



Correctional Service Canada
Service correctionnel
Canada

Manual on Religious and Spiritual Accommodation

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Canada 

Table of Contents

CSC PREFACE	4
INTERFAITH COMMITTEE PREFACE.....	5
~ INTRODUCTION ~	6
SECTION I THE PRINCIPLES OF RELIGIOUS AND SPIRITUAL ACCOMMODATION	9
1. <i>What is Religious and Spiritual Accommodation?</i>	9
2. <i>Legal Support: Mandate and Responsibility</i>	9
3. <i>Freedom of Religion in CSC Institutions</i>	14
4. <i>Freedom of conscience</i>	17
5. <i>Service-wide Responsibility to Accommodate</i>	20
6. <i>CSC 'Ownership' of the Manual</i>	21
7. <i>Guiding Principles</i>	21
8. <i>Contributors and Partners</i>	26
9. <i>Using This Manual</i>	27
10. <i>NHQ Contact Information</i>	30
SECTION II ~ COMMON ISSUES ~	32
Introduction.....	32
1. <i>Affiliation / Membership / Certification</i>	32
2. <i>Beliefs and Practices</i>	33
3. <i>Birth</i>	35
4. <i>Cell Effects</i>	36
5. <i>Chaplaincy's Role</i>	36
6. <i>Confidentiality</i>	37
7. <i>Contacts and Services in the Community</i>	38
8. <i>Conversion and Initiation</i>	39
9. <i>Death of an Inmate</i>	41
10. <i>Religious Diets</i>	42
11. <i>Dress Requirements</i>	44
12. <i>Family and Parenting</i>	44
13. <i>Gang-related 'Religious' Activity</i>	46
14. <i>Gender Differences</i>	47
15. <i>Health and Illness</i>	47
16. <i>Holy Days and Holidays</i>	48
17. <i>Religious Law</i>	49
18. <i>Leadership and Accreditation</i>	49
19. <i>Marriage</i>	50
20. <i>Searches</i>	52
21. <i>Religious Symbols</i>	53
22. <i>Volunteers from Faith Groups</i>	54
23. <i>Worship</i>	54
Appendix A - Entering OMS to View and Change Religious Affiliation	58
Appendix B - Memorandum of Understanding from Warkworth Institution	59
SECTION III ~ SPECIFIC TRADITIONS ~	60
Introduction	60
Aboriginal Spirituality.....	62

Buddhism	69
Christianity	84
Islam	107
Judaism	134
Paganism	145
Wicca	¡Error! Marcador no definido.
Rastafarianism	189
 APPENDICES	204
Appendix I - Sensitivity Awareness Training and Learning Opportunities.....	205
Appendix II - Glossary	207
Appendix III - Human Rights	208
Appendix IV - Abbreviations	212

CSC Preface

This resource book gathers together information regarding the accommodation of the religious and spiritual needs of the people serving federal sentences, drawing on the experience and wisdom of both faith communities of Canada and the Correctional Service of the Canadian population. It reflects the increasing cultural and religious diversity of Canada and the desire on the part of CSC to respect the rights of offenders to practise their faith during their incarceration.

Honouring the religious rights of incarcerated persons as guaranteed by *the Canadian Charter of Rights and Freedoms* is a challenge that is supported by the *Corrections and Conditional Release Act* and the *Corrections and Conditional Release Regulations* as well as the *CSC Mission*. It is our hope that this Manual will serve as a working document to inform and guide decisions at the local level.

May the collaboration it encourages, as well as the respect for the individual that it supports, help facilitate the growth of all those who seek to remain faithful to their religious and spiritual beliefs and practices.

Terry Richardson
Director General,
Chaplaincy

Shereen Bensvy Miller
Director General,
Rights, Redress and Resolution

Interfaith Committee Preface

The Interfaith Committee on Chaplaincy in the Correctional Service of Canada has been pleased to participate in the development of this valuable resource.

We discussed progress reports at our meetings and had occasion to ask questions as the project unfolded. In addition we named a Sub-Committee to advise the CSC's Chaplaincy Branch as it went about compiling information, and a number of our members consulted directly on the sections related to their respective faith communities.

We acknowledge the challenge faced by a government body when it attempts to produce a document containing religious "policy" in a society like Canada, which so clearly separates "Church" and "State". We believe that the approach taken in this Manual will enable people serving federal sentences to practice their faith and spirituality to an acceptable level.

It is our hope that access to spiritual and religious accommodation will assist the people within the care and custody of the CSC to find the healing and strength they need to make changes in their lives that will lead them - and in turn our communities - to safer and more fulfilling lives.

Garry Dombrosky
President,
Interfaith Committee on Chaplaincy in the Correctional Service of Canada

~ INTRODUCTION ~

Purpose

This Manual has been designed to assist the Correctional Service of Canada (CSC) to fulfil its legal responsibility to accommodate the spiritual and religious needs of people in its care to the fullest extent possible. The information presented here addresses questions regarding their spiritual convictions or religious affiliation and attendant obligations that are arising more and more frequently, and sometimes for the first time, in CSC institutions. Correctional policy and practice are being challenged to respond to this emerging trend.

The Manual presents both the legal mandate and the policy that form the framework within which broad guidelines and specific decisions can be established. It also contains examples of religious accommodation requests taken from case files and the Service's response to them.

Overview¹

Section I looks in some detail at CSC's duty to accommodate the valid religious and spiritual needs of the people in its care and the broader context within which this duty is carried out. It presents information on how questions of religious and spiritual accommodation should be approached by CSC personnel.

Section II outlines issues that are common to all traditions and for which CSC has a common approach. Existing policy and current practice in relation to each topic will be outlined and any present challenges to these taken into account.

Section III deals with obligations and prohibitions of a number of specific traditions which represent the greatest number of federal inmates and/or from which the greatest number of questions and complaints arise. The information includes recommended approaches to accommodating their respective needs within CSC institutions.

There is also a section of appendices that provides a glossary, a list of abbreviations and links to related resources.

In order to make fully informed decisions, those referring to this Manual will need to not only become familiar with the Guiding Principles (Section I); they will also need to check the information on the issue in question that applies to all religious and spiritual traditions (Section II). Only then should they refer to the tradition they are inquiring about to ascertain whether qualifiers specific to it exist (Section III).

¹ For further details, refer to "Using This Manual", in Section I.

Background

~ The Canadian Context

Religious diversity within the Canadian population in general has been expanding in the past few decades. While Census information tells us that the fastest growing group consists of people claiming to have no religion², immigration patterns show that Canada is welcoming an increasing number of new citizens from non-European countries and countries in which Christianity is not the predominant religion. As well, people born in Canada are adopting a variety of beliefs and faith systems. Although the majority of Canadians still claim to be Christians, they do so within a pluralistic multifaith context requiring greater acceptance of religious and spiritual differences and, ultimately, a better understanding of each other's traditions.

~ The CSC population

The population of people in the care and custody of CSC reflects the changing trends of the make-up of Canadian society as a whole. At the same time as faith groups and spiritual organisations have been diversifying in the community, a number of their adherents find themselves under a federal sentence and either housed in a CSC institution or living in the community under one form or other of conditional release.

In March 2003, the Offender Count by Religion showed the following levels of representation within the offender population:

	All Religion	Catholic	Protestant	Muslim	Jewish	Native Spiritual	Buddhist	Sikh
Institution	12,654	5,437	2,759	466	79	480	164	50
Community	8,334	3,883	1,844	238	65	172	183	26
National Totals	20,988	9,320	4,039	704	144	652	347	76

In addition to these main categories, 1,068 offenders are classified as 'Other'³, 780 as 'Unknown', and 3,294 as 'No Religion'.

~ Previously Available Information

Initial efforts to equip CSC staff to better understand the needs of this increasingly diverse population of offenders included summary information on the main religious

² For details, see <http://www12.statcan.ca/english/census01/Products/Analytic/companion/rel/canada.cfm>

³ This category includes offenders declaring affiliation to the following faith traditions: Baha'I, Christian Science, Hinduism, Jehovah's Witnesses, Krishna, Metropolitan Community Church, Church of Jesus Christ of Latter Days Saints, Rastafarianism, the Church of Scientology, Siddha Yoga, Taoism, Unification Church, Paganism and Zoroastrianism. There is also a sub-listing of 'Other' containing a very small number of traditions which staff did not know how to classify.

Introduction

traditions represented, available in the *Chaplain's Handbook*⁴. It contains the basic beliefs and practices of these religions without particular reference to the inherent challenges posed by living them out during incarceration.

CSC Chaplaincy and Food Services made a significant effort to address the religious rights of offenders whose faith entailed dietary obligations and/or prohibitions in its first and second editions of the *General Guidelines on Religious Diets*, published in 1992 and 1998 respectively. Basing the *Guidelines* on information provided by Canada's faith groups and spiritual leaders allowed the Service to verify specific claims and requests from offenders and to ensure greater consistency of service in its institutions across the country. The *Guidelines* are an essential component of the resources available to the CSC and should be consulted as a companion to this Manual when it comes to issues of dietary religious accommodation.

However, requests and claims not related to diets, but nonetheless required by various religions, continue to arise. The limited knowledge that most Canadians, and therefore most CSC staff, have about these traditions makes the need for a more comprehensive resource that outlines the rights and responsibilities of offenders and staff in both general and specific terms increasingly apparent. This Manual is the Service's response to this need.

It is important - both to uphold the rights of inmates and to facilitate smooth management of their requests - that the credibility and applicability of the information in the Manual relate directly to "the field". CSC has learned from questions that have been asked and the process of finding the answers related to religious and spiritual accommodation. Sections II and III of this Manual, therefore, feature examples of situations take into account both the religious or spiritual tradition involved and the correctional setting in which they arose. Time, frustration and costs can be saved by referring to the commonly asked questions and case studies that appear in the Manual.

⁴ An updated version of the *Handbook* is expected by the end of March 2004. In the meantime, chaplains may consult a printed copy of the existing version.

SECTION I

The Principles of Religious and Spiritual Accommodation

1. What is Religious and Spiritual Accommodation?

The information and approach contained in this Manual are prefaced upon a number of words whose meaning it is important to clarify from the outset. The following definitions represent the meanings that will be inferred when the terms are used.

In some contexts CSC uses *accommodation* to mean housing for offenders, as distinct from meal provision. In other contexts, CSC uses *accommodation* to mean making adequate and sometimes special provision in order to fulfil legislated requirements. It is the second of these two on which the meaning of *accommodation* is prefaced in this Manual. Religious and spiritual accommodation involves making provision for the exercise of offenders' religious and conscientious rights as guaranteed by the Canadian Charter of Rights and Freedoms and as mandated in the Corrections and Conditional Release Act (CCRA) and Regulations (CCRR).

Religious and Spiritual Accommodation *means providing access to an adequate level of resources (leadership, opportunities for worship, educational resources, religious articles, dietary requirements) to allow offenders to practise their religion or spirituality as fully as they desire (up to a level that is generally available to people in the community) within the correctional setting.*

When the term 'minority religion' or 'minority tradition' is used it refers to a recognised religious and/or spiritual tradition with which a minority number of inmates are affiliated. The term in no way suggests that these traditions or the people affiliated with them (in the institution or the community) have reduced status or lesser importance within CSC's mandate to accommodate religious needs and rights.

Other Related Definitions can be found in the Glossary (Appendix I, at the end of the Manual)

2. Legal Support: Mandate and Responsibility

~ Legislation

The accommodation of inmates' spiritual and religious needs is mandated by the following constitutional and statutory provisions:

The Canadian Charter of Rights and Freedoms (Section 2) provides for the “freedom of conscience and religion” and section 15 provides that: “Every individual is equal before the law and has the right to the equal protection and benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”

http://canada.justice.gc.ca/loireg/charte/const_en.html

Section 1 of the *Charter* describes the context within which exercise of these rights and freedoms takes place: *The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.*

i. Canada

- The *Canadian Human Rights Act* s. 3(1) also prohibits discrimination on the basis of religion. See <http://laws.justice.gc.ca/en/H-6/index.html>.
- Over the past few years, the Canadian Human Rights Commission (CHRC) has upheld a number of requests for accommodation of valid religious and spiritual practice and ruled that CSC must find ways to accommodate the requests. It has based its rulings on the basic premise that unless there is a justifiable security-based reason not to, CSC should find ways to make accommodation possible. The CHRC web site is <http://www.chrc-ccdp.ca/>.
- The importance of the spiritual dimension of life is also incorporated in the Corrections and Conditional Release Act (CCRA):

Sections 75 - *An inmate is entitled to reasonable opportunities to freely and openly participate in, and express, religion or spirituality, subject to such reasonable limits as are proscribed for protecting the security of the penitentiary or the safety of persons*”; and

Section 83 -

1) - *For greater certainty, aboriginal spirituality and aboriginal spiritual leaders and elders have the same status as other religions and other religious leaders;*

2) *The Service shall take all reasonable steps to make available to aboriginal inmates the services of an aboriginal spiritual leader or elder after consultation with:*
(a) *the National Aboriginal Advisory Committee mentioned in section 82; and*
(b) *the appropriate regional and local aboriginal advisory committees, if such committees have been established pursuant to that section.*

- The Corrections and Conditional Release Regulations (CCRR), Section 101, adds:

The Service shall ensure that, where practicable, the necessities that are not contraband and that are reasonably required by an inmate for the inmate's religion or spirituality are made available to the inmate, including

Section I - The Principles of Religious and Spiritual Accommodation

- (a) interfaith chaplaincy services;*
- (b) facilities for the expression of the religion or spirituality;*
- (c) a special diet as required by the inmate's religious or spiritual tenets; and*
- (d) the necessities related to special religious or spiritual rites of the inmate.*

(1) Every inmate shall be entitled to express the inmate's religion or spirituality in accordance with section 75 of the Act to the extent that the expression of the inmate's religion or spirituality does not

- (a) jeopardize the security of the penitentiary or the safety of any person; or*
- (b) involve contraband.*

(2) Sections 98 and 99 apply in respect of any assembly of inmates held for the purpose of expressing a religion or spirituality.

These provisions allow for limitations of such practices when the practices could jeopardize anyone's safety or the security in the institution. The basis for these provisions is found at section 2 of the *Canadian Charter of Rights and Freedoms*. In other words, no right or freedom is absolute. However, any time a limitation to a *Charter* right is imposed it must meet the test outlined in *section 1* of the *Charter*:

The *Canadian Charter of Rights and Freedoms* guarantees the rights and freedom set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Therefore, it is legitimate to restrict religious/spiritual and conscientious practices if they are unlawful. For example, even though the smoking of marijuana is part of the Rastafarian tradition, adherents are not permitted to use it. Restriction of the exercise of freedom of religion is also legitimate if the practice poses a risk to safety or security. The practical difficulty lies in identifying the practices that pose the risk and crafting the restriction so that it imposes no more than the "reasonable limit" required. To do this it is usually necessary to consult with leaders of the religious/spiritual organization to clarify how the legitimate practices may be reasonably accommodated in concert with CSC's mandate to manage risk and protect society.

- Within the CSC inmate population, 17% of inmates are Aboriginal. Because this represents a disproportionately high percentage of the incarcerated population relative to the Canadian population, specific legislation and regulations have been introduced which take into account the historical experience and present circumstances of Aboriginal offenders, their families and communities. (For specifics, please refer to the chapter on Aboriginal Spirituality in *Section III*.)
- The expression "interfaith chaplaincy services" (*CCRR* 101(a)) indicates the responsibility of chaplains to exercise their profession in a multi-faith setting in cooperation with representatives of religious expressions different from their own, and to seek to provide pastoral care and ministry to persons of different faith communities with the same commitment as to members of their own community. This ministry is

Section I - The Principles of Religious and Spiritual Accommodation

intended to strengthen the participation of offenders in the faith life of their own communities." (MOU 2000, 4b, see below)

ii. International

When interpreting the Canadian legislation, reference is often made to the following United Nations conventions that relate to Human Rights and correctional issues.⁵

- The Universal Declaration of Human Rights (1948) Article 18 states that: *"Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance."*

http://infonet/corp_dev/rights_redress_resolution/currentwork/hr/documents/documents_rrr_hr_main_menu_e.htm

- The United Nations Standard Minimum Rules for the Treatment of Prisoners expand these principles in Section 42 as follows: *"As far as practicable, every prisoner shall be allowed to satisfy the needs of his religious life by attending the services provided in the institution and having in his possession the books of religious observance and instruction of his denomination."*

http://infonet/corp_dev/rights_redress_resolution/currentwork/hr/documents/documents_rrr_hr_main_menu_e.htm

- The United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules)

<http://www.csc-scc.gc.ca/text/pblct/rights/wgroup/cce-17.shtml#TopofPage>

- The United Nations Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment

Principle 3

There shall be no restriction upon or derogation from any of the human rights of persons under any form of detention or imprisonment recognised or existing in any State pursuant to law, conventions, regulations or custom on the pretext that this Body of Principles does not recognise such rights or that it recognises them to a lesser extent.

Principle 5

These principles shall be applied to all persons within the territory of any given State, without distinction of any kind, such as race, colour, sex, language, religion or religious

⁵ Canada is a signatory to these UN conventions and is bound to uphold them. However, it would be impossible for an individual to launch a Canadian lawsuit solely on the strength of these provisions. An individual could only take action before the UN if he or she had exhausted all available domestic remedies.

belief, political or other opinion, national, ethnic or social origin, property, birth or other status.

http://infonet/corp_dev/rights_redress_resolution/currentwork/hr/documents/documents_rrr_hr_main_menu_e.htm

iii. *CSC Documents*

~ *CSC Mission*

- The Mission Statement of the Correctional Service of Canada reflects the principles outlined in the legislation when it states (<http://infonet/infonet/about/aboute.htm>):
 - “...we will accommodate, within the boundaries of the law, the cultural and religious needs of individuals and minority groups, provided the rights of others are not impinged upon” (Guiding Principles, Core Value 1).
 - [The Service is to] “respect the social, cultural and religious differences of individual offenders” (Strategic Objective 1.7) , and
 - show “special commitment and understanding by staff at all levels of the Service”. This is especially important in the new and sometimes complex situations created by requests for religious accommodation. (Introduction to the CSC Mission)

In the spirit of the *Mission*, CSC personnel are expected to intervene with "special commitment and understanding". The challenge of providing religious accommodation require respectful dialogue, communication and information sharing in order to establish and, if need be, resolve operational issues in this regard. In some instances, it may be appropriate to have a meeting of the personnel involved, religious authorities, the Chaplain and the inmate(s) to discuss specific needs. Drawing on the religious authority of the faith community leaders is central to the process of providing a satisfactory level of service.

~ *Memorandum of Understanding*

In 1982 CSC entered into a Memorandum of Understanding (MOU) with the Interfaith Committee on Chaplaincy in the Correctional Service of Canada (IFC) which outlines the relationship and joint responsibility of CSC Chaplaincy and the IFC to provide religious and spiritual care to the people residing in federal correctional facilities. This MOU contains a number of clauses relating to CSC's access to information and leadership from Canada's faith communities in order to fulfil its legal mandate.

Preamble: (This MOU) reflects the mutual concerns (of CSC and the IFC) held for the spiritual dimension of life as expressed by the delivery of pastoral care through the effective provision of Chaplaincy services.

Section I - The Principles of Religious and Spiritual Accommodation

The IFC will be used as a vehicle for regular consultation on matters of religious policy and Chaplaincy operations in the institution and community. (3c)

The IFC will provide liaison, linkage and information, and will stimulate involvement by churches and other faith communities in correctional ministry both in the institutions and in the community from a restorative justice perspective. (3d)

Special needs of non-Christian faith groups shall be met by additional part-time contract positions or volunteers. (4m)

The faith community and the CSC will establish partnerships to assist ex-offenders to live in the community as law-abiding citizens. (4p)

http://www.csc-scc.gc.ca/text/prgrm/chap/mou_e.shtml

~ Chaplaincy Code of Professional Conduct

Guiding Principle #5: The chaplain affirms the necessity of respecting the practice and beliefs of persons under his/her responsibility and of being careful not to impose on them responsibilities which would contradict the beliefs of their respective faith communities.

~ CSC Human Rights Branch

CSC's Human Rights Branch responds to complaints based on *Charter* rights and freedoms, whether received directly from a complainant or lodged with the Canadian Human Rights Commission. The following site provides comprehensive information about the work of CSC's Human Rights :

http://infonet/corp_dev/rights_redress_resolution/currentwork/hr/rrr_hr_main_menu_e.htm

See Appendix III at the end of the Manual for information from the above site about the place of Human Rights in correctional settings in Canada:

1. What Do We Mean By Human Rights?
2. Human Rights and the Correctional Service of Canada
3. Human Rights and Offenders in Canada

3. Freedom of Religion in CSC Institutions

The preceding section makes it clear that offenders retain the right to exercise freedom of religion during their incarceration. In the sometimes confusing and even troubling context of religious pluralism in Canada, CSC Chaplaincy is often asked, "Who decides which religions the offenders are permitted to practise?"

