the SARPO or participate in the creation of a comprehensive report, which is a key output of SARPO analysis. Assessments are included in the comprehensive report by educators, special educators, social workers, and psychologists. A comprehensive report is elaborated into the final form of a treatment programme by a special educator, who, according to the internal regulations of the Prison Service of the Czech Republic, should cooperate with other professional staff. From a formal point of view, there could be room for chaplains to participate in the preparation of treatment programmes. However, the interviews have shown that in practice, chaplains are not involved in the preparation of treatment programmes, with only a few exceptions.<sup>16</sup> Then, they only participate in the implementation of treatment programmes if the convicted person actively requests it.

The limited/low influence of chaplains on the establishment and implementation of treatment programmes is, to some extent, also due to their unique position within the organisational structure of the prison. Professional staff are defined by the aforementioned Director General Regulation No. 5/2016 as employees of the prison department, which each prison must have. However, prison chaplains are not considered employees of the department, and their activities are governed by their own regime and, from an organisational point of view, the chaplains are subordinated to the first deputy director of the prison. The definition of the status and role of chaplains (of spiritual care in general) is enshrined in a separate Regulation of the General Director No. 54/2017. This also proves their uniqueness within prisons' organisational culture.

<sup>16</sup> Chaplains can theoretically cooperate in the preparation and implementation of treatment programmes because, according to Regulation of the General Director of the Prison Service of the Czech Republic No. 54/2017 on the organisation and performance of spiritual service in the Prison Service of the Czech Republic, they 'may participate in the preparation and implementation of the ratically similar treatment programmes'. In practice, however, it is less likely to be expected, and is not used.

On the one hand, spiritual care is partly subject to the pressure of institutionalisation and standardisation by formalising the involvement of chaplains in penitentiary care in the form of employment. Because the chaplains are a formal part of the prison service, their work is partially bound by and formalised in written rules (internal regulations).<sup>17</sup> On the other hand, it seems (based on the interviews we have conducted) that the full institutionalisation of spiritual care, i.e. the incorporation of the second model into the first, is not preferred by either the chaplains or the management of the Prison Service of the Czech Republic. We believe that at the moment, the institutionalisation of spiritual service has reached its maximum. The result is a hybrid model, based on individualised care, provided to a (relatively) small number of convicted people. Chaplains, therefore, still occupy a special position within the organisational structure of the prison, and use special methods of rehabilitating prisoners in their work (especially in the form of deep, personal relationships).

## Conclusion

In our view, the post-revolutionary process of integrating religion back into prisons is twofold. Firstly, there is a gradual development of formal acceptance of spiritual service by the state, which in this case is mainly represented by the Ministry of Justice of the Czech Republic, and especially the Prison Service of the Czech Republic. Formal acceptance then incorporates spiritual care into the legislation and internal regulations of the Prison Service of the Czech Republic. One of the outcomes of this formal acceptance is the creation and increase of formal employment arrangements for chaplains working in Czech prisons.<sup>18</sup>

Secondly, there are still practical difficulties in integrating chaplains into the process of working with convicted persons (see the chaplain's inability to use the SARPO, or the minimal participation in preparing/implementing treatment programmes). At the same time, it appears that the formal increase in employment has not resulted in a difficulty in subsequently filling the jobs created (from 'fighting' for places to searching for human resources). In other words, our research shows that the process of institutionalisation has slowed down in recent years (it may even have reached its maximum).

<sup>17</sup> Internal regulations and methodological instructions define the form and scope of the spiritual care provided. Compliance with the rules is then regularly checked by the Chief Chaplain of the Prison Service, who heads the Ecumenical Prison Chaplaincy.

<sup>18</sup> In spite of the fact that the number of working hours for chaplains has undoubtedly increased, the number of chaplains is still very low when compared to other groups of professional employees. In other words, if there is one chaplain in the prison, it is considered a success for the prison, but psychologists, special educators, educators, and other professional staff are usually several times more frequently represented in prisons.

The limits of the institutionalisation process are found, in particular, in the special nature of a chaplain's work described above, and in the possibilities of operationalisation (and the measurability of effectiveness). On the one hand, the chaplains have earned a respected position (where they were given space in individual prisons). However, the strategy of their work with prisoners differs from that of the prison staff (Beláňová and Trejbalová 2020). Quantification and associated gamification of their performance (spreadsheets) – most popularly profaned by the statement 'paid for by our taxes' – force the prison management, who in turn force their employees, to perform a clearly quantifiable performance. Paper statements summarising, for example, the number of hours spent implementing treatment programmes, or the number of prisoners participating in them, have become key indicators of their work. These indicators are objectified in the SARPO programme, which is another way of quantifying/operationalising the work of professional staff. A common measure of the effectiveness of their work is the rate of criminal relapse. This approach is, to some extent, understandable, as society wants to know the level of recidivism, and whether prisoners' rehabilitation works and how likely is their reintegration.

In prisons, however, there are three conflicting strategies. In the short term, they are mainly represented by uniformed prison guards (referred to in the Czech context as members of the Prison Service of the Czech Republic). Their job is to ensure order in the premises of the prison and to prevent or eliminate violations against the discipline or the order of the prison. The specific indicators of the overseers' work are the number of 'extraordinary events' (serious breaches of order and security) and cases of breach of discipline.

The medium-term strategy is primarily implemented by the above-mentioned professional employees. Their aim is to develop and implement treatment programmes that would contribute towards risk reduction in selected areas/factors, assessed on the basis of SARPO. A specific indicator in this case is the evaluation of the effectiveness of activities in the given areas.