Although religious organizations are free to establish criteria for membership, - which may focus on beliefs and practices, historical legitimacy, national or global scope, recognition as a charitable organization, to mention but a few - public organizations like the CSC appeal to the legislation governing their activities - the *CCRA* and *CCRR* - to determine the relationships that will form the basis of their work. In the case of the exercise of freedom of religion by federal offenders, the *CCRA* and *CCRR* use legislation uses both 'religion' and 'spirituality' without qualification apart from the exclusion of practice that is illegal, that requires the use of contraband articles, or that negatively impacts the safety and security of the institutions. In turn, the legislation is subject to the *Canadian Charter of Rights and Freedoms*.

The Supreme Court of Canada (in *Syndicat Northcrest v. Amselem*, 2004) has provided A look at existing case law on the following interpretation of the *Charter* guarantee of freedom of religion reveals that the courts provide neither a single definition of religion: nor a list of religions that 'qualify' for protection under the *Charter*. The decisions that deal with freedom of religion interpret religion in the broadest possible sense, referring to "religion in the sense that is generally understood in Canada."⁶

Defined broadly, religion typically involves a particular and comprehensive system of faith and worship. In essence, religion is about freely and deeply held personal convictions or beliefs connected to an individual's spiritual faith and integrally linked to his or her self-definition and spiritual fulfilment, the practices of which allow individuals to foster a connection with the divine or with the subject or object of that spiritual faith.

The Court then goes on to define the parameters of the exercise of freedom of religion:

Freedom of religion under the Quebec (and the Canadian) *Charter* consists of the freedom to undertake practices and harbour beliefs, having a nexus with religion, in which an individual demonstrates he or she sincerely believes or is sincerely undertaking in order to connect with the divine or as a function of his or her spiritual faith, irrespective of whether a particular practice or belief is required by official religious dogma or is in conformity with the position of religious officials. This understanding is consistent with a personal or subjective understanding of freedom of religion. As such, a claimant need not show some sort of objective religious obligation, requirement or precept to invoke freedom of religion. It is the religious or spiritual essence of an action, not any mandatory or perceived-as-mandatory nature of its observance, that attracts protection.

Historically, CSC has relied on the religious leadership of Canadian faith groups to validate offenders' religious affiliation and authenticate the requests for religious accommodation. An inmate's religious affiliation was recorded on OMS and this determined the accommodation to which that the person was entitled. The Supreme Court ruling, however, means that the individual is not required to conform to the recommended practice of religious organizations or leadership; his or her understanding

⁶ The Supreme Court of Canada per Martland J., in *Walter and Fletcher v. Attorney General of Alberta* (1969), 66 W.W.R. 513 (S.C.C.).

and interpretation of a specific religious tradition, if it can be shown to be sincerely held, enjoys the same protection as does the 'official' understanding and interpretation.⁷ In the same vein, offenders are free to identify their religious affiliation and have their choice recorded on OMS without that affiliation being recognized by the faith community in question.

In cases where offenders make religious claims without reference to religious leadership, the process and criteria for claims based on freedom of conscience should be adopted. (See *Freedom of Conscience*, below).

This is not to say that religious leadership becomes irrelevant. The faith authorities still determine what is required in order for adherents to remain "in good standing" with their organization, and offenders wishing to do so must defer to them. It does mean that if an offender chooses to practice his or her religion independently of the recognized religious leadership, he or she is free to do so. In that case, the religious leaders remain a valuable resource to CSC in terms of providing information about their faith tradition, and possibly assisting in evaluating the claimant's sincerity, but the onus is on the offender to articulate the precise nature and importance of the beliefs and practices being claimed and to demonstrate that they are sincerely held and consistently practiced.

According to the Supreme Court decision in *Amselem*,

An individual advancing an issue premised upon a freedom of religion claim must show the court that (1) he or she has a practice or belief, having a nexus with religion, which calls for a particular line of conduct, either by being objectively or subjectively obligatory or customary, or by, in general, subjectively engendering a personal connection with the divine or with the subject or object of an individual's spiritual faith, irrespective of whether a particular practice or belief is required by official religious dogma or is in conformity with the position of religious officials; and (2) he or she is sincere in his or her belief. Only then will freedom of religion be triggered.

When it comes to evaluating the importance and sincerity of an individual's beliefs, the Supreme Court offered the following criteria:

Sincerity of belief simply implies an honesty of belief and the court's role is to ensure that a presently asserted belief is in good faith, neither fictitious nor capricious, and that it is not an artifice. Assessment of sincerity is a question of fact that can be based on criteria including the credibility of a claimant's

⁷ "A claimant may choose to adduce expert evidence to demonstrate that his or her belief is consistent with the practices and beliefs of other adherents of the faith. While such evidence may be relevant to a demonstration of sincerity, it is not necessary. Since the focus of the inquiry is not on what others view the claimant's religious obligations as being, but rather what the claimant views these personal religious "obligations" to be, it is inappropriate to require expert opinions to show sincerity of belief. An "expert" or an authority on religious law is not the surrogate for an individual's affirmation of what his or her religious beliefs are. Religious belief is intensely personal and can easily vary from one individual to another. Requiring proof of the established practices of a religion to gauge the sincerity of belief diminishes the very freedom we seek to protect."

Section I - The Principles of Religious and Spiritual Accommodation

testimony, as well as an analysis of whether the alleged belief is consistent with his or her other current religious practices.

In the past CSC has typically made a distinction between the ‘essential’ or ‘obligatory’ nature of some practices and the ‘optional’ or ‘voluntary’ nature of others. In so doing it ensured that offenders were able to respect all their mandatory religious observances without necessarily making accommodation for non-essential aspects. The Supreme Court has clarified this issue in the following way:

For the purposes of religious and spiritual accommodation in CSC institutions it must be recognized that offenders may determine their own beliefs, whether they are shared by anyone else or not. It is only when they lay claim to particular requirements based on their beliefs that CSC requires validation of those beliefs by an external religious representative.

This freedom [of religion] encompasses objective as well as personal notions of religious belief, "obligation", precept, "commandment", custom or ritual. Consequently, both obligatory as well as voluntary expressions of faith should be protected under the Quebec (and the Canadian) *Charter*. It is the religious or spiritual essence of an action, not any mandatory or perceived-as-mandatory nature of its observance, that attracts protection.

If a religious or spiritual leader in the community can be found to validate the offender's claim, CSC should allow and facilitate the practice of the religion or spirituality in question within the context of the *Guiding Principles* outlined in this Section of the Manual. (See below)

It is important to underline that the Supreme Court ruling does not mean that ‘anything goes’ when it comes to spiritual and religious practice within CSC institutions. CSC can impose limits on offenders’ freedom of religion that are prescribed by law in order to ensure the safety of individuals and the security of the institution if it can justify the ‘reasonableness’ of those limits in accordance with s. 1 of the *Charter*.

In *Amselem* the majority of the Supreme Court of Canada highlights this point by stating:

[O]ur jurisprudence does not allow individuals to do absolutely anything in the name of that freedom. Even if individuals demonstrate that they sincerely believe in the religious essence of an action, for example, that a particular practice will subjectively engender a genuine connection with the divine or with the subject or object of their faith, and even if they successfully demonstrate non-trivial or non-insubstantial interference with that practice, they will still have to consider how the exercise of their right impacts upon the rights of others in the context of the competing rights of private individuals. Conduct which would potentially cause harm to or interference with the rights of others would not automatically be protected. The ultimate protection of any particular *Charter* right must be measured in relation to other rights and with a view to the underlying context in which the apparent conflict arises.

Staff who are uncertain about the implementation of reasonable limits based on s. 1 should consult CSC Legal Services.

4. Freedom of conscience

The exercise of freedom of conscience is guaranteed under the *Canadian Charter of Rights and Freedoms* in the same section that guarantees freedom of religion. Conscience represents "spirituality" in its most personalized, generic and/or humanistic expressions.

Freedom of conscience is not exercised in mutual exclusion from freedom of religion. This can be shown when members of a faith community also exercise freedom of conscience. One's faith may - and some people would say 'should' - inform one's conscience; however, adherents to a given religious tradition may exercise their freedom of conscience in direct and intentional opposition to the teachings and practice of their tradition with which they may disagree. Conversely, persons who claim no formal religious or spiritual beliefs still exercise their freedom of conscience.

Managing claims made by inmates on the basis of the *Charter* guarantee of freedom of conscience poses significant challenges to CSC. Specifically, As Chris Carr, the former Director General of Chaplaincy, put it:

When an offender claims something because of conscience, two related issues may come to mind: who determines would determine whether or not the claim is based on conscience? And or an informed conscience, and secondly, on what grounds would such a decision be based? There is no external referee. In the case of most requests for religious accommodation diets, there is a community reference, but not so for claims based on individual conscience. . It would be wise to find a way of avoiding placing someone in this role [evaluating another person's conscience]. I don't think chaplains would relish it, and especially if the inmate claims to be non-religious.

In *Maurice* (2002) a recent decision by the Federal Court judge (*Maurice*, 2002) ruled that CSC should accommodate an inmate's request for a vegetarian diet made on the basis of a credible conscientious argument unless public safety, order, health of morals or the fundamental rights and freedoms of others are threatened. The Court ruled that (paraphrase) vegetarianism is a dietary choice founded on a belief that consumption of animal products is morally wrong. Motivation for practicing vegetarianism may vary, but in the opinion of the Court its underlying belief system can be considered an expression of "conscience". Just as the entitlement for a religious diet is found in s. 2(a) of the *Charter*, so a similar entitlement for a vegetarian diet exists based on the right to freedom of conscience. The broad principles in s. 4(e) and (h) of the *CCRA* reinforce the view that dietary needs based on religion or conscience should be accommodated.

Section I - The Principles of Religious and Spiritual Accommodation

According to the Court, CSC's *Religious Diets General Guidelines* indicate that, in practice, many religious diets include some form of a vegetarian menu. As a result, accommodating a vegetarian's conscientiously held beliefs imposes no greater burden on an institution than that already in place for the provision of religious diets. In the Court's opinion, positive measures must also be taken by CSC to facilitate freedom of conscience, subject to the same safety and security limitations that exist for accommodation of religious beliefs. The Court added that, for an inmate to take advantage of this finding, cogent evidence must be provided to prove the conscientious belief to a balance of probabilities.

CSC is in the process of establishing *Guidelines for Diets of Conscience* which base the evaluation of a request on the criteria set out in *Syndiat Northcrest v. Amselem* (2004). Requests for accommodation based on freedom of conscience – and freedom of religion without reference to religious leadership or a religious organization – may involve issues other than vegetarian diets; however, a similar process using the same criteria (of demonstrating sincerity and consistency of practice) should be adopted.

The assessment process will focus on the inmate's ability to demonstrate his/her firm convictions and provide evidence of his/her moral beliefs. Those responsible for assessing requests should take the following criteria for eligibility into account.

- sincerity

The person must be able to articulate why he or she thinks that it is important to follow the requested practice. The conviction should be part of a system of belief that is consistent with the reasons for requesting the accommodation. Sincerity implies honesty. The onus is on the person making the request to demonstrate that he or she is making it “in good faith”. This means that the conviction must be deeply held, not a whim, neither fictitious or artificial. The desire to receive 'special treatment', to belong to a special group, or to test 'the system' are not valid motivations for invoking the exercise of one's freedom of conscience.

Demonstrating sincerity relies on the individual's personal credibility. Sincerity may be difficult to convey in writing; an opportunity to do so in person should, therefore, be provided. Some inmates may require assistance in order to articulate these convictions.

- consistency of practice

The belief or conviction of the person making a request based on freedom of conscience refers to current belief and practice. The person may have held the belief or conviction prior to incarceration. If such is the case, this history should be considered a strong endorsement of the person's request. However, the person's desire to adopt a particular practice may begin subsequent to incarceration. The inmate may be able to demonstrate attempts to practice it in previous institutions in addition to the current one. However, the absence of any prior history, the fact that the person has changed beliefs and

practices, does not, on its own, constitute grounds for withholding approval of the request.

That being said, people with strong moral convictions will not readily disregard their beliefs. If a person's requests change frequently or if he or she only makes half-hearted attempts to demonstrate the beliefs and practices that form the basis of the request, the strength of his or her convictions might be called into question. Institutional personnel should look for indications of how strong the person making the request is in his or her convictions.

5. Service-wide Responsibility to Accommodate

Making provision for inmates to practice their religion or spirituality to the fullest extent possible while in CSC's care involves the collaboration of many sectors whose work in the field is impacted by religious rights. "Religious accommodation", therefore, covers a whole host of issues including food services, security and fire issues, and training of staff, among others.

The Religious Accommodation Advisory Group at National Headquarters was created in April 2001 to respond to a number of inmate complaints filed with the Canadian Human Rights Commission relating to religious accommodation. At that time, it was decided that the most strategic and appropriate course of action would be to look at issues of religious accommodation from a multidisciplinary perspective, striving to address them before problems arise. The committee also serves as a continuing resource to CSC and its partner in the community, the Interfaith Committee on Chaplaincy, on such issues.

The composition of this group reflects the fact that the responsibility to accommodate the religious and spiritual needs of offenders lies with the Service as a whole. Far from falling uniquely within the mandate of Chaplaincy or Aboriginal Issues, these needs, depending on their nature, may require collaboration between many sectors and departments responsible for the following services, which are represented on the NHQ Religious Accommodation Advisory Group:

- * Correctional Operations and Programs - Aboriginal Issues, Chaplaincy, Health Services, Security, Multicultural Programs
- * Communications
- * Policy, Planning and Coordination - Human Rights, Inmate Affairs, Policy
- * Corporate Service Sector - Food Services, Technical Services
- * Human Resources Management Sector - Performance Assurance, Staff Training
- * Women Offender Sector

The Group encourages the establishment of similar working groups at both the regional and institutional levels as an effective way of addressing the issues that arise from time to time.

6. CSC 'Ownership' of the Manual

This Manual has been produced specifically for the reference and use of both employees and contracted professionals working within CSC institutions. The information it contains about specific religious traditions originates in their respective faith community. Reference is made in each chapter of *Section III* to the people and bodies that provided the information.

CSC is not responsible for ensuring the veracity of the information provided by the faith communities. If it subsequently proves to be incomplete or incorrect, CSC will reconsider the implications of the new information and adjust its accommodation to the extent possible.

These same contact people have advised CSC on questions or problems that CSC officials have had in conceiving how to operationalize some of the recommended practices. The information contained in these chapters represents the best efforts of those involved in these discussions to respect the validated religious practice within the constraints of the correctional setting. For this reason, the information in *Section III* may not reflect exactly how a given religion is practiced in the community for reasons that CSC considers justifiable.

When agreement could not be reached between CSC and the contacts from the faith communities, the fact is noted and the judgement of CSC about security or safety concerns will prevail. CSC takes responsibility for making such decisions.

7. Guiding Principles

~ Accommodating Religious Needs in a Government Setting

The work of government employees in general and correctional personnel in particular is governed by current legislation and policy. Their training predisposes them to making decisions and taking action related to their particular role in fulfilling the legal and operational requirements that apply to their work. The tendency is to see the explicit directions and regulations as setting the standard for expected service delivery. Going one step further, it seems natural to conclude that anything outside or beyond the stated expectations exceeds not only their mandate but also their authorized scope of activity. The consequence of not taking this approach is perceived as making themselves as individuals and their organization vulnerable to criticism and liable for any potential negative consequences.

When it comes to religious and spiritual accommodation, however, quite a different approach is required. Within any given religion the teaching and practice may vary

considerably from one community, denomination or country to another; and requests by adherents may appear very different while remaining equally valid. One way of capturing the complexity of managing the great diversity of religious and spiritual practice is the following unofficial dictum: *All may, none must, some should.*

If a practice is valid, all offenders belonging to that tradition have the right to practise it. Although exercising one's legal rights may be interpreted by other inmates and even some staff as a privilege, thereby attributing favors to some and creating the perception of an unfair situation, **rights are not privileges**. Just as it is a right and not a privilege to be deemed innocent until proven guilty, so it is a right and not a privilege to have access to a diet that fulfils the requirements of one's religion, for example.

However, beyond certain established and essential aspects of a religious tradition, the fact that some adherents wish to adopt a given practice does not obligate others to follow suit. Just as not everyone who is of voting age exercises their right to vote, so not everyone exercises all the rights attributable to their religion.

~ *Basic Starting Point*

Even though from the perspective of a community faith leader's desire to promote spiritual growth and wellbeing some adherents should adopt particular disciplines, the leader is not in a position to force people to be "faithful". The leader may, however, cease to recognize the affiliation of a person who does not fulfil certain requirements of that faith community. Offenders may appeal to a different leader or jurisdiction for support or may wish to change religion rather than respect certain requirements. In such cases they maintain the basic right to freedom of religion that all Canadians enjoy and are entitled to practise the newly adopted tradition.

Because of this, attempting to establish either an exhaustive set of authorized practice or, conversely, to impose a "bare minimum" or lowest common denominator effectively sets the Service up for complaints and grievances that may be upheld by religious authorities in the community and/or the Canadian Human Rights Commission. Offenders have access to these formal grievance and complaint processes if they believe that CSC policy and practice have not been respected and/or that their *Charter* rights have been violated. These processes ensure that people who are removed from the situation (at the institutional, and potentially the regional and national levels) review the circumstances leading to the grievance or complaint.

However, in the minds of some CSC staff, giving offenders access to more than the 'bare minimum' raises the specter of allowing offenders too much control with all the relational and security implications this can entail. For others, it raises apprehensions about the management of people with such diverse needs within a correctional environment.

It is, therefore, incumbent upon the CSC to shift from an approach that says: 'Unless something is specifically authorized, it is not permitted', to ***an approach that allows requests unless there is a valid reason not to.*** This could apply, for example, to

authorizing cells effects other than the strictly essential or sacred objects listed in this Manual for a given faith. It could equally mean allowing offenders to wear culturally specific dress associated with the practice of their faith but not considered obligatory, unless there is specific health or security concern related to the peace and order of the institution. It could mean that the authorized practice of spirituality helps defuse conflict, improve an offender's behaviour and reduce the incidence of grievances.

~ Primary Principles on Which to Base Decisions

The following principles should form the basis of decisions related to religious accommodation issues and problems:

i. Valid Affiliation

- ◆ In order to claim access to religious rights, especially when a given tradition places particular obligations or prohibitions upon its adherents, it is imperative that the person's religious affiliation be validated.

OMS Tombstone Data should contain the name of the religion the person claimed at the time of his or her admission. Any change of the person's religious affiliation since admission should also have been entered into the system. However, if the person claims affiliation to a tradition that is not recorded on OMS, and the person has no documentation of his or her conversion or change of membership, a representative from the local faith community should be called in to validate the person's claim.

ii. Correct Religious Information

- ◆ The faith community is the final authority on religious teaching and practice, not the inmate. Although the onsite Chaplain may be knowledgeable about accommodating specific religious needs, he or she is not the religious authority, except with regard to the specific tradition to which he or she belongs. The relevant faith community has the responsibility of providing and/or validating any information concerning community spiritual or religious practices.

Respecting the *Charter* right to freedom of religion requires having access to correct information about the tradition in question. It is impossible for a government agency such as CSC to decide the validity of teaching and practice associated with the religions represented within its federal inmate population. In all instances and to the greatest extent possible, the authors of this Manual have validated the information contained in it by consulting with the leadership of the appropriate faith communities and source documents provided by them. Relying on this community-based expertise allows CSC to base its operational decisions on information beyond that which a given offender may have access to. The Manual contains the tools required to make decisions, recognising that the suggested practice may not fit all situations.

iii. Variations in Religious or Spiritual Beliefs and Practice

- ◆ Within a given faith tradition, there may be different branches or expressions which have different teachings and requirements. It is important to consult the appropriate faith community to obtain information that is relevant and accurate.

Another reason that this Manual does not establish binding guidelines on religious and spiritual accommodation is that within any given faith tradition the emphasis and expression can vary enormously from one leader, community or country to another. For example, an Orthodox Jew would normally follow a strict Kosher diet while a Reformed Jew may be satisfied with a pork-free, non-Kosher diet. In compiling the information found in the Manual, its authors have sought to obtain information from the national bodies governing the various faiths and have attempted to distil a consensus among those offering different perspectives. It is our hope that the leaders and representatives of Canada's faith communities who offer spiritual care to offenders in CSC custody will agree with the information contained in this Manual.

It is possible, however, that local leaders or representatives would make different suggestions or recommendations on a given question. Some of these may be rooted in deeply held convictions with a well-established historical or theological basis. Others may arise from differing cultural expressions of a given religion or spirituality, with a view to making the teaching or practice more easily recognisable or applicable to certain inmates. Whatever the case, CSC cannot require community leaders to act against their convictions or beliefs and should, whenever possible, attempt to find ways of accommodating the religious requirements expressed by those offering spiritual care to offenders.

Groups wishing to address prisoners' spiritual needs occasionally inquire about the possibility of gaining access to the inmate population. However, CSC's responsibility is to respond to requests on the part of the offenders to meet with a given spiritual group or representative; but it has no mandate (indeed, no right, under the Privacy Act) to provide access to offenders for outside groups hoping to make contacts, or even converts. Neither is CSC responsible to tell such groups how many inmates are affiliated with their spiritual tradition or where they are being housed.

iv. Institutional and Correctional Realities

- ◆ Within the context of the penitentiary, CSC personnel need to work together with the faith groups to determine specific religious and spiritual requirements. The specific aspect of accommodation need only be consistent with what is accessible to the average person of the faith community in question. This is an important benchmark and can provide support in the face of inmate demands.

Because religious practice often has cultural and ethnic correlates, it can be difficult at times to separate what is cultural from what is religious. Consultation with the faith community will help to determine usual religious and spiritual practice.

Section I - The Principles of Religious and Spiritual Accommodation

Nevertheless, if after examining other possibilities, staff perceive a risk to the individual offender or to other aspects of institutional functioning and security, CSC retains the right and the responsibility to limit or deny specific avenues of accommodation. Whenever staff find themselves in this position, they must base their decision on defensible arguments, citing precedent and policy so that appeals of their decisions and/or investigations into complaints can be responded to with clear justification.

There are many settings and circumstances within CSC institutions that present particular challenges with regard to the accommodation of religious and spiritual needs. Each of these "realities" has the potential to affect the limits placed on access to religious leadership, resources or practice. These include:

- Segregation Units
- Secure Units and Structured Living Environments (SLE) in CSC institutions for women offenders
- Health Services Units
- Designation of incompatible offenders
- Integrated Correctional Intervention Strategies

In addition, the conditions of an offender's release may include restrictions on allowable associates and could conceivably impact on his or her participation in a given faith community. In such cases, the local community chaplain is the best resource person to contact.

~ Attitudes and values

The attitudes and values held by the people who manage the lives of offenders in the correctional environment significantly affect how requests for religious and spiritual accommodation are handled. In addition to the obvious values - such as respect for the law, the CSC Mission and Core Values - respect for humans rights and for CSC policy on the part of staff members greatly increases the likelihood that they will exercise due diligence in seeking to accommodate valid requests. As well, respect for differing versions or visions of the "sacred" and an acknowledgement of the importance of religious articles or practices to the believer will facilitate communication with offenders and with the representatives of their faith communities. A positive appreciation for the role that the faith community can play in an offender's integration during incarceration and reintegration upon release will improve the prospect of helpful relationships being established and/or maintained.

Conversely, failure on the part of staff to incorporate the above in their involvement with offenders militates against this aspect of their lives contributing to successfully carrying out their correctional plan. Religious and spiritual issues can serve as a resource or as a distraction, as a constructive contribution or as an energy drain, in the lives of people who need support on all levels if they are to succeed. The attitudes of staff members can significantly influence the quality of religious and spiritual experience afforded to the people in their care and custody.

8. Contributors and Partners

This Manual has resulted from the contributions of people in many settings and from partnerships established for the express purpose of providing the information it contains.

~ Roles within CSC

i. *NHQ Chaplaincy* was responsible for gathering information from the faith communities and ensuring communication with the IFC. It solicited input/feedback from members of the NHQ Religious Accommodation Advisory Group and coordinated consultations the Chaplaincy Management Team and representative chaplains. It established an *ad hoc* editorial group and was responsible for the publication of the Manual.

ii. *NHQ Aboriginal Issues* took responsibility to provide feedback on the Manual at various stages in its development and to coordinate the gathering of information and the finalizing of the chapter on Aboriginal Spirituality that appears in *Section III*.

iii. *Institutional and Regional Input* - In addition to contributing directly to the information provided on their areas of responsibility, personnel from the following groups have been involved at the regional and institutional levels in providing information for the Manual: Administration, Case Management, Food Services, Social Development, Parole and Native Liaison Officers.

~ Consultation with Faith Groups

i. *Faith Community representatives* were involved in advising the authors of the Manual about the beliefs and practices of their faith traditions. Whenever possible, such persons were designated by the national bodies governing their faith to advise CSC in matters relating to their respective religious organisations.

ii. *The Interfaith Committee on Chaplaincy (IFC)* served as a conduit to faith group leaders and helped identify sources of information. The IFC named members to serve on a Religious Accommodation Manual Advisory Sub-committee and many of its members appear as resource people in *Sections II and III*.

iii. *Community-based spiritual and religious leaders* who contributed to the Manual are noted in the chapters dealing with their religious or spiritual tradition. These people agreed to provide assistance in editing the chapters dealing with their faith traditions in the absence of national governing bodies capable of appointing representatives.

9. Using This Manual

~ Stages of Resource Development

The complexity of religious and spiritual accommodation presents many challenges, not the least of which is providing accurate information to CSC staff. Because of the numerous religious and spiritual traditions represented within the offender population, the authors of this Manual decided to develop it in stages.

What appears at the time of its initial release, in this ‘first edition’, is information relating to those spiritual and religious traditions to which the greatest number of federal offenders belong and/or whose beliefs and practices result in the most frequent and numerous questions or complaints. Once these have been adequately addressed, the next phase of the Manual - completing the inventory of traditions represented in the offender population - will be undertaken and eventually made available.

Throughout and after the completion of these two phases, information resulting from circumstances not already incorporated in the Manual will be added. This is the work of the third phase. In particular, decisions arising from new requests or Human Rights or judicial rulings will augment and possibly reshape the recommendations on specific religious accommodation issues. All updates will appear in the electronic version of this Manual. CSC staff are, therefore, strongly encouraged to refer to the electronic version of the Manual. Staff who refer to a printed version are responsible to verify that they are working from the latest ‘edition’.⁸

The other reason to favour the use of the electronic version over the print version is that this Manual provides electronic links to related CSC resources, such as the *General Guidelines on Religious Diets*, the *Chaplain’s Handbook*⁹, the Fire Safety Manual, to name but a few. This will place users of a print version at a disadvantage unless they have printed copies of these related documents readily available.

Clearly these first three “phases” of providing resource material on religious and spiritual accommodation will occur sequentially. However, the fourth phase or component involves providing opportunities for staff to become oriented, informed and sensitised to both the information contained in the Manual and the process and principles of ensuring that the religious and spiritual rights of offenders are respected. Information about ‘training’ opportunities will be communicated once a plan is in place for its delivery. In the meantime, see Appendix I for ideas on promoting Sensitivity Awareness Training at the local level.

~ Institutional Implementation

i. Institutional management and staff

⁸ The date of the latest update appears on the title page of the electronic version of the Manual.

⁹ An updated version of this resource is expected before the end of March 2004. In the meantime, chaplains are provided with a print version of current edition.

Section I - The Principles of Religious and Spiritual Accommodation

The Warden ensures that the guiding principles related to the accommodation of religious needs are upheld.

Institutional management and staff become familiar with both the mandate and principles undergirding their responsibility to accommodate valid religious and spiritual needs. They ensure that those responsible for delivery of specific services apply the principles of religious accommodation and refer to this Manual when specific issues arise. The Service must show consistency of attitude and implementation, between institutions and regions, while recognizing the particular circumstances that may underlie a request made in a given institution, requiring decisions on a case-by-case basis.

ii. Chaplains

Chaplains operating in CSC facilities provide spiritual guidance to members of all religious traditions, be they staff or offenders. In general, chaplains are responsible for maintaining a visible presence at the institutions which includes:

- directing and co-ordinating religious services and sacramental ministry to inmates;
- creating, co-ordinating, and delivering religious activities;
- interpreting to the community the needs and concerns of persons affected by the criminal justice system and educating the community concerning their role in reconciliation;
- recruiting and training volunteers for prison work;
- integrating Chaplaincy services into the life of the institution through regular involvement with other prison staff and attendance at appropriate staff meetings.

The complete description of work to be performed by contract chaplains can be found in Appendix A at the end of the chapter on Christianity in *Section III*. For further information about the work of CSC contract chaplains, see the Chaplaincy web site:

http://www.csc-scc.gc.ca/text/prgrm/chap_e.shtml.

iii. Inmates

Inmates have a number of responsibilities when it comes to claiming religious affiliation and accommodation of specific needs related to their faith. It is the inmates' responsibility to inform their Parole Officers of their religious affiliation and to tell the Parole Officer or Chaplain/Elder of any subsequent changes in affiliation.

The corollary to CSC's legal obligations is the offender's obligation to demonstrate consistency of commitment to the teaching and practice of a specific tradition. On a personal level, this may entail abiding by a specific set of disciplines and practices, prayers or rituals. It may equally involve participation in group prayer or study (where groups exist), willingness to strengthen a connection with the appropriate community of faith outside the institution, as well as including religious considerations in his or her reintegration planning.

Section I - The Principles of Religious and Spiritual Accommodation

Aspects of the practice of one's faith or spirituality may potentially conflict with institutional schedules or operational regimes. It is up to the inmates to bring potential conflicts to the attention of their Parole Officer or the staff person responsible for the program or service in question. For example, if a program is scheduled to begin at 1:00 p.m. on Monday, Wednesday and Friday, a Muslim inmate wishing to attend Friday prayer which runs from 1:00 to 1:30 p.m. must point out the problem to the program's coordinator and request that arrangements be made to accommodate this need.

~ Related Issues

Observance:

Because belonging to a religion and adhering to its practices is a personal choice, the responsibility for commitment to a religious practice such as a diet rests first and foremost with the inmate. When an inmate is found not observing the tenets of his or her faith, he or she cannot be said to be "non-compliant" as this term refers to violation of CSC regulations. "Non-observance" is the correct term to use in such cases. For this reason CSC cannot permanently withdraw offenders' access to the necessities of practising their religion without concurrence on the part of the appropriate religious authority.

Grievances/Complaints:

A grievance procedure is in place to allow offenders who believe that their freedom of religion is being unfairly limited to make their case and appeal to higher authorities to evaluate its merits. The people responsible for reviewing offender grievances are expected to refer to the principles of religious accommodation outlined in this section in order to ascertain the validity of an offender's claim.

Religious Vocabulary:

Many words used in religious and spiritual practice originate in languages or cultures other than English or French. To the extent possible, once the correct word for an item or practice is ascertained, staff should use it as a sign of respect for the tradition in question. Pronunciation of some words may prove challenging, but confusion and even offense that may arise from using incorrect words can be avoided and good will strengthened when an effort is made.

Cases of Obsessive Religiosity:

Some offenders invest excessive amounts of time and energy in attending to their perceived religious or spiritual obligations. In some cases this is done to the detriment of participating in programs and working on their correctional plan. Chaplains, Elders, Parole Officers, program delivery officers and psychologists should work in concert to determine the best approach to dealing with this kind of behaviour. Very often appeal to

Section I - The Principles of Religious and Spiritual Accommodation

a leader from the person's religion can assist in bringing the person's practice into a healthier perspective and proportion.

Relationship between Chaplains/Elders and Psychology Department:

Further to the above, the quality of the collaboration between chaplains, Elders and psychologists can have an important impact on the care with which spiritual and religious issues in a person's life are addressed. Although they may have very different starting points and frames of reference, those working in the areas of religion, spirituality and psychology all address the workings of the human spirit (or psyche) and have an interest in promoting spiritual wellbeing. Whenever possible a multidisciplinary approach is to be favoured.

10. NHQ Contact Information

Religious Accommodation Advisory Group (Membership at March 31, 2003)

Convenor - Terry Richardson, Chaplaincy richardsonk@csc-scc.gc.ca (613) 996-0373

Aboriginal Issues - Sandra Molyneux molyneuxsd@csc-scc.gc.ca (613) 992-6005

Chaplaincy - Christina Guest guestcr@csc-scc.gc.ca (613) 996-9034

Communications – Andrea Dow dowaj@csc-scc.gc.ca (613) 996-6941

Food Services - Diane Samson samsondi@csc-scc.gc.ca (613) 992-4882

Health Services - Julie Lemay lemayju@csc-scc.gc.ca (613) 947-0087

Human Rights - Jamie Masters mastersja@csc-scc.gc.ca (613) 991-2815

Security – Julie Blasko blaskoja@csc-scc.gc.ca (613) 944-4413

Technical Services - Randy Gaw gawra@csc-scc.gc.ca (613) 995-3981

Women Offenders - Marnie MacDonald macdonaldml@csc-scc.gc.ca (613) 995-7963

~ Other related documents and resources

The following organisations specialise in information and resources relating to less known religions and spiritual movements.

- The Ontario Society for Religious Tolerance: www.religioustolerance.org .

Section I - The Principles of Religious and Spiritual Accommodation

- Centre d'informations sur les nouvelles religions /
New Religions Information Centre
90, rue Saint-Denis,
Montréal, Quebec H2P 2G1
(514) 382-9641

SECTION II

~ Common Issues ~

Introduction

The right of offenders to practise their religion is guaranteed by the *Canadian Charter of Rights and Freedoms* and any denial or hampering of the exercise of their religious rights can lead to legal challenges.

In *Section II* the reader will find information on topics that are common to most religious and spiritual traditions. As questions about religious accommodation arise in their institutions, it is hoped that staff will consult the related topic in this Section first as it provides a background for the more specific aspects of each topic related to the religious traditions discussed in *Section III*.

1. Affiliation / Membership / Certification

In the course of each offender's preliminary assessment, a declaration of religious affiliation is requested, but cannot be demanded. Since the primary source of information about offenders' affiliation is the Offender Management System (OMS), it is very important that the religious affiliation of a new inmate be recorded on OMS upon admission if it is declared. In some institutions, the chaplains are expected to obtain this information by interviewing the offenders. It then becomes the chaplain's responsibility to ensure that this information, and any changes in religious affiliation during incarceration, are entered on the OMS. (Also see *Conversion*, below)

Appendix A at the end of this Section provides directions for viewing and changing an inmate's religious affiliation on OMS.

There is usually no reason to doubt an offender's declared religious affiliation. However, if the offender makes requests or claims based on his or her religious beliefs, he or she may also be able to provide a membership certificate. If not, it may be necessary to contact the appropriate religious leader or faith group in the community to authenticate both the affiliation and the validity of the request.

2. Beliefs and Practices

i. Levels of Orthodoxy

People of all religions believe and practice their faith to a greater or lesser extent. An individual's observance of the expectations of his or her tradition and faith community may fall anywhere on a continuum between strict orthodoxy and nominal adherence. Some people born into a family belonging to a given religious tradition, such as Christianity, may completely disregard the tenets of the faith and refer to themselves as "non-practising", "not religious" or "lapsed".

The religious affiliation declared by an offender upon admission to a CSC institution does not indicate the level of religious observance that he or she practises. In addition, the degree to which the person ends up practising his or her religion "inside" may depend upon a variety of factors and shift for a variety of reasons.

For example, a strictly Orthodox offender may be transferred to an institution in whose locality that particular tradition is not represented. In the absence of a worshipping community it may prove impossible to maintain the level or schedule of study and prayer to which the person had previously been accustomed. Alternatively, someone who participated only marginally in a faith community prior to incarceration may feel led to become active in the worship life of a particular tradition while in the institution.

CSC's approach to questions of religious accommodation needs to offer enough flexibility to recognize these possibilities. For their part, spiritual leaders from the community who provide religious services to inmates may recommend and/or authorize particular "levels" of accommodation to reflect their evaluation of the person's commitment and needs. CSC hopes that the spiritual leaders and offenders will demonstrate their share of flexibility when faced with some of the limitations placed upon the religious practice of inmates by the mere fact of being separated from the local faith community and by safety and security considerations.

Most rabbis, for example, will not formally recognise the conversion of an inmate to Judaism in the course of his or her incarceration. They might say that if the person was not following a Kosher diet before coming into CSC custody but now wishes to practise Judaism more fully, he or she should have access to a pork-free diet, with meals that do not mix dairy and meat products. In fact Jewish law states that a person not born of a Jewish mother has no obligation to follow a Kosher diet.

The point here is that CSC personnel do not determine the level of religious practice of people in its care and custody. The person's own religious convictions, when affirmed by a faith leader from the community, inform CSC as to the level of accommodation required. CSC is then obliged to provide "reasonable" accommodation "to the fullest extent possible" given its policies and regulations. (See *Legal Support*, in Section I above)

ii. Culture and Religion

Religion never exists outside the cultural context in which it is practised. People do not experience their spirituality divorced from the rest of their lives. As a result there can be no hard and fast distinctions between religious tenets and how they take shape in the social and cultural aspects of the lives of believers.

Take, for example, the Christian festival of the Nativity of Jesus Christ. Who gets December 25th off as a holiday in CSC institutions? Only the practising Christians whose spiritual commitment is shown in their regular and sincere participation in chapel events? Of course not. And do we only attempt to provide Christmas dinner to the Christian inmates. Again, no. Is there a significant distinction between people who send Christmas cards with images of the Holy Family around the manger from those who send cards depicting snowmen and stockings? It would be very hard to pinpoint if indeed such a distinction exists.

The same can be said for all the religious and spiritual traditions represented in the inmate population: the socio-cultural aspects are inseparable from the spiritual and religious aspects.

This does not mean, however, that anything that is part of a given tradition can or must always be available to inmates (and their families). CSC relies on the chaplains and visiting spiritual leaders as sources of authoritative information about what normally takes place in the worship life of a faith group and what events would be held in meeting rooms or people's homes. The community-based leaders remain the people CSC turns to clarify these distinctions to the extent that they can be articulated.

The absence of clear boundaries between the cultural and the religious can lead to tension, and even conflict, when it comes to trying to apply Standard Operating Practices (SOP) and regulations without prejudice or perceived favoritism. An institution's decision to limit the number of socials in which family members can participate, for example, may fit well within the culturally accepted norms for Christianity: one for Christmas and one for Easter or Thanksgiving. However, some institutions have found that other faith traditions, such as Islam, do not easily adapt themselves to this model. Trying to limit family participation to one of the two celebrations of Eid can prove to be problematic in some places; yet if both are respected, is it right that there should be no other occasion for contact in a social context for the other 11 months of the year?

Difficulties arise when families are not given adequate information about what they may and may not bring with them in terms of treats or seasonal foods when they visit for social events. For many it can be as unthinkable for their incarcerated member to go through a religious festival without the traditional fare as it would be for Westerners to find that candy canes or Christmas cake were all of a sudden forbidden. Or, because the concept of who belongs to one's family is much more extended in some cultures than the one most Western cultures function with, the expectation of the number of people who

wish to attend can be at odds with institutional protocols. Or, there may be a perceived interchangeability of one cousin for another (even though one name appears on the list at the main gate and the other does not), sometimes without much awareness that this might present a problem.

It can be helpful to remember how the secularization of Christmas is celebrated in order to appreciate the interplay, overlap, and/or confusion that arises when exactly the same factors are at work in relation to a tradition that might be less familiar. Think, for example, of the breadth and extent of religious influence in "Muslim" countries. When conscientiously observed, Islam reaches far beyond what the West considers standard religious practice; the teaching of the Qur'an is applied to all aspects of life - the social, as well as the economic, medical and political realms. However, in countries like Canada where "Church" and "State" are run completely separately, there can be no question of the precepts of any religion holding sway to the same extent. And yet trying to manage "social development" activities at the institutional level lands the Service in the thick of celebrations that are not strictly worship but which are imbued with religious significance.

The issue is often further complicated by the fact that people of the same faith may have different countries of origin. While they share the same beliefs, their ethno-cultural expressions of those beliefs may vary substantially. Think of the wide variety of national backgrounds represented by Christians in Canada and the different family traditions that have evolved over the years around religious holidays. It should not surprise us that there is no homogeneity among people of other faith and national backgrounds.

So while it may not be easy to draw a line between the culturally- and religiously-based aspects of accommodating the needs of inmates belonging to minority faith traditions, it is imperative that CSC turn to the spiritual and religious leaders who provide services to the institutions when questions requiring clarification arise. If this leadership is not held as authoritative by both staff and inmates tremendous power dynamics can emerge between individuals and groups who do not have enough information or a mandate to speak with authority on religious matters.

3. *Birth*

Very few women give birth while in the care and custody of CSC. Provision can usually be made for their release prior to delivery. When this is not possible, the Mother and Child Program governs the arrangements for a child to live with the mother in the institution until the age of four. (See <http://infonet/cds/cds/768%2Dcd.doc>)

However, the teaching of certain religious traditions may contain obligations and/or prohibitions on the part of the mother and/or father during the pregnancy. When this is the case, the chapter relating to the specific tradition in *Section III* will make mention of the fact. (Also see *Family and Parenting*, below)

4. Cell Effects

Offenders may seek authorization to keep articles related to the practice of their religion or spirituality in their room or cell. These items may include sacred religious texts or scriptures, basic literature or study material about their faith, or objects related to personal devotion. These articles may hold strong significance for the offenders; in some cases their faith community may consider these items to be holy or sacred.

CD 566 (9.5) instructs staff to show respect when handling these items:

The Institutional Head shall ensure that all cell searches are done by staff members who possess the knowledge or training to recognize and respect cultural and spiritual artifacts.