The third type of strategy, the long-term one, is embodied in the chaplains themselves, whose aim, according to one interviewed prison chaplain, is to

Help the wounded and achieve at least a basic value change, ... because I am not under the illusion that the several-generation criminals will not relapse. The aim is to influence at least a little in the future, to move at least two degrees away from how they are living now.

And this shift is very difficult to quantify or convert into SARPO methodology, especially if a chaplain is working in a prison where there are short sentences, as the prisoners in these facilities come and go at six-month intervals. Evidence that the pendulum has gradually shifted from decades-long efforts to institutionalise spiritual ministry in the prison administration system to slowing the process of unconditional merging with the environment suggests repeated answers to the

question of what working practices the chaplains have performed best in prisons. 'Not to be pulled down to libertarianism, in such a way that I will do it my way, despite the rules of the prison. And at the same time, not be pushed by the apparatus of minimalism' (excerpt from an interview with a prison chaplain).

We believe that in this example statement, we can point out the difficulty of the chaplain's role, which constantly lies between Sklyář's defiance of the totalitarian institution and Charybō's submission to the system of rules. The tendency not to be ensnared in the rules and regulations of the prison has been the phenomenon of chaplains' behaviour for a long time. This stems from retrospective testimonies recalling the 1990s. The regime in prisons, both in terms of the rules and the mentality of the administrators and supervisors, was significantly charged with ideas and behaviours taken from the communist regime. In such a situation, the defence mechanism advocated by the chaplains was understandable. But as prison staff gradually changed over the years, and the Czech Republic gradually implemented the prison standards in force in the European Union, the presence of chaplains (the role of religion in general) in prisons became a typical feature (at least a phenomenon that did not give rise to resistance, as in the '90s). This positive change, at least according to some chaplains, could become a less obvious trap.

It appears that the process of institutionalising religion on prison grounds was further influenced mainly by the following processes. On the one hand, there was the aforementioned gradual replacement of prison staff by supervisors and management. Among the guards, the number of individuals with the higher education required of them and proportion of younger guards – who have gone through different processes of socialisation (education, values, and culture) – has increased, thereby weakening the communist ethos in the approach to prisoners (the prisoner as an enemy of the state, or an incorrigible person). However, this does not mean that the basic strategy described above as 'short-term' has changed, focusing on the immediate 'pacification' of convicted persons.

On the other hand, there has also been a generation change among the chaplains. Our findings show that part of the older generation of chaplains (those who began working in prisons in the 1990s) were motivated to work in prisons, especially because of their own experience with the Communist State Secret Police (STB). This also resulted in their watchful attitude towards the guards, often expressed by pointing out the communist past of many guards. We would like to provide a few examples from the statements of the chaplains: 'Yes, in the 1980s, I counted on the option of being locked up, and one of the things a chaplain needs is empathy and some experience with repression, which opens the way to the prisoners'. 'Thanks to the repeated interrogation and pressure from the STB on me, I know what someone in prison can be exposed to.'

A similar experience with imprisonment also applies to some of the interviewed volunteers, who pointed out the psychological pressure associated with a detention centre:

Because when you get into custody, you are experiencing a crisis – a life-long crisis. First, you don't know how many years you will get. You have a law there that threatens you. You don't know how your family will react... And all this bothers them, because they have no vision of what will happen in the future.

This personal experience of persecution, loss, or restriction of liberty was one of the causes of the chaplains' vigilance against many guards. But, once the transition from declared cooperation to actual cooperation given by the individual approach of the specific prison governors or directors started, very progressive procedures began to be implemented.<sup>17</sup>

From the statements of the chaplains interviewed, the negative attitudes towards the role of chaplains in prisons seem to have weakened in recent years. This is evidenced by the words of one of the chaplains:

I think that today, the service, although there is still some tension between us (between the chaplains and the guards) – but for other reasons – that relationship has become much more professional. At least, as far as I know, over the last eight years.

The displeasure of supervisors and educators over the inclusion of chaplains has eased, but they partly see a new threat in administrative actions, and the need to record their activities, which some see as a reason for paying only a standardised minimum.

In spite of these ongoing tensions, we can say that in the period from the end of the communist regime to the present day, the foundations for institutionalising spiritual care in Czech prisons have been successfully laid. However, we believe that in order to make spiritual care more effective and sustainable long-term, more coordination and closer cooperation between chaplains and professional staff (especially psychologists and special educators) is needed (Beláňová and Trejbalová 2020). If

<sup>17</sup> For example, one whole floor was established in one of the prisons where there was a section for convicted persons who were believers and prisoners with an interest in spiritual values. This block existed for over four years, and the capacity was around 60 people. Individuals referred to as 'MOJN' (subjects at risk of possible attack) and 'MNU' (individuals with low mental capacity) were placed together with them on this block. Those individuals who showed an interest were included in the section. A convicted person was included in the programme with the prison management's approval, based on the expert recommendation of a special educator and a psychologist. Prisoners' testimonies showed that the demand for placement in this section exceeded supply, and that it was a unique project within the Czech prison system. The project has 'collapsed' in recent years, not because of a lack of interest, but because of the massive demand of the labour market, where labour shortages ensure long-term work for convicts. As a result, the programme associated with spiritual care, such as regular prayers, etc., could not be continued, due to the work of the convicts. This project, however, inspired other Czech prisons, where they put at least some elements into practice in their prisons.

prison officers are also motivated to cooperate, the situation is almost 'ideal'. During our research, we had the opportunity to see such cooperation in three prisons. However, given the total number of 35 prisons in the Czech Republic, this cooperation needs to be further strengthened. This also applies to cooperation with non-governmental, non-profit organisations which are active in the field of post-penitentiary care, where spiritual care also finds its irreplaceable application.

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