The same respect should be shown in whatever setting the articles are handled, be it in the context of V & C, searching the living units or ranges, or packing/unpacking a person's cell effects. (See *Searches*, below)

The determination of the required religious items, as opposed to those that are simply desired, is normally made in consultation with the spiritual leader of the faith group in question. When a valid religious article cannot be approved for use in an offender's room or cell for security or safety reasons, the chaplain may arrange a time and space for the offender to use the article elsewhere in the institution, sometimes in the Chapel or Spirituality Centre. If this is not possible, the item will need to be stored and given back when the person leaves the institution.

CD 764 regulates access to material and live entertainment. Paragraph 5(b) states that: "*material that includes the following content shall not be permitted entry into the institution: material which advocates or promotes genocide or hatred of any identifiable group that may be distinguished by colour, race, religion, ethnic origin, sex, sexual orientation, or by other specific traits.*" In addition Paragraph 7 prohibits the purchase, use or display of any material that might reasonably be seen to "*undermine a person's sense of dignity, cause humiliation or embarrassment to a person on the basis of sex, race, national or ethnic origin, colour or religion.*"

As part of the production of this Manual, access to the religious articles listed in *Section III* has been recommended by the appropriate religious authorities and approved for use by CSC.

5. Chaplaincy's Role

The requirements and implications of religious practice touch virtually every area of institutional life. All CSC personnel are responsible for addressing the spiritual and religious needs of offenders of all religions in the institution.

The ability of any chaplain to provide ministry to offenders belonging to religions other than his or her own, or even to other branches of Christianity, is limited by the individual's knowledge and ability. All chaplains, however, can ensure that offenders have access to literature (and religious articles, as applicable) pertaining to their faith and, so far as they are available, to the ministry of qualified and responsible members of the faith group in question.

Chaplains may need to consult authorities of a given religion about questions that arise in the course of life in the institution. They are also responsible for making arrangements for the visit of other religious representatives and accompanying them during their visits, the only exception being Native Spirituality, which is the purview of the institutional Elder.

If visits are to be made frequently, the chaplain may have to request that Security provide space for private visits in V. & C. rather than in the Chaplaincy Centre so that the chaplain's own ministry can continue without interference.

Chaplains are subject to the CSC's *Principles of Professional Conduct*, the standards of professional conduct implicit in their religious vocation, and the *Code of Professional Conduct for CSC Chaplains*. (See http://www.csc-scc.gc.ca/text/prgrm/chap/profcon_e.shtml).

For information on the role of volunteers in the provision of Chaplaincy services see *The Chaplain's Handbook*.¹⁰

6. Confidentiality

Chaplains and other spiritual visitors need to be trusted by those to whom they minister, both staff and offenders. This is of paramount importance to their personal credibility and to their ability to function professionally. Their position of neutrality in the institution is possible only because they are recognized as agents of the faith community which grants them authority to minister to those who work and live within the correctional system. Respect for the chaplain's neutrality can be retained as they prove themselves capable of keeping the confidences.

The purpose of maintaining confidentiality is primarily pastoral, providing a 'safe' place for people to look at issues of a spiritual, moral and/or ethical nature with a view to increasing their wellbeing. Within Christian circles, discussion around this issue distinguishes between secrecy and confidentiality. *Secrecy* is absolute and is usually

¹⁰ An updated version of this resource is expected before the end of March 2004. In the meantime, chaplains are provided with a print version of current edition.

Section II - Common Issues

exercised in the practice of sacramental confession within guidelines set out by the faith community to which the chaplain belongs. *Confidentiality* is to be respected as long as there is no intention to harm either oneself or other persons. Some laws in particular prohibit confidentiality around some subjects, e.g. the obligation to report child abuse or suspicion of it.

Both legal and moral demands are created by accepting confidences in any setting and chaplains need to be sure that they and their confidants are agreed in their understanding of the obligations and exceptions of confidentiality. Chaplains may receive confidences in two contexts:

- a) *Sacramental*: The confession to God in the presence of the Christian chaplain, made by a person in true repentance with promise of responsibility and accountability, is regarded by most Christian communities to be under the absolute seal of confidentiality. The penitent person seeking absolution in sacramental confession is presumed to understand the conditions under which the confession and absolution are valid, along with the mutual confidentiality of the two human parties. Courts of law, however, may not acknowledge that this confidentiality is sacrosanct.
- b) *Counseling*: Information divulged in a pastoral counseling relationship must be held confidential. The law in most jurisdictions, however, only protects the confidentiality of lawyer/client and spousal relationships.

7. *Contacts and Services in the Community*

In Canada, the government cannot set religious practice. When the government has responsibility for a setting in which religious practice takes place - such as hospitals, schools and prisons - it relies on the services of community faith leaders to advise its personnel on religious matters.

i. The Interfaith Committee

Therefore, CSC has entered into a partnership with the Interfaith Committee on Chaplaincy in the Correctional Service of Canada (IFC), which is composed of some 30 representatives of their respective religious organisations. The IFC collaborates with the Chaplaincy Branch to establish policy and to select and evaluate those who provide of chaplaincy services on behalf of their religious authority. For a list of IFC members presently serving in this capacity, contact Chaplaincy at chaplaincyg@csc-scc.gc.ca.

Each chapter in *Section III* will contain contact information for the IFC member representing the religion as well as the contract/volunteer chaplain(s) or designated resource person(s) serving inmates belonging to their faith in each region.

ii. Ethno-cultural Resources

In addition, the following links will give the reader access to information from *Ethnocultural Communities - Offender Programs and Services*, a resource produced by the Community Reintegration Branch of CSC's Correctional Operations and Programs Sector. This resource contains information about community groups - many of them religious - that offer services of varying types to offenders during and after their incarceration.

ATL - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoatl/toc_e.shtml

QUE - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoque/toc_e.shtml

ONT - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoont/toc_e.shtml

PRA - <http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopra/toce.shtml>

PAC - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopac/toc_e.shtml

- The Ontario Society for Religious Tolerance: www.religioustolerance.org
- Centre d'information sur les nouvelles religions (New Religions Information Centre)
90, rue Saint-Denis, Montreal, Quebec H2P 2G1 (514) 382-9641

8. Conversion and Initiation

Many offenders find themselves exploring the spiritual dimension of life and the role of spirituality in addressing the challenges of incarceration and reintegration. Some may deepen their relationship with a religion already known to them, while others may seek and discover a tradition or faith community that resonates with their needs and hopes. It is important to remember that offenders continue to enjoy the *Charter* guarantee of freedom of religion, and therefore the freedom to change religion, to the same degree as all other Canadians.

That being said, another type of law - known in many traditions as 'canon' law - governs the provisions for changing religion, whether one wishes to adopt or renounce a specific faith. Each tradition, and sometimes the different communities arising out of a given tradition, determines the requirements that "converts" must meet in order to belong. These might include education about the faith (sacred texts, important "events" such as marriage, funeral/burial, and religious festivals), instruction about prayer and worship, a period in which the seriousness of the inquirer's spiritual commitment can be evaluated, etc.

Changing religions is an important decision that necessitates the involvement of religious leaders for teaching, pastoral counseling and guidance. Chaplaincy Management

Section II - Common Issues

recommends that at least three (3) months be allowed for this process; however, decisions about the length of time spent in preparation (and the provision of religious diets during this process) rest with the spiritual leader.

i. Process of Changing Religious or Spiritual Affiliation

An offender may establish his or her own links with a faith community and arrange to satisfy its requirements for membership. If, however, the practice of the new faith requires specific accommodation during the person's incarceration, he or she must ensure that the faith community validates both the person's membership and the accommodation required to practise the religion to the fullest extent possible in a correctional setting.

Alternatively, an offender seeking to establish contact with a faith community while serving time may request the assistance of the institutional chaplain. The chaplain will then make every effort to arrange contact between a leader from the faith community in question and the offender and facilitate visits when possible. The leader will need to provide the necessary information about preparation for membership, any related rites of initiation and corresponding certificates or proofs of membership to the chaplain in order for the conversion to be recognised within CSC. The expectations about religious practice on the part of the inmate as well as any requirements for religious accommodation must be clearly articulated to the chaplain by the faith leader.

CSC's Consultation Group on Muslim Issues has produced a document on which a person's decision to embrace Islam and his or her Will about actions to be taken in the event of his or her death are recorded. This can be found in the Appendix following the chapter on Islam in *Section III* and may serve as a model for other traditions that do not have such a document to allow a change in religious affiliation to be kept on the offender's file.

Irrespective of how the contact, preparation and validation process happens, the chaplain is responsible to ensure that all changes of religious status are entered into OMS. Equally important is the role of the chaplain in interpreting the offenders' religious needs to institutional personnel and discussing institutional concerns about accommodation with the faith leaders in order to arrive at satisfactory arrangements.

The chaplain should also assist the offenders who change religion to inform those who might need to know about it. These include: Case Management, family members, Food Services (if a religious diet is authorised by the leader of the faith community), and others belonging to the newly adopted religion living in the institution.

Some religious traditions require that they be informed if a member renounces their affiliation in order to convert to a different one. The Roman Catholic Church, for example, expects members to inform the local Diocese so that a representative can visit to discuss the person's reasons for changing religious affiliation and the implications of doing so from the faith community's perspective. If the person decides to follow through

with the conversion process, there is a process of making mention of abandonment of faith (apostasy) in the baptismal registers held by the relevant Parish or Diocese.

If at some future date the offender decides to revert back to his or her former religious affiliation or religion of origin, the faith community again has sole prerogative over the requirements for such a change, if it is indeed permitted at all.

ii. Recording Changes in Religious Affiliation on OMS

See Appendix A at the end of this Section for step-by-step to viewing and changing religious affiliation on the Offender Management System.

iii. Rites of Initiation

Offenders wishing to enter into a relationship with a faith community may seek to follow the rites of initiation practised by the community. Initiation implies belonging to a visible fellowship of believers. The offender's membership in the faith group must be ascertained and recorded before preparation for the rites of any specific faith community can be undertaken.

Chaplains are responsible to assist in meeting offender's religious needs, either by taking part in the lead up to the person's initiation (if his or her own religious is being adopted) or by involving responsible representatives of the specific faith group. In the latter case, the chaplain should contact a local representative of the faith community in question, asking that the spiritual leader or other designated person prepare the candidate for initiation. Alternatively, if the faith community wishes to delegate it and if the chaplain can, in conscience, do so he or she may accept the responsibility of preparing the inmate. However, there is much to commend the involvement of the local community in the preparation and administration of the rites of initiation, even if this must be done entirely within the confines of the institution.

9. Death of an Inmate

Action to be taken around the death of an offender is governed by Commissioner's Directive (CD) 530 entitled *Death of Offenders and Day Parolees*, <http://infonyet/cds/cds/530-CD.DOC>. In addition institutions may have Standing Orders on the subject.

Even though the CD does not mention specific involvement by the chaplain, the Institutional Head customarily delegates responsibility for many of his or her functions to the chaplain.¹¹

¹¹ See the *Chaplain's Handbook*, an updated version of which is expected before the end of March 2004. In the meantime, chaplains are provided with a print version of current edition.

If the death is anticipated by Health Services allowance will have been made for any ritual requirements at the time of death in accordance with *CSC's Palliative Care Guidelines*. It is equally important that staff check the offender's religious affiliation on OMS before releasing the body. In some cases the person may have changed religions while in CSC custody without informing his or her family. This can lead to questions about the handling of the body and affect the arrangements for a funeral.

For example, the new religion may prohibit cremation or require burial following specific prayers and rituals unfamiliar to the family; or it may maintain specific objections to autopsies. It will be important that the chaplain facilitate communication between the family members and the appropriate religious leadership, providing documentation validating that a record of the conversion exists on the offender's file.

~ *Notification of the family*

Notification of death is best done in person. Media releases should be withheld until this can be done properly. Chaplains and Elders have access to a professional network of caregivers skilled in such matters and are the preferred delegation. Police may be a possible resource. Notification by telephone should be a last resort.

10. Religious Diets

Introduction

CSC's *Religious Diets: General Guidelines*, produced by CSC Chaplaincy and Food Services, are based on Canada's Food Guide to Healthy Living. The *Guidelines* designate chaplains as having specific responsibility for managing requests for religious diets. They do so in consultation with Food Services according to existing institutional protocols regarding the provision of religious diets in general or of a particular diet. The *Guidelines* can be consulted at http://www.csc-scc.gc.ca/text/prgrm/chap/diet/toce_e.shtml.

If uncertain about the legitimacy of an offender's claims and requests chaplains are advised to consult an authoritative leader of the religion in question, and if possible, to have that person visit the offender and offer advice to the chaplain before the request is approved and a specific diet authorized.

Within all religious groups there are to be found adherents who practise the stated beliefs and practices of their faith to greater or lesser degrees. This is sometimes referred to as differing levels of orthodoxy. As a result, inmates belonging to the same religion may have different requirements when it comes to their religious diet. The local faith community representative or spiritual leader visiting the inmate(s) may or may not

recognize variations in practice as acceptable and may or may not authorize different levels of accommodation for individual inmates.

i. Fasting

Fasting is a common devotional practice in many religions that aims to foster people's spiritual strength by giving occasion for them to focus on the importance of spiritual nourishment as distinct from physical nourishment.

Fasting can mean that nothing passes the lips for the designated time, such as from sunrise to sunset (during Ramadan for Muslims); but it can also mean taking only one meal a day, abstaining from one food, or only having fluids. Each faith community that recommends certain days for fasting is responsible for providing CSC with a calendar of the days on which offender may choose to fast and the types of fast they should observe.

Fasting can have an effect on the administration of medication, nutrition and proposed therapies. If a problem arises, the religious authority can help answer questions, possibly by relieving the offender of religious duties during times of illness or treatment.

ii. Diets of Conscience (also see Section I on this topic)

Federal Court Justice Campbell wrote that, "*vegetarianism is a dietary choice, which is founded in a belief that consumption of animal products is morally wrong. Motivation for practicing vegetarianism may vary, but, in the opinion of the Court, its underlying belief system may fall under an expression of "conscience."* In response, CSC Legal Services has advised that, just as the entitlement for a religious diet may be found in s. 2(a) of the *Charter*, a similar entitlement for a vegetarian diet exists based on the exercise of freedom of conscience. The broad principles in s. 4(e) and (h) of the *CCRA* reinforce the view that dietary requirements based on religion or conscience should be accommodated.

Depending on how CSC addresses this issue, there may also be a question of how to deal with non-observance. In the case of religious diets, the non-observant offender is referred to the chaplain (and possibly the leader of the appropriate faith community) for "counseling" and the diet may be reinstated. However, it is not clear how the Service would handle non-observance issues when the only reference point is the person's conscience.

Food Services, in consultation with the NHQ Religious Accommodation Advisory Group has prepared draft guidelines for the management of diets requested on the basis of conscience. This document should come into force in 2004. When released, it will appear alongside SOP 880 and 881 on the Infonet.

11. Dress Requirements

The overlap of cultural and religious aspects of religious observance can be most apparent when it comes to requests by inmates to wear particular articles of clothing related to their faith.

It is impossible to experience a religious tradition outside the context of one's particular culture. Adherents of a given religion in one country may experience and express their faith in a very different way from adherents of the same faith in another country. In countries where the government works with or is led by religious leaders in managing an official state religion, the religious basis for certain dress requirements may be indistinguishable in people's minds from the cultural basis.

This can pose significant challenges in the correctional setting of another country. Head covering, flowing robes, or religious symbols (such as those required to be worn by Sikhs) may indeed represent important aspects of the person's identity; but they also clearly distinguish certain offenders from others. Because of this, they have the potential of leading to allegations of preferential treatment and/or may pose safety or security concerns.

It is, therefore, important to consult with community faith leaders to clearly identify articles of dress that must be worn during private prayer or group worship as well as those required outside that context. CSC must then find ways to accommodate the use of articles required for prayer/worship and/or daily life. If an article of clothing presents a problem for the institution its use may be permitted only in the Chapel, or allowed for private and group worship but not for day-to-day use.

Questions about dress requirements in specific faith traditions are dealt with in *Section III*, below.

12. Family and Parenting

Separation from family members is a reality with which most offenders live. They may experience great sadness as not 'being there' to participate in raising their children; they may feel very lonely without their spouse/partner. They may also live with a lot of guilt about not being able to support their family financially and knowing the circumstances in which their loved ones now live.

In the context of their faith, parents may find themselves unable to participate in their children's religious education or to attend religious ceremonies involving their children. Depending on the religious tradition there may be obligations on the part of the parent that the offender is unable to meet. Offenders may particularly feel regret about this at times of religious festivals.

i. Addressing Family Issues

CSC's primary contact with family members occurs in the context of visits to the institution. In order to assist staff who deal directly with offenders' families, the Canadian Families and Correction Network (see below) provides training for effective service delivery to families, where funding permits, using a college-level curriculum, entitled *Waiting at the Gate*, specifically designed for correctional officers, parole officers and criminology students.

While primary responsibility for helping families access spiritual and emotional support falls to community clergy and/or community chaplaincy, institutional chaplains can fulfil a useful function by facilitating contact with spiritual leadership in the community, especially if the family has no previous connection with a faith community. The chaplain should maintain contact with various faith groups and organizations that serve the needs of families in order to make appropriate referrals. Again the section containing links to ethno-cultural communities may prove helpful. (See *Contacts* above) For a list of community chaplaincies receiving CSC support, contact NHQ Chaplaincy on Outlook at GEN-NHQ Chaplaincy (chaplaincyg@csc-scc.gc.ca).

ii. Family Participation in Religious Celebrations

Contact with family can make a significant difference to the life of an offender and to his or her chances of successful reintegration. Some institutions have shown great creativity in providing opportunities for offenders to maintain meaningful contact. For example, at Christmas the library at Donnacona Institution (Quebec) has made arrangements for fathers to read a children's story onto an audio tape and to include a personal message.

The warden of each institution determines the level of family participation in socials or seasonal religious celebrations held at the institution. Some family members consider traditions related to the religious holiday as practised in different ethnic communities of origin to be part and parcel of the celebration. These traditions, however, may or may not meet with CSC approval. Family members should be apprised beforehand about what they can and cannot bring with them in terms of food and other articles related to the religious celebration.

iii. Canadian Families and Corrections Network

One community agency dedicated to helping families of offenders cope with life during the incarceration of a family member and access community-based services is the Canadian Families and Corrections Network (CFCN). In addition to staff training opportunities, this organization offers resources and programs for families and assists CSC in developing helpful responses to the needs of families.

Time Together is a valuable resource produced by the CFCN that contains information to assist the offender's partner in the community with issues such as separation, divorce and visits to the prison. It contains several suggestions about how to maintain a relationship with an older child or an incarcerated parent. CFCN also has a list of books written

specifically for children of incarcerated parents designed to help them better understand and respond to what they are going through.

For further information visit CFCN's web-site, <http://www3.sympatico.ca/cfcn>, or contact the National Program Coordinator, Lloyd Withers at cfcn@sympatico.ca or (613) 541-0743.

13. Gang-related 'Religious' Activity

CSC Security has obtained information from its international contacts that documents gang-like activity occurring in prisons under the guise of religious groups. These activities tend to be organized under the banner of a legitimate religion but with slightly altered symbols and distorted teaching that promotes the goals of the group's self-appointed leaders.

The evolution of this kind of activity tends to follow a predictable pattern. If the religion being targeted already has an established group functioning in the institution, the leaders of the gang begin by infiltrating it and gradually bringing it under their control. If the necessary group does not already exist, authorization can usually be obtained to have one function in the prison because it appears to have a legitimate basis; its leaders may even obtain the services of religious leaders in the community. They then take advantage of the considerable freedom to associate afforded to religious groups and, while they may maintain some semblance of prayer and ritual, use gatherings for worship as opportunities to organize illegal activity.

The institution usually notices a significant number of 'conversions' to the religion as recruitment for the gang occurs. Another sign that may tip staff off is that a few inmates begin exercising strong leadership. In some cases the religious leaders who come to serve the group may be unaware of what is really going on. In most cases adherents to the authentic faith experience significant pressure to allow the illegitimate use of the time and space by gang-leaders to continue unimpeded.

The most effective preventive measure against this kind of activity is to establish strong collaborative relationships with all religious leaders who serve inmates, irrespective of their faith tradition - as none are immune to this kind of potential infiltration - and to provide education and support about the issue. Visiting leaders should be encouraged to report any behaviour or pattern they observe that makes them uncomfortable or that they consider suspicious. Specific attention should be paid to inmates who arrive and sign in but then either leave right away or form small discussion groups and do not participate in the main worship or study activity. Leaders should also listen carefully to what inmates may present as legitimate teaching with an ear open to catch possible distortions.

For more information, contact NHQ Security (Luciano Bentenuto bentenutolu@csc-scc.gc.ca)

14. Gender Differences

The religious obligations and prohibitions of some religious traditions that dictate practice when it comes to prayer, conversion, dress and leadership are different for their male and female adherents. It is important to ascertain the valid teaching of the tradition, which may vary from the offender's understanding of it, by consulting the religious leadership in the community. This ensures that CSC will allow authorized religious practice without any appearance of it being CSC that determines or imposes any gender-specific practices.

When such differences exist within a given tradition and when cross-gender staffing sensitivities exist, the chapter dealing with that religion in *Section III* will outline the respective obligations and prohibitions for men and women.

15. Health and Illness

A number of situations may lead an offender to refuse the medical or therapeutic care recommended by Health Services because of strongly held religious beliefs. Some religious traditions for example prohibit their adherents from receiving blood transfusions. Others have very strict obligations around the disposal of anything belonging to one's body, such as hair and finger/toe nails (Sikhs) or amputated body parts (Jews).

Similarly, people may choose to take action that affects their health for religious reasons. In one institution a Muslim offender was grieving what he saw as the inadequacy of the religious diet to which he had access and commenced a hunger strike. After a while concerns for his health led CSC officials to find a second leader from the Muslim community to, firstly, validate the components of the diet that the local imam had negotiated with the institution and, secondly, lead the inmate to understand the prohibition to committing suicide within the Islamic tradition.

Again there may be gender-based obligations or prohibitions arising out of the religious tradition that dictate if and when health care can be delivered by a person of the opposite sex.

~ Visiting Offenders in Community Hospitals

The CSC chaplain should notify the chaplain of the community hospital when an inmate is transferred to it for any length of time and offer guidance about the person's pastoral care needs. Information about the required security arrangements and the constraints these may place on pastoral visitation will be valuable information for the CSC chaplain

to share. Prior to visiting an offender confined to a community hospital, the CSC Chaplain will contact institutional Security and advise them of the intention to visit.

If the offender is a participant in Chapel programs, hospitalization may provide an opportunity for Chaplaincy volunteers to assist the chaplain in providing pastoral care to the offenders in the community hospital. Alternatively, if the offender belongs to a local faith group, the chaplain may contact its leader about a possible visit during his/her stay at the community hospital.

The CSC *Palliative Care Guidelines* make explicit provision for religious and spiritual care of offenders who are terminally ill. The multidisciplinary team working with the offender should consult the *Guidelines* to ensure that appropriate care and contacts with his or her faith are offered.

16. Holy Days and Holidays

The holidays of many religions are determined by the lunar calendar, such as Easter for Christians, and therefore vary from year to year. Dates for the festivals of all major religious traditions appear on the multi-faith calendar that chaplains receive every year.

~ Holidays / Feast Days

The opportunity for inmates to fully celebrate these days depends on many things: the number of inmates belonging to the faith tradition; the institutional security level; the level of involvement required by community members; the articles needed in the celebration; CSC policy and institutional routine, as well as other possible factors.

It is the responsibility of each religious community to provide the CSC with a calendar of applicable special feast days, major festivals or seasons along with any specific gatherings or worship events, dietary requirements, symbols for corporate worship or private prayer, or other practices. (See *Section III* for information on the holy days of various religious traditions)

If a religious tradition practises specific dietary requirements on a given day or during a particular religious season, for example around Passover or during Ramadan, Food Services staff should make every effort to accommodate the needs that cannot simply be met by purchasing the necessary items from the canteen. The provision in CD 890 for Holiday Canteen items is as follows:

~ CD 890 - Holiday Canteen

The institutional head may allow inmates whose equivalent [i.e. to Christmas] major holiday occurs at another time of the year to purchase a Holiday Canteen for the same amount approved as per this paragraph...

17. Religious Law

The context and history underlying religious Law(s) can sometimes be quite foreign to North Americans living in the 21st century and vary considerably from the religious perspective of CSC staff. This can make it difficult to appreciate their importance to people bound to uphold them. Questions may arise about CSC's ability to accommodate the provisions of the Law(s) given the constraints of the correctional setting.

The interpretation of such Law(s) for application within the CSC context rests with the religious leaders in the community. Given the 'levels of orthodoxy' (see *Beliefs and Practice*, above) the advice given by different community leaders may vary from one location or region to another. This means that CSC cannot impose uniformity of belief or consistency of practice across the country. Keeping in mind the *Charter's* guarantee of the right to exercise freedom of religion, CSC staff need to work with the chaplains and community leaders to determine ways in which offenders can abide by the Law(s) of their religion to the greatest extent possible.

The chapters in *Section III* indicate the sources and implications of the religious law(s) that govern the beliefs and practice of particular faith traditions.

18. Leadership and Accreditation

Because a government service cannot determine religious policy or practice, CSC relies on its relationships with faith leaders from the community to advise it on questions of religious accommodation and to provide chaplaincy services to offenders in its custody and care. Depending on the religious tradition in question, there may be several potential directions for CSC to turn when seeking such advice and services.

Canada's main faith traditions are represented on the Interfaith Committee on Chaplaincy in the Correctional Service of Canada (IFC). For questions of policy and for assistance in selecting and evaluating chaplains, Chaplaincy usually relies on the appropriate IFC member to assist. Please contact NHQ Chaplaincy for the current list of IFC members. Alternatively, Chaplaincy may contact the religion's national or provincial organization.

When it comes to providing pastoral counselling and/or religious services, Chaplaincy tries to identify a volunteer or contract chaplain, or to contact the leader of a faith community in reasonable proximity to the institution. Such persons must be able to provide recognition of their status from their religious authority structure. Accreditation may come from a national or local religious organisation or a locally established centre of worship - a church, temple, mosque, etc. The person might present academic credentials or certification as a leader from a centre of religious study or formation. When documents confirming a person's accreditation originate in another country, they may be difficult to obtain and may need to be translated when they arrive.

In addition to verification of credentials, CSC also requires that spiritual leaders from the community obtain security clearance. When CSC does not contract with the person for the spiritual services provided he or she qualifies as a volunteer for whom the chaplain is responsible when visiting the institution. However, they are not classified as 'visitors' and should be allowed access to space other than in V & C to meet with offenders.

In the absence of a community-based authority or service, Chaplaincy relies on information provided by "lay" adherents to the faith tradition and/or by representatives of ethno-cultural organisations. This need arises when a recognised spiritual tradition to which inmates belong does not have an organisational structure, as is the case for Rastafarianism, some Pagan traditions, "New Age" spirituality, and others. Not only does this mean that they do not usually have designated leaders, but that they have no formal accreditation or certification process. As such, they do not have representation on the Interfaith Committee.

For some of the less known forms of spirituality, Chaplaincy has found Le Centre d'information sur les nouvelles religions very helpful. (See *Contacts*, above)

For further information about the spiritual leadership provided by Aboriginal Elders, please refer to the chapter of *Section III* that deals with Aboriginal Spirituality.

19. Marriage

It is possible for offenders to marry while in CSC custody, provided that there is no legal impediment to the marriage - such as age of consent, an existing marriage or close blood relationship. Provinces are responsible for regulating (e.g. licensing, registration) the celebration of marriage. In each province, the person officiating at the marriage ceremony is responsible to ensure that the parties meet the province's eligibility criteria, as well as any applicable federal conditions (e.g. family relationships). CSC has no authority to determine whether or not two people are eligible to marry one another; therefore, approval of the Warden is not required.

The determination of whether permission will be given for a wedding ceremony to take place within a CSC institution is based on an assessment of potential risk to the safety of the persons concerned and the security of the institution. Normally an incarcerated person who wishes to marry will inform his or her Parole Officer of the fact. If communication and contact between the two persons do not present any safety or security risks, and approval to hold the wedding is granted, the Parole Officer will assist the couple to obtain the necessary institutional clearances, for example, CPIC checks of guests who are attend the ceremony.

If a religious wedding ceremony is requested, the incarcerated person will request the assistance of an institutional chaplain. Chaplains on contract with CSC remain under the discipline of their faith community and are expected to apply the same standards and

practices to their involvement with inmates as they would in a regular parish situation. While some chaplains consider the marriage of offenders an important part of their ministry, many have reservations about performing marriages when one (or both) of the parties is incarcerated. Because freedom of religion is protected by the *Canadian Charter of Rights and Freedoms*, religious officials cannot be required to perform any religious function that is against their religious beliefs.

CSC Chaplaincy encourages the involvement of the couple's faith community if at all possible. If the couple belongs to a non-Christian faith tradition, the chaplain will assist in making the necessary contacts and ascertaining what religious requirements need to be met.

Chaplains are not normally involved in the performance of civil (non-religious) marriage ceremonies, which are conducted under the appropriate secular authority.

Case Study: A Parole Officer in the Ontario Region writes...

An inmate on my caseload has requested permission to marry another male inmate residing in this institution. I am aware of legislation recently passed that grants some recognition to same sex marriages and privileges such as benefits and pensions. But does this mean that a same-sex couple can get married during incarceration? Could you clarify this for me?

Same sex marriage is legal in Ontario and British Columbia¹². As long as their respective requirements for obtaining a marriage license are met, these two provinces issue marriage licenses to heterosexual and homosexual couples.

An assessment of the potential risks of holding the wedding in the institution is carried out by CSC in the same way for heterosexual and homosexual couples.

Under no circumstances will two (or more) inmates be authorised for a Private Family Visit, whether they are a heterosexual or same sex couple.

CSC will continue to assess all offenders for placement, transfer or temporary absence based on their individual risk and needs, security requirements, interpersonal relationships and home community; and to facilitate their rehabilitation and safe, successful reintegration into the community.

References:

- *Marriage While Incarcerated: Characteristics and Relationships of Partners* (Research Brief, A preliminary Analysis), Research Branch CSC, 1996.
- *Handbook on Providing Chaplaincy Services in the CSC*¹³

¹² Other provincial courts are currently studying the Ontario and British Columbia rulings to determine if they will follow suit (e.g. Quebec).

20. Searches

CD 566-9(5), which governs the Searching of Inmates, requires that staff who carry out searches have knowledge and training "to recognize and respect cultural and spiritual artifacts":

The Institutional Head shall ensure that all cell searches are done by staff members who possess the knowledge or training to recognize and respect cultural and spiritual artifacts.

Some remarks about the implications of CSC's Search Procedures in the context of accommodating religious and spiritual needs follow.

i. Technology

There have been examples of offenders and their families objecting to the use of some forms of technology based on their religious beliefs. They claimed that their faith deemed technology to be "the work of the Devil" (that is, destructive spiritual powers). Chaplaincy did not receive confirmation of this belief when it contacted the faith group leaders in the community. Still, one institution faced with this concern was prepared to waive the use of the technology - in this particular case the system used to record canteen purchases and some search procedures that affected the family at the front gate.

ii. Drug Dogs

Some Aboriginal and Muslim offenders have objected to the use of Drug Dogs in the searching of their rooms or cells on spiritual/religious grounds. Depending on the teaching of the Elder they follow or the Muslim leadership at their institution inmates may hold that contact with canine saliva, dander or hair renders food, furniture, bedding, clothes and even the entire living space ritually impure. Dog Handlers are asked to take care to prevent such unwanted contact and correctional officers are asked to provide access to a clean set of bedding or clothing if unwanted contact does occur. It is important to note that the simple presence of the dogs does not raise concern. (See the chapters on Aboriginal Spirituality and Islam in *Section III* for the prescribed ways of cleaning items rendered ritually impure by dogs.)

iii. Blood/urine samples

Despite the claims of offenders belonging to particular traditions, none of the religious or spiritual leaders whom Chaplaincy consulted has confirmed a prohibition against the giving of blood or urine samples. While such measures almost certainly did not exist at

¹³ An updated version of this resource is expected before the end of March 2004. In the meantime, chaplains are provided with a print version of current edition.

the time that sacred texts and traditions were established, and therefore receive no mention, the religious and spiritual leaders in question only voice concerns about blood transfusions. The Elders consulted asked that staff show respect to women "in their moon" (during menstruation); but did not require that such women be exempted from giving blood or urine samples.

iv. *Searching People*

Some religions prohibit all physical contact between adults of the opposite sex apart from one's spouse. The following paragraphs of CD 566-7 can be referred to standard procedures for searches:

7. *Notwithstanding subsection 49 (4) of the CCRA, a male staff member shall, under no circumstances, conduct or witness the strip search of a female inmate, but will contain the situation until such time that female staff members arrive to conduct and witness the strip search.*
8. *If, before or during the course of a frisk search, a male inmate objects to being searched by a female staff member, where reasonably practicable, a male staff member shall perform the search.*
9. *A strip search, whether routine or non-routine, shall be conducted in a private area, out of sight of others, by a staff member of the same sex, and in the presence of a witness. This witness shall also be of the same sex as the individual being searched. This ratio may be augmented in the case where an inmate is uncooperative at the time of the search.*

Staff should show consideration for people who for religious reasons request to be frisked by an officer of the same sex, rather than by a one of the opposite sex. When staff know that groups of family members belonging to a religious tradition with cross-gender sensitivities will be visiting, institutions could make staff members of both sexes available to perform these searches, providing the requests can be reasonably accommodated without causing undue operational disruptions. Visitors should be aware that in some situations, the person being searched may need to wait while an appropriate officer is re-assigned, or that it may not be possible to accommodate the request at that time.

21. Religious Symbols

Religious symbols and sacred objects have great significance for the members of some faith traditions. These symbols should be treated with respect and their presence only questioned with good reason. (Also see *Cell Effects*, above)

Religious symbols can have a great influence on people's decisions. For example, most people would find the loss of hair due to receiving chemotherapy a very difficult reality

to accept. However, it may have such religious significance for an elderly Sikh man that he may refuse the treatment.

For CSC's approach to dealing with symbols belonging to specific faith traditions, see the appropriate chapter in *Section III*.

22. *Volunteers from Faith Groups*

See *Volunteers in Chaplaincy* found in Part Three of the *Chaplaincy Handbook*¹⁴.

23. *Worship*

i. Prayer/Devotions

Most faith traditions encourage adherents to participate in prayer and worship in both private and corporate (group) settings. CSC policies and procedures can have an impact on if, how, when and where religious ceremonies take place in its institutions; on which religious articles may be kept in rooms/cells; and on who may and may not associate together in a group context. (The limiting of religious practice is discussed in greater detail in *Section I*, above.)

The scheduling of private prayer or devotion must happen within the context of institutional daily routine. Offenders may not be able to meet ritual obligations that occur in the course of the day if they are to maintain employment, participate in programs, and comply with meal schedules, etc.

Scheduling corporate worship, and specifically the use of the chapel, is the responsibility of the institutional chaplain(s). In most institutions Muslim worship together on Friday; if there is a quorum of 10 men, Jewish prayers are held on Friday evening and/or Saturday; and Christian worship is usually held on Saturday and/or Sunday.

ii. Leadership by Inmates

Depending on the teaching of each faith tradition, inmates may be designated to lead worship (and in some cases study sessions) in the absence of the designated religious leader from the community. Since the role of a worship or study leader may be interpreted or appropriated as conferring status or authority on one or more inmates in relation to the others, this practice introduces the potential of conflict and/or power dynamics. The chaplain, institutional security, and the community-based leader should make it very clear that inmates who lead worship and/or study do not exercise any

¹⁴ An updated version of this resource is expected before the end of March 2004. In the meantime, chaplains are provided with a print version of current edition.

authority when it comes to questions of faith and teaching. CSC relies solely on the faith community outside the institution for authoritative teaching and policy advice.

(Also see *Gang-Related 'Religious' Activities*, above)

iii. *The Use of Candles for Religious Purposes*

Section 8, Paragraph 10 of the *Fire Safety Manual* (CD 345) deals with Fire Hazard Control and reads as follows:

Subject to safety and security concerns outlined in this Section, the Institutional Head will exercise reasonable discretion, based on a case by case review, to accommodate the use of candles for religious purposes.

The wording of this paragraph comes from the *Interim Instruction on Fire Safety 2000*, which has since been revoked and incorporated into the *Fire Safety Manual*. See the following documents:

Policy Bulletin - <http://infonet/cds/cds/bulletins/117bul345.doc>

Commissioner's Directive - <http://infonet/cds/cds/345-cd.doc>

Fire Safety Manual - <http://infonet/techservice/engservices/fire-safetve.doc>

A Memorandum of Understanding established at Warkworth Institution (ONT)¹⁵ can serve as a model on which other institutions might base their management of the use of candles for religious purposes. Although it was developed specifically in order to better manage the use of candles for personal devotion by Wiccans in their cells, it could be adapted to establish an institutional policy on candles for inmates of other traditions that allow or require their use.

The intention of the Canadian Human Rights Commission (CHRC) in requiring CSC to develop policy on this issue was to see inmates being given access to candles for justified religious purposes. Some institutional managers have interpreted Paragraphs 8 through 10 as allowing a blanket refusal to inmates who request to burn candles, claiming that their wooden (rather than cement) structure constitutes an unacceptable level of fire hazard. This practice would be challenged by the CHRC since open flame for lighting cigarettes is permitted in these structures.

Paragraph 8 outlines the restriction on the use of candles in group settings, without specific reference to religious practice, although the chapel is mentioned as a potential location for supervised use.

8. *For the safety and security of staff, inmates and other building occupants, the legitimate use of candles is to be rigorously restricted and allowed only under the most controlled circumstances. Should special circumstances or occasions arise where the Institutional Head considers that candles should be permitted, they shall*

¹⁵ See Appendix B at the end of *Section II*.

Section II - Common Issues

only be used under supervision, and then only in approved locations, such as the Chapel, a classroom or multipurpose area. Under no circumstances should candles be permitted in Private Family Visit Units unless supervised by staff. An approved group may be permitted to bring candles in, use them in a safe, supervised manner, and then remove the candles and remnants on completion of the group's approved activity.

Paragraphs 9 and 10 make provision for personal use of candles and make no specific reference to a requirement for supervision.

9. *Under no circumstances shall any candle be provided for the personal use of any inmate without the Institutional Head's approval. When authorized for use, candles shall be housed in a noncombustible holder with the flame protected from wind and direct contact with combustible materials.*

Articles 9 and 10 are included in order to allow unsupervised access to candles and incense in cells for religious purposes. If institutions choose not to implement the intention of these two paragraphs for inmates whose religious affiliation has been authenticated and whose religious or spiritual tradition includes the use of candles and/or incense in personal rituals, they can be successfully challenged.

iv. *The Use of Incense*

No national policy currently exists regarding the use of incense for spiritual practices. However, the use of incense is mentioned in the *Fire Safety Manual*, Section 8, Fire Hazard Control (2001-07-27, #1) as part of Paragraph 7:

7. *The Institutional Head shall ensure, through discussions with all interested parties, that procedures are in place to reduce the false fire alarms caused by sweetgrass or smudging activities, as well as the burning of incense. Consideration must be given to the health effects these activities may have on others, and wherever possible, should be located in well-ventilated areas.*

The burning of incense is a common, though in few cases essential, practice in many faith traditions. Because CSC allows the burning of sweetgrass, it is difficult to make a case against the burning of incense by adherents to other traditions on the grounds of fire safety concerns. Again incense does not present any more of a fire hazard than do cigarettes.

The *Review of Offender Access to Religious and Spiritual Programs and Services* (2001) praises a 'best practice' at Fenbrook Institution, in which the warden and any prisoner whose religion requires/encourages the use of candles or incense sign an MOU setting suitable boundaries for permitted usage. This seems a very good model given that it encourages clarity and accountability.

In short, where a chaplain determines that incense is a legitimate part of the person's spiritual tradition, wardens may authorize its use subject to specific conditions and/or restrictions. Reasons to deny access must be related to the person making the request and not reflect an institutional instruction prohibiting personal use. For example, people who share accommodation with others are usually subject to rules that control the ways in which the exercising of their rights might adversely impact their neighbours. In such cases environmental sensitivities or allergies on the part of a cell- or room-mate may preclude the use of incense in that location.

v. *Safety and Security Concerns*

Normally security cameras are not present in institutional sacred space. In addition, security personnel normally do not supervise religious services unless escorting a particular inmate identified as posing a risk. Chaplains supervise any activity that takes place in the sacred space and that might pose a safety concern, such as the use of candles.

(Also, see *Gang-Related 'Religious' Activity*, above)

vi. *Sacred Space*

All institutions are required to provide space in which the religious needs of inmates can be met. Most Christian chaplains and spiritual and religious service providers for traditions other than Christianity agree that the 'sacred space' in the institutions can be shared by people of all faiths. However, the Interfaith Committee on Chaplaincy is not of one mind on the issue and some inmates and institutional management argue in favour of separate space being designated for the practice of differing faith traditions. All that can be said is that there is no obligation to provide separate space; if an institution chooses to offer such space to accommodate different groups, it is free to do so.

In either case, the institution should not assume that space set aside for worship can be used for other purposes, such as non-religious meetings or training. Staff should carefully negotiate with the chaplain about the use of the space.

Also, when more than one faith tradition uses the same space, care should be taken to show respect for others by allowing the removal or covering of religious symbols belonging to a particular religion. In some cases the architecture and appointment of the space make this very difficult. Even so it may be possible to partition a section of the space for use by a small group. In the newer worship spaces care is often taken to include symbols of all traditions that use the space. Of greatest importance is the spirit within which recognition of and sensitivity about the importance of this issue is shown.

Appendix A - Entering OMS to View and Change Religious Affiliation

The inmate's religious affiliation can be entered into the OMS, in the Tombstone Data category. The Tombstone Data can be accessed as follows:

1. Go to the OMS Main Menu
2. Select: 01 MAINTAIN OFFENDER FILE
3. Select: 01 Check for Existing File
4. Select: 02 TOMBSTONE DATA
5. Type in the inmate's FPS number or last and first names

The inmate's religious affiliation entered during intake assessment can be viewed under item 11 RELIGION. If no affiliation is present, it can be entered whenever the data is viewed. Changes in religious affiliation should be documented under ALERTS, FLAGS & NEEDS.

Religious Diet:

In order to facilitate the provision of diets generally, and upon transfer, the following could be documented briefly in the Description box of the Religious Diets and Other Issues category (Alerts, Flags, Needs):

- Change of religion and subsequent authorisation of a religious diet; beginning and end dates;
- Significant involvement of the faith community in the resolution of problems;
- Significant developments in the provision of the diet, inmate changes his mind regarding pre-packaged food, or problems accessing pre-packaged food.

The NEEDS category is contained in the ALERTS, FLAGS AND NEEDS module. This module can be accessed in three different ways:

1. From the OMS Main Menu, select 01 MAINTAIN OFFENDER FILE. Once you have accessed this screen, select 09 ALERTS, FLAGS AND NEEDS.
2. From the OMS Main Menu, select 03 INTAKE ASSESSMENT & PLACEMENT. Once you have accessed this screen, select 12 ALERTS, FLAGS AND NEEDS.
3. From the OMS Main Menu, select 04 INSTITUTIONAL CASE MANAGEMENT AND CASE PREPARATION. Once you have accessed this screen, select 15 UTILITIES, and the 07 NEEDS.

Once you have accessed NEEDS, enter the appropriate information. The religious diet category can be found in the NEEDS table.

For any additional information on OMS, please access the instructions on the InfoNet.

Appendix B - Memorandum of Understanding from Warkworth Institution

Memorandum of Understanding between Warkworth Institution and the Wiccan Community re: the Use of Candles in Inmate Cells

1. All Wiccan inmates holding a valid Wiccan Property Card can use candles in their cells, as stipulated by the Human Rights Commission and C.S.C. providing the following conditions are met:
 - a. Candles are to be used in inmates' cells.
 - b. For safety considerations, the candles must be approved 'votive' type.
 - c. These candles must be in approved brass votive candleholders.
 - d. Inmates are limited to 5 candles and holders at any given time.
 - e. The metal base of spent candles must be returned to the Chaplain before new candles are issued.
 - f. The inmate must not be residing in the E.M.U. (*Eighty Man Unit*) because this Unit is not only smoke-free but also allergens-free.
 - g. No Wiccan inmate may give candles to non-Wiccans.
 - h. The candles are issued strictly for religious purposes.
 - i. The Warden of the Institution reserves the right to cancel the permit of individuals for infractions of the above rules.

Chaplain

Inmate/FPS

Date

Warden

SECTION III

~ Specific Traditions ~

Introduction

Section III contains descriptions of the beliefs and practices of a number of religions with which CSC staff may not be familiar. Included are some addresses and telephone numbers of contact people, usually religious practitioners, from the respective religious bodies.

i. Religious and Spiritual Traditions Selected

In this initial release of the Manual (January 2004), readers will find information on the religious and spiritual traditions to which the ***greatest number of inmates belong*** and/or which figure in the ***greatest number of requests for information and grievances***. This selection does not constitute a value judgement on the part of CSC about which traditions are more important or should be promoted. Information about the other religions found on the OMS listing of Offender Count by Religion will be included in next phase of the Manual's development.

In all cases, NHQ Chaplaincy has worked closely with the leadership of the religious and spiritual traditions described in *Section III* to ensure the accuracy of the information contained in each chapter. It would be impossible to adequately thank each contributor individually, but their assistance was invaluable to the Manual's authors. In some cases they are mentioned under *Contacts* in their respective chapters; in others their identity and personal contact information has not been published at their request.

ii. Scope of Information Provided

This Manual does not pretend to contain exhaustive information about the religious and spiritual traditions in *Section III*. The sheer variety of practice within faith communities renders such a prospect impossible. Also, it must be kept in mind that the belief and practice of these faith communities were not conceived with the intention that they be practised in a correctional setting. As the institutional settings evolve issues touching on the accommodation of religious and spiritual needs which the Manual could not have foreseen will surface.

It is, therefore, essential that staff approach issues that are not covered in *Section III* on the basis of the principles outlined in *Section I* and with a willingness to consult the leadership of the tradition in question if they are unable to resolve a problem. In the

Section III - Specific Traditions

event that institutional or regional staff would like to contact these community consultants, NHQ Chaplaincy will be pleased to provide their contact information.¹⁶

¹⁶ Further to that information, NHQ Chaplaincy has the source documents used in compiling *Section III* and these may be referred to and borrowed as necessary.

Aboriginal Spirituality

Introduction

Aboriginal (Indian, Inuit, and Métis) offenders form one of the groups for whom access to spiritual services has been accommodated by Correctional Service Canada (CSC). Just as many world religions find expression in various forms, trying to describe the spirituality of Aboriginal peoples through a single spiritual expression would simply deny the reality of its diversity.

For many Aboriginal offenders exposure to teachings, ceremonies, and traditional ways begins in federal custody and represents a spiritual awakening that establishes an integral component of their reintegration. The CSC is committed to providing Aboriginal offenders with the opportunity to further develop their understanding of traditional Aboriginal spirituality.

Elders and Spiritual Advisors work with offenders who wish to learn and who choose to walk this healing path. They provide spiritual leadership including teachings, spiritual guidance, counselling and the conduct of traditional ceremonies to Aboriginal offenders. This chapter provides information on the protocols that the Elders who serve as consultants practise as they provide these services in various CSC institutions.

i. Historical Perspective

During the period 1867 to 1945 Canada's assimilation and civilization policies served to prohibit Aboriginal peoples from practising their traditions, spirituality and culture. Of the many approaches used to "civilize" and assimilate Aboriginal people the residential school system proved to be the most effective and, as we know, destructive means to assimilation. The removal of children from their families and communities severed their connection to each other, to their language, culture, ceremony, and rites of passage, which were all crucial to the development of their identity. As a result of the intergenerational impact of the religious management of residential schools, a large percentage of Aboriginal offenders practice the Christian faith.

ii. Aboriginal Spirituality in CSC Institutions

In the late 1980s, CSC began to offer programs to meet the needs of Aboriginal offenders. In addition to these programs, Elders were introduced to the institutional environment in the role of cultural, traditional and spiritual leaders, to provide services for those offenders who wished to follow the traditional healing path. It is important to stress that Aboriginal spirituality, tradition and culture imparted by the Elders do not constitute a 'program'; it is a way of life that is shared and taught. There are some Aboriginal-specific programs delivered within the institution, and in some cases Elders may choose to facilitate or co-facilitate these programs, i.e. an Aboriginal specific substance abuse program.

The telling of stories, sharing traditional teachings and the conduct of ceremonies is the sharing of wisdom and knowledge and serves to assist the individual in following the traditional lifestyle, the "Red Road", to healing. The work of the Elders is the driving force behind the healing process that emphasises the positive in terms of cultural identity, relationship to family and community, and personal development and awareness. This work is done in a holistic manner, taking into consideration the physical, mental, spiritual and emotional aspects of an individual.

Some Aboriginal offenders may follow solely traditional beliefs and practices while others, as mentioned earlier, may exclusively opt for Christian beliefs and practices. As well, there are those who maintain a balance between both practices.

1. Beliefs and Practice

There is a rich diversity of traditional cultures within the Aboriginal population. As a result, it is not possible to provide all-inclusive information without missing one or more groups. In order to achieve some balance in relation to various beliefs, the following focuses on those that are shared by all Aboriginal peoples, namely the inter-relatedness and connectedness of all creation, relationships and balance. As well, the relationship to Mother Earth and the land are key. Aboriginal values, beliefs, ethics and practice flows from these main concepts; however, they too vary for the Inuit, Métis and diverse First Nations cultures.

Ritual and belief are very much determined by the environment in which Aboriginal peoples live, the traditional hunting practices and the land. For example, sweetgrass does not grow in the North and so is not used in ceremony for the Inuit; a traditional feast for the Ojibwa would include moose as opposed to the salmon that would be a traditional component for First Nations on the West Coast.

Aboriginal spirituality is a holistic way of life, which encompasses the mental, physical, emotional and spiritual well being of the individual. It is based on knowing where we, as human beings, fit in Creation, which in turn directs our relationship to the earth, the plant world, the animal world and the human world.

2. Birth

Being the givers of life, women are sacred and the birth of a child is a gift to the family, community and Nation into which he or she is born. A feast is often held, along with a celebration that may be sponsored by family members.

Ceremonies to celebrate roles and passages in life do vary amongst Aboriginal peoples. For example, in Inuit culture a prediction is made at birth as to whether this child will

Section III - Specific Traditions

receive the teachings and wisdom necessary in his/her eventual role as an Elder. If this is determined to be the case an adult takes the responsibility to teach and provide guidance to the child.

Naming ceremonies may also take place. The Elder/Spiritual Advisor should be consulted on this practice.

3. Cell Effects

In consultation with an Elder/Spiritual Advisor or Aboriginal advisory body, personal possession and use of smudging materials required for spiritual practices is permitted, upon approval of the Institutional Head.

Personal possession of medicine bundles and other sacred objects is permitted when an Elder/Spiritual Advisor whose services to offenders have been solicited by the institution has provided or sanctioned them. A medicine bundle is a collection of natural objects or substances of spiritual value.

4. Ceremonies

Ceremonies vary in purpose, timing, and approach. The majority of First Nations Elders working within the correctional system bring with them the Prairie cultural traditions and teachings such as the burning of sweetgrass, pipe ceremonies, and the sweat lodge.¹⁷ These ceremonies may or may not be applicable to other Aboriginal cultures. For example, on the West Coast the longhouse and the use of water are central to ceremony.

Consultation with the Elders/Spiritual Advisors will assist in the determination of appropriate activities, as well as who will conduct the ceremonies. Ceremonial objects will also be identified through consultation with the Elder/Spiritual Advisor who will deem certain objects as sacred or ceremonial in nature.

In accordance with CD 702 consultation with the Elders/Spiritual Advisors, Native Liaison Officers and Aboriginal communities will assist in establishing procedures for the collection and storage of materials required for ceremonies.

5. Contacts

¹⁷ The sections of the Fire Safety Manual that refer to these practices are being updated to reflect operational concerns within provisions for reasonable access and limits to spiritual expression.

The Elders/Spiritual Advisors involved in corrections function within a strong network both within and outside of the institutions in which they attend to the spiritual needs of Aboriginal offenders. If the services of an Elder/Spiritual Advisor from another Aboriginal culture are required, the institutional Elders/Spiritual Advisors are able to provide appropriate contact information. The Native Liaison Officers may also be of assistance in this regard.

An Elder's Working Group has been established by the Director General, Aboriginal Initiatives Branch and a national listing of institutional Elders/Spiritual Advisors is maintained.

6. Death

According to spiritual law it is vitally important for Aboriginal peoples to show their respect for the dead (i.e. attend a funeral). Within a traditional Aboriginal worldview the family group and kinship, which include extended family and traditional adopted members, was and is paramount.

In some traditions, Aboriginal peoples are required to provide offerings of food to the deceased as part of their spiritual responsibility to one another as family. During pipe ceremonies, departed ones are asked to speak to the Creator on the other side, on behalf of their remaining living relatives.

All Aboriginal cultures have specific ceremonies that respect the passing of a family or community member. Consultation with the Elders/Spiritual Advisors will assist in determining any ceremony that is required to respect the deceased.

7. Diet

Traditional foods are plant and animal substances that are associated with a distinctive cultural group. Traditional food connects Aboriginal peoples with their traditional home and provides them with a connection to their spirit. This connection to the spirit makes traditional food integral to Aboriginal peoples, particularly when conducting ceremonial feasts and other cultural events.

Individuals may be required to fast prior to participating in particular ceremonies. The health and well being of the individual is monitored closely by Elders and other Spiritual Advisors, to ensure safety throughout the duration of the fast.

An example of procedures developed in one region to regulate access to traditional or "country" foods can be consulted at http://infonet-pra/regional_procedures/rp_home.htm (RP 702 - Traditional Aboriginal and Inuit Foods in CSC Institutions).

8. Dress Requirements

Certain Aboriginal cultures require that women wear long skirts for ceremony. Consultation with Elders/Spiritual Advisors will determine whether there are specific dress requirements. An Inuk woman might wear a skirt when participating in a First Nations ceremony as a sign of respect for that culture; however, skirts are not traditionally worn by Inuit women.

9. Health and Wellness

Traditional Healers may be called upon to assist individuals to achieve healing of body, mind or spirit. A Healer is a person recognized by the Aboriginal community and respected Elders as having this gift.

Traditional medicine and smudging material includes plants and medicines identified by an Elder/Spiritual Advisor as having healing potential.

10. Spiritual Laws

Strict rules exist to prevent the violation of the spiritual laws that govern the behaviours and practices of Elders/Spiritual Advisors. A stringent moral code also exists to ensure that one “walks the talk”.

11. Leadership and Accreditation

The Elder/Spiritual Advisor is a person recognized by the Aboriginal community and respected Elders as having knowledge and understanding of the traditional culture of the community, including the physical manifestations of the culture of the people and their spiritual and social traditions. Knowledge and wisdom, coupled with the recognition and respect of the people of the community, are the essential defining characteristics of an Elder/Spiritual Advisor. Some Elders/Spiritual Advisors may have additional attributes, such as those of a traditional healer. Only Aboriginal communities and respected Elders may identify an Elder/Spiritual Advisor as such.

An Elder/Spiritual Advisor may choose a helper to assist in the conduct of spiritual activities and who will be instructed in the ways of the Elder/Spiritual Advisor. Helpers

may also take the lead in the conduct of spiritual activities if delegated by the Elder/Spiritual Advisor to do so.

Elders/Spiritual Advisors who are engaged to attend to offenders are accorded, in all respects, the same status as Chaplains. Elders/Spiritual Advisors are both male and female. There are also teachings that are gender specific.

Elders/Spiritual Advisors also share their wisdom and ceremony with non-Aboriginal offenders who have demonstrated an interest and commitment to Aboriginal spirituality.

12. Marriage

Traditional marriage ceremonies do occur. Again, the Elder/Spiritual Advisor should be consulted to determine the appropriate approach.

13. Sacred Space

Indoor and outdoor space for the conduct of traditional ceremonies is designated by the institutions. Sacred sweatlodge or longhouse areas are established in consultation with the Elders/Spiritual Advisors. For example, La Macaza Institution in the Quebec Region provides a fairly large area as sacred space that is shared between both First Nations and Inuit offenders.

14. Searches

A medicine bundle is sacred and the preservation of its spiritual value can be assured only if it is handled by its owner or by the person entrusted with its care.

Any required security examination of such bundles or objects shall normally be accomplished by having the owner display them for visual inspection by the examining officer. The medicine bundle of an Elder/Spiritual Advisor shall not normally be touched, except by the owner, during any required security inspection, and shall not normally be subjected to x-ray or cross-gender inspections.

Sources

Elders' Council: Meeting held in Ottawa on March 24-26, 2003.

Section III - Specific Traditions

Commissioner's Directive 702.

Minister of Supply and Services Canada. Bridging the Cultural Divide: A Report on Aboriginal People and Criminal Justice in Canada. Royal Commission on Aboriginal Peoples, 1996.

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Buddhism

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Buddhism.

Introduction

The rich and diverse practice of Buddhism developed historically in response to the needs of people in different times and places. One of the characteristics of this spirituality is precisely its ability to maintain its core focus while adapting to the culture in which it is practised. The various schools exhibit as wide a variety of customs, religious practices and rules of life as do the various Christian denominations. In all schools, however, central core beliefs call practitioners to follow certain techniques and practices, notably meditation, in order to reach *nirvana* (or emptiness/*sunyata*) in this life or future lives.

Buddha taught that all forms of life can be shown to have three characteristics: impermanence, suffering and an absence of a permanent soul which separates each form of life from the others. Although he identified himself as enlightened, Buddha emphasized that people should not follow his teachings just because he said so, but rather to rely on their own experiences to verify their validity. The Buddha was also very tolerant and respectful of other religions.

All Buddhist traditions and schools have undergone changes as their adherents adapted to life in North America. The formal introduction of Buddhism to Canada occurred in 1905 and the first assembly of Buddhists in Toronto in 1980, which led to the formation of the Buddhist Council of Canada.¹⁸ As the practice of Buddhism grows in Canada, its cultural applicability and adaptations will become clearer. At present it is relatively new on the religious landscape.

1. Beliefs and Practice

The Buddhist religion began in India in the Sixth Century B.C.E. as a derivation from Hinduism. It is based on the experiences of Siddhartha Gautama, through which he became the Buddha, the Enlightened One. The events of his life provide the Three Jewels upon which all Buddhist communities have been built: Buddha, the Enlightened One; *Dharma*, the Teaching of the Path or the Law; and *Sangha*, the assembly of the followers.

While the Buddha was an historical person, Buddhism has many mystical buddhas. There is no personal god in Buddhist teaching. Buddha is not a god, but a human who achieved *nirvana*, a pure state of being, awakening or detachment. Personal insight and

¹⁸ Ontario Multifaith Manual, p.15.

the study of karma¹⁹ replace belief in God. The spiritual path depends upon one's own efforts, not upon the saving grace of a god or goddess.

Buddhism is not so much a set of rules as a technique of action. It is devoted to the elimination of pain and human suffering through the Middle Path between the extremes of self-indulgence and self-denial, which shows the path of right living and mental discipline. The Buddha saw that all phenomena in life are impermanent and that attachment to the idea of an enduring self is an illusion, which is the principle cause of suffering. Freedom from self liberates the heart from greed, hatred and delusion, and opens the mind to wisdom and the heart to compassion and kindness. The Middle Path is summarised in the *dharma*²⁰. The pillars of Buddhist belief and practice are itemised as follows:

i. *The Four Noble Truths*

- I. *The Noble Truth of Suffering*: Existence is characterised by suffering (physical and mental); suffering is universal. *Dukkha* is a concept that covers all that we understand about pain, illness, disease - physical and mental - including disharmony, discomfort, or the awareness of incompleteness and insufficiency. *Dukkha* is the opposite of all that represents well being, perfection and bliss.
- II. *The Noble Truth of the Cause of Suffering*: Suffering has three main causes or could be said to result from three delusions: ignorance, attachment or desire, and anger or hatred. Since people desire to have life go their way and it turns out not to revolve around their wishes, they experience suffering.
- III. *The Noble Truth of the Cessation of Suffering*: Once this craving for satisfaction and gratification is completely ended, forsaken and relinquished, all suffering will cease. Suffering and sorrow can be eliminated (as experienced by Buddha).
- IV. *The Noble Truth of the Path to End Suffering*: This Noble Truth, which provides the means to put an end to suffering, can be achieved by following the eight-fold path of right understanding, belief and views.

ii. *The Noble Eightfold Path*

- I. right understanding
- II. right intention or thought
- III. right speech
- IV. right action and conduct
- V. right vocation or livelihood
- VI. right effort
- VII. right mindfulness and attentiveness
- VIII. right meditation and tranquillity of mind

¹⁹ Kamma is the Pali term; Karma is the Sanskrit term.

²⁰ *Dhamma* is the Pali term; *Dharma* is the Sanskrit term.

To fully understand the Four Noble Truths and walk the Noble Eightfold Path is to extinguish *dukkha*, attain *nirvana* and become enlightened. The six necessary Buddhist virtues (*paramitas* or perfections, literally 'to have reached the other shore') include charity, morality, endurance, endeavour, meditation, and wisdom.

iii. *Doctrines common to all schools of Buddhism*

- reincarnation;
- the belief that absolute truth resides in the realm of *nirvana* ('pure land' or 'heaven');
- the belief that relative truth lies in the realm of the mundane world in which all unenlightened beings dwell;
- belief in many buddhas, not just one.

The term *samsara* refers to the continual cycle of birth and death to which a person is bound by *karma*²¹. *Karma* was a belief of the Indian religions prior to the Buddha that became the Buddhist law of cause and effect. *Karma* binds a self to its former, present and future existences. Bad *karma* (*papa karma*) leads to sickness, poverty, untimely death and rebirth as a demon, ghost, animal or resident of hell. Good *karma* (*punya karma*) leads to a long life, good health, prosperity and rebirth into one of the twenty-two heavenly realms. The Wheel of Life, which signifies *samsara*, is a symbol consisting of three concentric circles, each with its own symbolic meaning.

The present is always determined by the past, yet the future remains free. Every action we make depends on what we have come to be at the time, but what we are coming to be at any time depends on the direction of one's will today. Hence everyone is free within the limitations of one's karma, which is the result of past action of one's body, speech and thought. The ethics of Buddhism include not killing any living thing; not taking what has not been given to you; not slandering or using harsh or frivolous language. Buddhism teaches that enlightenment lies firmly in one's own hands and only the Buddha and *dharma* can point the way.

iv. *Holy Book*

The *sutras* are the Buddhist holy texts. The *sutras* refer to the 84,000 volumes containing the words of Buddha. Each group or school has chosen its own *sutra* (usually one to three volumes) that typifies its teaching. Commentaries on the *sutras* are also studied extensively.

Tripitaka is the collection of early Buddhist sacred writings in the Pali language. The word means "three baskets" and contains three sections. This first section deals with the rules of monastic discipline, the second contains discourses by the Buddha and in the third are treatises on doctrines of abstract philosophy.

²¹ *Kamma* is the Pali term; *karma* is the Sanskrit term

v. *Schools of Buddhism*

When the Buddha attained enlightenment, there were two courses open to him: He could keep his knowledge to himself and pass into the bliss of *nirvana*, or prompted by compassion for others he could bestow the benefits of his wisdom upon the world. One of the tenets of Buddhism that one should never accept a particular 'way' without testing to see if it rings true. Each school offers different options for meeting those needs. The three 'vehicles' ('*yana*') or carriers of the Buddha's teaching currently in practice are adopted by adherents of the basis of their temperament and need.

While the School of the **Theravadan** tradition does not ignore compassion for others, it stresses individual enlightenment. The **Mahayana** school has developed the concept of *bodhisattva*, a term referring to an awakening person, someone who is far down the path of full enlightenment. The **Vajrayana** School asserts that an individual can reach *nirvana* in a single lifetime. However, many independent Buddhist groups have formed following the teachings of specific leaders, especially in North America.

The differences in traditions should not be viewed as different in wisdom or in liberation, nor in either the exclusion or inclusion of the masses. The divisive spiritual 'tribalism' that developed over time was based more on political realities, according to changing monarchies, feudal systems, who was currently favoured in the kingly courts, etc. Also, the traditions arose to meet different needs: those disposed toward monastic practise and/or study and those whose needs were better met with practices that worked well in family, community and day to day living. The differences are really at the level of "skilful means".

1. Theravada

The *Theravada* (the "Way of the Elders") or Southern School²² is practised mainly in Sri Lanka, Myanmar, Laos, Cambodia and Thailand. One of the earliest forms of Buddhism, this term means "Teaching of the Elders". It emphasises that individuals must reach *nirvana* on their own. Its central virtue is wisdom, which the *arhat* (literally 'worthy one', one who has reached the ideal of spiritual perfection) has achieved in this life and reaches upon death.

Theravadan Buddhists refer to Buddha as the human Gautama and maintain the renunciation of all worldly pursuit and becoming 'homeless' (living as a nun or monk in poverty) as a method of attaining *nirvana* (heaven). The Theravada School practices a form of meditation called *vipassana*. Its goal is to realize the three marks of existence and lead to the true character of emptiness. This form of meditation is considered a prerequisite for attaining *nirvana*.

²² The term "Hinayana" is generally considered a derogatory label for the Theravada tradition, given by the Mahayanists and Vajrayanists based on the false dualism of Greater and Lesser schools of Buddhist practice.

The Theravada tradition is not merely an emphasis on becoming a monk or nun and using the practices of insight and loving kindness as more or less a self-serving vehicle for one's own enlightenment, and thereby remaining unconcerned for the plight of others. In fact, Pali Buddhism of the Theravada tradition teaches extensively ways of living in the world that not only bring happiness and advancement to a person's spiritual evolution, but also speak to the highest liberation in terms of the Buddha's goal of freedom while living and practising in ways that benefit all beings everywhere.

2. Mahayana

The Mahayana (also known as the Greater or Universal Vehicle) or Northern School is found in China, Korea, Vietnam, Japan and includes many distinct schools or sects such as Zen, Pure Land, and others. It is the largest and most influential of the three forms of Buddhism. The title connotes the ability to carry many passengers beyond suffering to *nirvana*.

Mahayana Buddhists see Buddha as the manifestation of an eternal essence in human form and affirm that one may attain Buddhahood without necessarily accepting the 'homeless' state. This means that lay persons may join in some of the life of the monks and nuns directly for a time and indirectly by offering support. In the Mahayana and Vajrayana schools, enlightenment is open to all.

3. Vajrayana

Vajrayana (the "Diamond Vehicle") is practised in Tibet, Mongolia, Nepal, and the Soto School in Japan and North America. The Dalai Lama is the spiritual head of this tradition as well as the political head of Tibet. He is seen as the unofficial ambassador of all Buddhists. This form of Buddhism asserts that individuals can reach Buddhahood in a single lifetime. This achievement is possible when a person uses all the mental, psychic and physical energy and capacities available to him or her.

The devotional practices of the Vajrayana School include visualisation, guru devotion, obligatory mantra recitation, as well as meditation and retreat. Many of the deities and devotional practices to them in the Vajrayana School are not shared by the other two schools.

6. Retreats

Buddhist teachers suggest that every student spend a certain amount of time - lasting from one to a number of days - in retreat every year. This practice is common to all schools and emphasised equally. Retreats are undertaken in silence and no eye contact is permitted during the time spent in retreat.

2. Birth

Buddhists accept the mind to be continuous mental energy with no beginning and no end. Consciousness mixes with the male sperm and female egg at conception and results in birth. Death occurs when the consciousness/mind finally leaves the body. This may take some days after the breath stops in a normal death. Therefore, family and spiritual support to maintain a safe, harmonious environment is very important so that the mind of the one being born or dying is not disturbed.

Buddhists hold blessing ceremonies for the birth of a child and a name is often given at that time.

3. *Cell Effects*

The following items are an important part of Buddhist practice. While these items are not necessarily an essential requirement based on religious canon or law, they are items widely used by the followers of Buddhism in their community temples. These items are acceptable for use in the general offender population, but some may be restricted in certain circumstances.

- Shrine table and cloth
- Statue or image of Buddha
- *Sutras* (sacred texts)
- A picture of the devotee's Guru or of the Dali Lama
- (Fruit and flowers²³ when possible)
- Incense and incense burner
- Candles
- 7 offering bowls²⁴
- Meditation beads (made of wood or stone)

The offering bowls are for the following offerings: water for washing, water for drinking, flowers, incense, light (candle), perfume, food, music. A bowl is not necessary for the music offering because it is not a physical offering. However, sometimes an 8th is put out and a shell is put on top of rice to represent music. All the bowls can be filled with rice or water.

A mat and cushion (*zabuton* and *zafu*) for each participant may be kept in the chapel storage for use in corporate worship if an adequate reason exists to deny access to it in the person's room/cell. If at all possible, others should not sit on them.

²³ Flowers are usually made of silk as a substitute for fresh flowers.

²⁴ They may be filled with water or rice. Two sticks of incense may be placed upright in one of the bowls of rice, in a vertical V-shape. One is used as a candleholder; 'tea lights' are the closest North American equivalent to the type of candle used in Tibet.

CSC Chaplaincy's community contact for the Buddhist faith tradition attests that burning incense is a traditional Buddhist practice, and constitutes one of the 8 fundamental elements in "outer offerings". While not essential, incense is normally burned unless the devotee or someone in the immediate environment has health concerns related to the practice.

Buddhist meditation beads (or *malas*) are widely used. The beads are traditionally carried on the left wrist in daily life and encircle the two hands when clasped together in meditation. A bracelet might be a smaller form of prayer beads.

The Vajrayanist may rely on rituals more than other Buddhist traditions, using fruit, bells, special ritual items, even placing money into their religious objects. The nature of this path is to transform the deeper levels of attachment through renunciation; hence, the deeper the attachment the deeper the renunciation.

4. Contacts

- Interpreting and Integrating Gelugpa Buddhism
Zasep Tulku Rinpoche, Spiritual Director

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- Spiritual Centres and Activities in B.C. and Alberta www.dharmalog.com
- Gaden Choling Centre
637 Christie,
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- Tenye Ling Tibetan Buddhist Centre
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M5R 2S2
(416) 660-6648
Fax 366-9874
e-mail - tengyeling@globalserve.net
web site www.tenyeeling.com

The following links will give the reader access to information from *Ethno-cultural Communities - Offender Programs and Services*, a resource produced by the Community Reintegration Branch of CSC's Correctional Operations and Programs Sector.

Atlantic Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoatl/ethno-03_e.shtml#P867_27821

Quebec Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoque/ethno-06_e.shtml#P1899_45441

Ontario Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoont/ethno-04_e.shtml#jewish

Prairie Region - Manitoba

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopra/ethno_e-03.shtml#P1683_46366

Prairie Region - Saskatchewan

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopra/ethno_e-03.shtml#P2010_53762

Pacific Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopac/ethno-03_e.shtml#P1341_38729

5. *Conversion / Initiation*

Although there are different requirements for membership depending on the tradition the person wishes to join, all traditions require the person to declare taking refuge in the three treasures (see *Beliefs and Practices*, above) and upholding the precepts held by the monks, nuns or laity.

Buddhist ceremonies of initiation vary somewhat among the various branches and schools. However, two elements are common: taking refuge in the Three Jewels (a ceremony in which one solemnly and publicly takes refuge in Buddha, the *dharma* and the *sangha*) and the reception of the five precepts.

Commonly an ordained monk or nun or a qualified appointed layperson must be the 'preceptor' or officiant at the ceremony to 'give the refuge vows'. The formal proceedings to becoming a Buddhist can take place anywhere; it need not be in a temple.

6. *Death*

For Buddhists, death represents the lack of permanence and the constant possibility for change. Death is seen as the actual time of movement from one life to another. All

rituals at death are aimed at promoting an auspicious human rebirth in the next life, as well as preventing lower forms of rebirth from taking place.²⁵

A dying individual may wish to be left alone to meditate. It is important that a Buddhist representative be notified well in advance of the death to see that a qualified spiritual practitioner presides over the care of the dying person and says prayers for the dying person's peace of mind. Often the family knows what to do as well; "loved ones" may conduct 'last rite' chanting at the bedside.

Western medical clinical practice pronounces that someone has died because they stop breathing. However, Buddhists believe that the mind/consciousness does not necessarily leave the body for three days. They believe that it is best not to disturb the body until this has occurred. If it must be moved to a morgue, it should then be allowed to remain undisturbed for three days.

This provides a crucial opportunity for a practicing Buddhist to be consciously aware of going through the death process, and to realize through direct perception the truth beyond suffering. Tibetan doctors say that the body must not be touched; but that the first touch should be of the crown of the head so that the consciousness/mind leaves from the best body aperture, the soft spot of the crown.

When the person is pronounced dead, the body should be washed by a designated member of the Buddhist community and then gently covered with a cotton sheet. The mouth and eyes are left open. No talking, crying or other noise is allowed in the presence of the body. The body should not be touched by another person's hand or body until the appropriate religious ceremony is performed. After the ceremony, the body may be prepared for cremation.

There are no restrictions on autopsies. Most Buddhist traditions place high importance on the funeral rituals. A Buddhist funeral generally includes a procession, ritual prayers, a water-pouring ritual, cremation, final prayers and a communal meal.

On the seventh day (and every seventh day thereafter, up to a total of 49 days) after a death, a *dharma*-preaching service is held in the home. On the morning of the seventh day a *dana* ('giving') of food (often to the monks) is accompanied by prayers at the house. After three months, other *dana* rituals are held at the house. This ritual is repeated after one year, as well as on the anniversary date in the years following.

7. Diets

Please refer to the Guideline for Buddhism in the electronic version of the *Religious Diets General Guidelines* at http://www.csc-scc.gc.ca/text/prgrm/chap/diet/toce_e.shtml.

²⁵ For more complete information, refer to the National Film Board's two-volume video, entitled *The Tibetan Book of the Dead*.

Like the holy days observed in Buddhism, the diet followed by the individual Buddhist depends on the school to which he or she belongs. Most Buddhists practise vegetarianism even though it is not a precept of the faith. Generally the Theravadans follow a stricter, mostly vegetarian diet, reading the first precept (to refrain from taking life) as encouraging vegetarianism. Mahayana Buddhists follow a less strictly defined diet. In both schools the person is advised not to use harmful food or drink or intoxicating alcohol or drugs. In all things moderation is advised.

In the community, dietary practice is based on the lineage to which the Buddhist person is related. Because of the varying convictions and practices of Buddhists, the individual chooses a diet that best fits his or her convictions and devotional practice. Offenders housed by CSC would do the same thing in consultation with his religious advisor from the community. It is essential that the person decide on one set of requirements and not deviate from it.

8. Divorce

Divorce occurs according to civil law and cultural pre-agreement. There are no formal religious requirements.

9. Dress Requirement

Lay people dress in modest attire reflecting the virtuous mind, appropriate to the culture in which they live.

As part of their renunciation, monks and nuns wear robes and shave their heads. This is not an absolute requirement in Buddhism as it is practiced in 'the West'.

10. Gender Differences

Buddha was very radical in the eyes of many cultures. According to Buddha's teachings, both women and men can become fully enlightened buddhas. Both can attain the highest spiritual status and give all the teachings and initiations if they qualify by experience. However, each culture in which Buddhism was absorbed appropriated only those aspects of the Buddha's teaching that their culture could accept. A country like Thailand, for example, does not have fully ordained nuns; whereas, in Tibetan Buddhism, a woman lama teacher may be married and have grown children. As long as she has received the same education, she can give *tantric* initiations.

11. Families

The role of members of Buddhist families is to exemplify love, compassion, and wisdom; to teach *karma* (the law of cause and effect); to not harm oneself or any other creature or being mentally or physically; to take refuge in the Buddha's teachings and fulfill one's religious commitment and practices.

12. Health and Illness

The precepts of Buddhism (formal vows taken by some Buddhists for varying lengths of time) forbid alcohol, intoxicants and mind-altering chemicals, except those found in medication.

Some Buddhists may be reluctant to use medication or medical techniques, preferring the body's capability to heal itself if possible. This is especially significant on religious holidays. Meditation is used to relax the mind and body, which in turn may aid healing. Privacy is required for meditation when at all possible.

13. Holy Days and Holidays

Festivals and celebrations follow the customs of the various branches of Buddhism, but the full moon and the new moon are commonly recognised as the most important days of celebration. On holy days Buddhists do not work and gather to celebrate the day together. Each tradition will honour a significant date in the life of its particular founder and may also include significant dates in the lives of other noble persons.

The following common festivals are observed by different groups within Buddhism. Please note that the calendar dates change because the festivals are determined by the lunar cycles:

- **Shusho-e** (New Year's Day, around the beginning of January)
- **Nehan-e** (Nirvana Day, the anniversary of Buddha's death around the beginning of February)
- **Hanamasturi** (Flower Festival, the Buddha's birthday, in early April)
- **O-Bon-e** (Memorial Day, in July)

This is called the Day of Sorrow and Joy. On this day a solemn memorial service is held for those who have died, especially those during the past year. It is an occasion

Section III - Specific Traditions

to remember with gratitude those who have gone before. In the evening, a circular folk dance marks the end of the festival and reminds participants to rejoice at the most precious gift of life.

- **Wesak** (The day commemorating Buddha's birth enlightenment and death, the day of the full moon in June/July)

On this festival a flower shrine is set up in front of the main shrine in the service hall of Buddhist Temples, with a statuette of the infant Buddha. Following the legend relating to this day, members of the congregation offer flowers to the Buddha and pour tea or water over the statuette.

- **Dharma Ochakka / Asalha Puja** (The day commemorating the first proclamation of the Dharma by Buddha, the day of the full moon in July)
- **Higan-e** (Equinox Day, in March and September)

This festival is observed for one week twice a year. Buddhists gather to express their thankfulness to Buddha for his great compassion. Members offer him flowers and seasonal foods, such as fruits, vegetables and candies. During the festival members recall and dedicate themselves once again to the fulfilment of the six *paramitas* (the Six Perfections), the gates through which one enters the Pure Land of the *Amida* Buddha: charity, morality, endurance, endeavour, meditation and wisdom.

- **Bodhi Day** (Enlightenment Day, in early December)

Generally the Mahayana and Vajrayana Buddhists observe the three holy days of significant events in the life of the Buddha separately and the Theravada Buddhists observe all three events on Wesak Day.

14. Leadership / Practitioners

Since the Buddhist traditions in North America are independent, there is no central organisation or administration. Each tradition has its own organisational structure.

No single religious leader speaks for all Buddhists, although the Dalai Lama is the informally appointed spokesperson.

Religious authority is found in Buddhism in the personal relationship between a teacher and a student. This can happen on the local level or within a whole community (ie, the master or guru in a monastery) or around the world when a teacher has established centres of learning.

Professionally recognised ministers/priests, designated by the title Reverend, are

attached to a temple and attend to the needs of the Buddhist community. 'Anila' is the equivalent of 'honoured sister' in the Tibetan Buddhist tradition. Some leaders are known as 'Venerable' and others as 'Rinpoche' ('Precious One'), depending on the level of their practice.

In Western Buddhism, the distinction between lay people and monks/nuns is diminishing as lay people embark on a modified monastic practice and become recognised teachers in their respective traditions.

15. *Marriage*

Marriage takes place according to the cultural civic laws. Most monastics will not marry people but will perform a blessing ceremony in conjunction with the civil ceremony. This is done by taking into account their astrological chart reading of auspicious dates. The wedding is organized according to the cultural practices of the two families coming together.

In Canada, a Buddhist can be licensed through a Buddhist association to solemnise a marriage.

16. *Searches*

The chaplain or spiritual leader from the Buddhist tradition who advises the institutions in the regions should be able to help educate staff about the status and correct handling protocols regarding various religious cell effects in an offender's possession.

17. *Symbols*

The Three Jewels represent refuge in Buddha, *dharma* and *sangha*.

A wheel with eight spokes or *dharmachakra* (a lotus flower) represents the wheel of *dharma* composed of the eightfold path in training the mind in compassion.

The Wheel of Life, which signifies *samsara*, is a symbol consisting of three concentric circles, each with its own symbolic meaning related to the six realms of existence. Some representations of the Wheel of Life may depict heaven or hell.

18. **Worship**

The central religious act in Buddhism is meditation for the purpose of bringing stillness and concentration. Meditation helps the person to understand what is deep within him- or herself and external reality.

It is customary to remove one's shoes for worship, whether in the private or corporate context as a way of keeping the space for worship clean. Feet are considered the lowest (and dirtiest) part of the body. Therefore, worshippers never point their feet directly at their altar or statues, nor do they place their shrine at the end of their bed.

As a sign of respect, Buddhist practice includes different levels of bowing and prostration. Lowering the highest part of the body, the head, sometimes as low as the feet of the other person expresses humility and respect in the presence of that person. It is also customary to stand when a teacher or lama enters the room, especially in the context of worship.

i. Private

There are no mandatory requirements for private devotion. However, private daily devotion is encouraged by all Buddhist teachers. Although differences may be evidenced among the Buddhist traditions, most will observe the following:

- acts of devotion (e.g. bowing, making offerings of incense²⁶ and food, and honouring sacred objects);
- upholding the six *paramitas* through meditation; and
- the study and chanting of sacred writings in developing wisdom, compassion and the attainment of Buddhahood.

The individual Buddhist is expected to have a shrine in his or her living area in front of which he or she can worship. A common Buddhist altar includes incense, candles, a statue of Buddha and a water offering. Buddhists do not worship the statues or offerings; these serve to call forward the Buddha nature within the practitioner.

ii. Corporate

As Sunday is usually a work-free day, many Buddhists in North America have adopted the practice of gathering together on Sunday for *Dharma* School and the regular service, which consists mainly of chanting, a sermon and Buddhist songs. Corporate worship is not mandatory. If requested by the Buddhist offenders in an institution, however, it should be allowed weekly for about one hour. A mat and cushion (*zabuton* and *zafu*) for each participant may be kept in the chapel storage for use in corporate worship.

Some traditions may meet on the full moon day and each new moon of each month.

²⁶ See Section II (Worship, Incense) for information about rituals involving candles and/or incense.

Some forms of Buddhism practise prostration as a form of showing respect and developing proper humility.

iii. *Sacred Space*

No animals are permitted in Buddhist temples or around shrines in people's homes. Security officers should ensure that drug dogs sniff, but do not touch, the articles on a Buddhist inmate's altar or shrine.

Suggested Reading

- *The World of Tibetan Buddhism*, by the Dali Lama, Wisdom Publications. This book provides further information on the traditions within Buddhism, of which this chapter gives but cursory overview.
- *Essential Buddhism*, Robert Thurman, Harper Collins.
- *Meditation on Emptiness*, Jeffrey Hopkins, Wisdom Publications.

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Multifaith Information Manual, 4th Edition, Ontario Multifaith Council on Spiritual and Religious Care, Toronto, ON, 2000.

Handbook on Religious Beliefs and Practices, State of Indiana, Department of Correction, 1996.

Religious Holidays and Calendars, An Encyclopaedic Handbook, 2nd Edition, ed. Karen Bellenir, Omnigraphics, Detroit, MI, 1998.

Christianity

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Christianity.

Introduction

Readers may wonder why a chapter on Christianity has been included in this Manual. Both the level of general knowledge about the basic tenets of the Christian faith among staff and the presence of and access to Christian chaplains in CSC institutions might seem to eliminate the need for information on this religious tradition. Indeed despite the fact that the vast majority of offenders identify themselves as Christian, their requests for religious accommodation and the number of grievances they file are relatively few and, usually, easily resolved. In fact, most questions about religious services to Christian offenders are covered in Section II of this Manual and in the Pastoral Issues section of the *Chaplain's Handbook*²⁷.

In addition to these considerations, the existence of numerous independent denominations within Christianity would make the prospect of providing detailed information such as that found in the other chapters in this Section a monumental task and would prove in large part redundant given the extent of the similarities between them.

However, trends in the religious profile of Canada and in patterns of religious practice would suggest that not all staff can be expected to have a clear grasp of the essential components of the Christian faith or of the basis on which Chaplaincy services are delivered to inmates. As well, while religious tolerance in Canada affirms the value of religious freedom, there remains a need to describe some of the features of religious practice which are specific to Christianity in order to prevent the assumption that these may be common to all traditions. This description is all the more needed as secular culture in Canada borrows and adapts Christian symbols, holidays and rituals, thereby blurring the lines between what constitutes religious practice and what constitutes cultural custom.

This chapter will, therefore, provide:

- information on some of the salient features of the provision of religious services to Christian offenders in CSC institutions and in the community;
- some observations about the OMS listing of Christian Churches;
- a list of the primary resources on religious accommodation of Christians that are available to CSC chaplains and staff.

²⁷ An updated version of the *Chaplain's Handbook* will be released in the 2003-2004 fiscal year.

1. The MOU and the IFC

i. MOU

Chaplaincy services are provided to institutions in accordance with the *Memorandum of Understanding between the Interfaith Committee on Chaplaincy and the Correctional Service of Canada (2000)*, (MOU), the text of which can be found at http://www.csc-scc.gc.ca/text/prgrm/chap/mou_e.shtml .

One of the principles on which the MOU is based is the following: Through its role with the Churches and other faith communities in the provision of the pastoral mandate in chaplaincy, the Interfaith Committee (IFC) is a partner with the CSC in the delivery of chaplaincy services.²⁸ This ensures that both policy around the provision of religious services to Christians and the selection and evaluation of Christian chaplains occurs in consultation with the Christian Churches. In other words, the government does not set religious policy or supply religious services independently from the appropriate faith communities.

ii. IFC

The role of the IFC is further clarified in Section 3, and in particular in the following paragraphs:

3a) This Memorandum confirms the role of the IFC as advisory to the CSC; collaborative in recruitment, selection, and evaluation; supportive to chaplains; and facilitative in liaison between the CSC and churches and other faith communities.

3d) The IFC will provide liaison, linkage and information, and will stimulate involvement by churches and other faith communities in correctional ministry both in the institutions and in the community from a restorative justice perspective.

4c) It is essential that all chaplains maintain strong links with their faith community by participating in the life of that community in consultation with chaplaincy management and institutional authorities. The IFC will play a role in facilitating and promoting this relationship with the mandating religious authority. To this end the IFC, with representation of the chaplain's faith community, should participate in the appraisal of chaplains at the end of their probationary period and every five years thereafter.

The Christian Churches with representation on the Interfaith Committee are:

- the Anglican Church of Canada
- the Apostolic Church of Pentecost
- a number of Baptist conventions
- the Christian and Missionary Alliance
- the Christian Reformed Church

²⁸ See Preamble to MOU.

Section III - Specific Traditions

- the Church of the Nazarene
- the Evangelical Fellowship of Canada
- the Lutheran Council of Canada²⁹
- the Mennonite Central Committee
- the Pentecostal Assemblies of Canada
- the Presbyterian Church of Canada
- the Roman Catholic Church
- the Salvation Army
- the Society of Friends
- the United Church of Canada

For the contact information of the chaplain(s) in a given institution, local community chaplains or the Interfaith Committee member for a particular Christian denomination, please contact NHQ Chaplaincy on Outlook at [GEN-NHQ Chaplaincy](#) or by phone (613) 996-9580.

iii. Continuity of Care

Spiritual life is a lifelong undertaking, beginning at birth and ending only at the time of one's death. Christian faith groups are involved in responding to the needs of their members throughout their faith journey. A large number of offenders have experienced ties to a faith community prior to their incarceration. The time spent in prison offers them an opportunity to examine their beliefs more closely and more deeply. The offenders who arrive without a previous connection to a Church or the Christian faith may use their sentence to explore questions of faith for the first time.

One of the principles found in the Preamble to the MOU states that "Chaplaincy is a ministry of the whole faith community. Its effectiveness depends on the existence of a vital relationship between the Chaplain and his/her Church or other faith community." The *Description of Work for Contract Chaplains* explicitly requires that chaplains include 'the faith community' in their delivery of service through their co-ordinating role with regard to volunteers. Volunteers are recruited and trained to both offer 'chapel activities' and to enhance the activities led by the chaplain. This model reflects both a Christian understanding of what it means to belong to the Church and the CSC model of how effective reintegration occurs.

In this context then, including the presence of community chaplains in the institutions constitutes a natural link to community-based resources and a further way of promoting continuity in how offenders' spiritual needs are addressed. By establishing relationships at this point, community chaplains begin opening the way for offenders to connect with a source of support once they are released. Community chaplains provide continuity of care for offenders and their families by helping them journey in faith and find a place within a faith group they can identify with.

²⁹ The Lutheran Council of Canada is not a church body, but rather a working group of the various Lutheran denominations that enables cooperation in the area of military and correctional chaplaincy.

The paragraphs referring to Community Ministry in the MOU are 4 (p) through 4 (u). Community chaplaincies function across the country, some receiving partial funding from CSC, others not. In either case, these groups provide an important service of reintegrating offenders back into the community.

iv. *Institutional Chaplains*³⁰

The complete description of work for chaplains working in CSC institutions can be found in Appendix B of this chapter. However, the MOU provides the parameters within which these services are delivered. While Christian chaplains clearly remain directly related to their faith communities as a result of the contracting relationship with CSC,³¹ their work is described as "interfaith chaplaincy" in the MOU 4b):

"The expression 'interfaith chaplaincy services' (*Corrections and Conditional Release Regulations 101(a)*) indicates the responsibility of chaplains to exercise their profession in a multifaith setting in co-operation with representatives of religious expressions different from their own, and to seek to provide pastoral care and ministry to persons of different faith communities with the same commitment as to members of their own community. This ministry is intended to strengthen the participation of offenders in the faith life of their own communities."

The services of the institutional chaplains are provided in accordance with the following ratio: "4k) In institutions for men we reaffirm the policy of one chaplain for every 150 to 200 inmates... In the regional facilities for women there should be the equivalent of one full-time chaplain".

Although the availability of Christian chaplains is based on the total offender population (not the number of Christian offenders), they provide services to the institution as a whole - to both staff and inmates. The MOU provides for services to "non-Christians" in the following paragraph: 4m) "Special needs of non-Christian faith groups shall be met by additional part-time contract positions or volunteers." This means that in addition to providing direct pastoral services to Christian offenders, institutional chaplains are responsible for the co-ordination of religious services to offenders of other faiths offered by the appropriate religious leaders.

³⁰ There are a few instances in which chaplains fulfilling contracts for chaplaincy services in CSC institutions belong to Churches not currently represented on the IFC.

³¹ Paragraph 4g) of the MOU specifies that "institutional chaplains will normally be hired by contract with their faith community. The CSC will provide orientation and education about contracts for contractors. Some chaplains may be indeterminate employees of the CSC." And further detail is given in 4h): "The contract for institutional chaplains is an agreement between the CSC and the chaplain's Religious Authority. The chaplain will remain an employee of the Religious Authority, which will pay salary and benefits from funds provided in this contract with the CSC."

II. History and Denominations of Christianity in Canada

i. Initial Spread of Christianity

The spread of Christianity began by word of mouth as believers traveled through the known world of the first few centuries of the Common Era. Since the time of Constantine, however, the Christian faith has accompanied the exploration and conquests undertaken by various European powers during its long history. At one point "Christendom" referred to those countries that had been evangelized, meaning that Churches had been set up by the dominant culture and, in some cases, that being a citizen brought the requirement of being a Christian.

The first important split occurred when the East and the West (1054 C.E.) became divided on theological and political grounds.

The Church in the West came to be governed by the Bishop of Rome (eventually called the Pope). For most of its history, the Church of Rome not only owned a significant percentage of the land in European countries, but also had armies of its own to protect the interests of the Church and enforce compliance with its doctrines.

The second important period (in the West) that saw the further creation of separate Churches is known as the Reformation. Theologians and political leaders who opposed the leadership of the Church of Rome broke away to form the main 'Protestant' Churches that still exist: Martin Luther led reform in Germanic countries, creating the Lutheran Church. John Calvin's version of reform took root in Switzerland and became the basis of Calvinist (Reformed) Churches. A number of English divines (theologians) supported Henry VIII's desire for the Church in England to gain autonomy from Rome and helped found the Church of England (Anglican Church).

Over the subsequent centuries many other so-called Protestant Churches have been founded and the Church of Rome has come to be known as the Roman or Roman Catholic Church.

The Church in the East is led by the Patriarch known as 'first among equals'. The Ecumenical Patriarch of Constantinople has the honorary title of His Beatitude Kyr Bartholomew. Governance is shared among the metropolitans, bishops, clergy, members of religious orders and the laity.

ii. The Place of Christianity in Canadian Society

When European colonial powers claimed the territory that would become Canada and began to establish settlements in 'the New World', they brought with them their Church (and sometimes Churches). In some cases, they brought the model of a State religion and, in others, the religion of the people who were willing or forced to emigrate. Along with the various religious identities which these people claimed came the conflicts that had produced them in the first place. Membership in one of the Churches took on

political significance and whole communities were known to support political leaders on the basis of their own or the leader's religious beliefs.

This would remain true until the second half of the twentieth century when gradually the Churches' influence in the lives of their members and in the affairs of state was challenged. With the singular exception of the Roman Catholic Church in Quebec prior to the late 1960's the drop in attendance, accompanied by the failure of the Churches to keep up with the growth rate of the general population, signaled the emergence of secular culture in Canada. Secularization began reflecting shared humanistic, rather than specifically Christian, values.

Most of the denominational expressions of the Christian faith in Canada were inherited from the European peoples who claimed this country for their respective monarchs³². These Churches are autonomous and dictate their own beliefs and practices. The 20th century saw considerable effort on the part of many Protestant Churches to improve relationships among themselves and between a number of them and the Church of Rome.

The Churches have continued to play an important function as a vehicle of community building, continuing to shape the opinions of a significant percentage of the Canadian population and challenging government policies seen to contradict Christian beliefs and values. However, more and more Christianity is viewed as simply one religion among many in this country.

III. The Practice of Christianity in CSC Institutions

Despite the fact that a large majority of offenders - approximately 67% - identify themselves as Christian, only a small percentage of them - approximately 10% - openly practise their faith by participating in activities such as worship and study offered by the Christian chaplains. Even so, a number of operating assumptions in CSC institutions are based on some of the same structures as those in Canadian society in general which had their origin in Christian teaching and tradition. These include observing Sunday as the day of rest, holidays and seasonal activities based on the Christian liturgical calendar. At the same time that these assumptions are built into life at CSC institutions, confusion often exists about which customs and practices are actually based on the Christian faith and which have evolved into secular expressions of seasonal celebrations. For example, serving turkey at Christmas is a secular custom, not one mandated by Christian teaching.

From this it might appear that Christian offenders benefit from greater recognition of their religious rights. Indeed, the *Review's* finding of high levels of satisfaction around offenders' access to Christian services and programs might be seen as evidence to support

³² One of the few exceptions is the United Church of Canada which arose out a decision by the Presbyterian, Methodist and Congregational Churches in Canada to 'unite' in the 1930's.

Section III - Specific Traditions

this assumption.³³ In addition, the efforts of leaders from other religious traditions to attain similar status for offenders belonging to their faith would seem to bear this out. CSC is making important changes that have ensured greater respect for religious diversity and allowed fuller opportunities for diverse religious practice, by way of challenging assumptions that Christian models of religious services be imposed on all religious traditions.

However, the focus on increased accommodation of religious diversity has led to the perception in some cases that Christian practice has been curtailed. In some situations, continuing to allow access to volunteers from the Christian churches for specific activities related to the practice of the Christian faith has been interpreted as discrimination against offenders belonging to minority religions because similar opportunities for community involvement have not been organised by their respective faith groups. To some it appears as though Christian practices are being discouraged while the practice of minority faiths is being enhanced. Also, some of the activities offered by institutional chaplains are not specifically or exclusively Christian, e.g. restorative justice events, and yet offenders from other religious backgrounds tend not to participate because their faith leaders are not offering the leadership.

~ Aboriginal Christians

A large percentage of Aboriginal offenders experienced Christianity as their first religious expression and many still maintain Christian beliefs and practice. Many declare their religion to be Christianity when they are admitted to a CSC institution. It is not uncommon, however, to meet Aboriginal offenders who adopt traditional beliefs and practices while maintaining their Christian heritage. CSC encourages collaboration between Elders and Chaplains so that offenders can give expression to their spirituality and access the benefits that each of these traditions affords them.

The result of this situation, however, is that OMS does not necessarily account for all the offenders who practice Aboriginal Spirituality. Conversely, although the services of Aboriginal Elders are funded on the basis of the number of Aboriginal inmates in each institution, these offenders often access the services of Christian chaplains as well as those offered by the Elders. One of the consequences of the experience of Aboriginal Christians in the residential schools, however, is that tension can exist between offenders who practice Aboriginal Spirituality exclusively and those who wish to include some aspects of Christianity in their spiritual practice. Some Elders and Chaplains discourage such 'complementary affiliation'. When this tension occurs, it is best addressed through respectful conversation.

³³ *The Review of Offender Access to Religious and Spiritual Programs and Services (June 2002)*, completed by CSC's Performance Assurance Sector

IV. Resources for Christian Chaplaincy

Chaplaincy's site on the InfoNet is http://infonet/infonet/committees/chaplaincy/home_e.htm.

Chaplaincy's Internet site is http://www.csc-scc.gc.ca/text/prgrm/chap_e.shtml.

1. The *Memorandum of Understanding* and the *Code of Professional Conduct for Chaplains* can be accessed at http://www.csc-scc.gc.ca/text/prgrm/chap/documents_e.shtml.
2. *The Chaplain's Handbook* - This resource provides information on and electronic links to understanding the Correctional Services of Canada, the Chaplaincy Branch, Pastoral Concerns, Religious Accommodation, and Partner Agencies and Networking Organizations. An update of the Handbook will be completed in the 2003-2004 fiscal year and posted on the InfoNet.
3. *Partners in Mission* - This document provides information pertaining to the contractual relationships and responsibilities that undergird Protestant and Roman Catholic Chaplaincy. Copies are available from the Regional Chaplains.
4. *Community Chaplaincy* - Documents developed in support of CSC Chaplaincy's work with offenders in the community can be found at http://www.csc-scc.gc.ca/text/prgrm/chap/pro06-3_e.shtml.
5. *Support for Ministry to Women Offenders*

Healing the Relationship Between Federally Sentenced Women & the Community, Church Council on Justice and Corrections, Ottawa, Ontario, 1995.
http://www.csc-scc.gc.ca/text/prgrm/fsw/fsw31/toce_e.shtml

Lying Down with Lions - Building the Peaceable Kingdom (Helping Women Who Have Served Time in Prison and Building Healthy Communities), Edith B. Shore, Inter-Church Working Group on Violence and Sexual Abuse, United Church of Canada, Etobicoke, Ontario, 2000, 65 pages.

6. *Resources for Restorative Justice Week* can be found at http://www.csc-scc.gc.ca/text/prgrm/rjust_e.shtml.

V. Questions of Religious Accommodation

To a large extent, questions of religious accommodation for Christians are covered in *Section II* of this Manual, which outlines accommodation issues that are common to all religious and spiritual traditions. There are, however, a number of questions on which the Churches disagree or which they resolve in different ways that are worth highlighting. When more information on a particular Christian denomination is required, staff are

encouraged to contact the Interfaith Committee representative for that faith group or a chaplain belonging to that particular tradition. (See *Contacts*, below)

1. Affiliation / Membership

Baptism with water in the name of the Father, the Son and the Holy Spirit usually constitutes the only requirement of membership in a Christian Church. Some Churches require that the person be baptized as an adult, using a 'dedication' rite for babies or children who are unable to assume the responsibilities implied in the baptismal promises. Some Churches will re-baptize adults who were baptized in another Church as children; while others offer a rite of 'reception' for persons who wish to belong after having been previously baptized in another Church. Most Churches maintain records of the baptisms performed and issue baptismal certificates so that the person has proof of affiliation.

Some Churches require the rite of 'confirmation' or 'joining the Church' before the person is eligible to receive its services or sacraments.

Some Churches have specific expectations around the type of spiritual experiences and teachings a person can attest to or profess in order to be considered a full member.

Some Churches have minimal attendance or financial requirements for people to become and remain active members.

i. OMS Listing of Christian Churches

The current listing of Christian Churches on OMS is the following:

Catholic

- Greek
- Roman
- Ukrainian

Protestant

- Baptist
- Christian and Missionary Alliance
- Church of England (Anglican)
- Christian Reformed
- Mennonite
- Orthodox (Greek, Russian, Ukrainian)
- Pentecostal Assemblies of Canada
- Presbyterian
- Salvation Army
- Society of Friends (Quakers)
- United Church of Canada
- Worldwide Church of God

This list is not an exhaustive inventory of Christian denominations. It includes those listed on OMS to record religious affiliation of offenders.

The list of Protestant Churches only includes denominations that have representation on the World Council of Churches (WCC). The traditions listed under 'Others' have some claim to Christian roots, but are not recognized by the WCC.³⁴ It also includes all Orthodox offenders.

There is also a category on OMS called 'Christian'. The criteria for placement in this category are unknown. This category includes the Church of Christ Scientist, the Doukhobors, the Hutterite Church, Jehovah's Witnesses, the Metropolitan Community Church, the Moravian Church, the Church of Jesus Christ of Latter Day Saints (Mormons), Seventh Day Adventist, and the Worldwide Church of God.

The list itself contains a number of errors which will be corrected in the course of the OMS Renewal Project³⁵:

- The Greek Orthodox Church is erroneously categorized as 'Protestant', whereas it (along with the Russian and Ukrainian Orthodox Churches) constitutes the third main branch of Christianity.
- The Anglican Church as 'Non-Religious' when it should be 'Protestant'.
- The Lutheran Church is erroneously categorized under 'Other', when it should be 'Protestant'.

These errors in categorizing religions do not affect the actual percentages to a statistically significant degree.

ii. Offender Count by Religion: Christianity

The Offender Count by Religion (September 2002) indicates the following percentages of offenders declaring their affiliation to Christian Churches:

Catholic	45%
Protestant	22%

The Catholic figure includes Aboriginal offenders who may have self-identified as "Native-Catholic". The Protestant figure includes offenders who may have opted for the "Native Spirituality Protestant" appellation.

³⁴ The OMS category called 'Other' includes offenders who identified themselves as affiliated with the Philadelphia Church of God, the Unitarian Church, and Unification Church, Scientology.

³⁵ For a corrected list please see Appendix A at the end of this chapter.

2. *Beliefs and Practices*

The Apostle's Creed and the Nicene Creed are acknowledged by most Christian Churches to contain the core beliefs of the Christian faith.³⁶

All Churches recognize the 'canon' (the accepted books) of the Bible as the Word of God, though they vary widely on how to understand and interpret these texts. The Christian Bible comprises the Hebrew Scriptures (called the 'Old Testament') and writings of the Christians who knew and traveled with Jesus of Nazareth and some of their disciples, plus a number of letters by Paul of Tarsus³⁷ which make up the New Testament. An additional group of writings, entitled the Apocrypha, is recognized by some Churches as inspired or helpful, but not 'essential for salvation'.

The Creeds and Scriptures place the life, death and resurrection of Jesus of Nazareth, also called Jesus Christ and the Son of God, at the centre of the history of God's plan for creation. From all eternity, the Father, the Son and the Holy Spirit have existed as a single divine reality from which everything that is originates. The teachings of Jesus build on and clarify the purpose and meaning of the history of God's dealings with the world that appear in the biblical writings of the Hebrew people. Jesus' role in this history is seen to reveal the life that God offers all people to share and the ultimate victory of God's love over all powers of sin and death.

Beyond these commonalities, the theological interpretations and their ramifications at the level of worship and practice vary widely from one Christian denomination to another. The appropriate member of the Interfaith Committee or a Chaplain belonging to the Church in question should be contacted when specific information is required.

3. *Birth*

Circumcision - Some Christians choose to circumcise newborn baby boys, while others do not.

Abortion - Christians differ in their understanding of when human life begins and when a human foetus becomes a 'person' whose right to life is sacred. Some Churches approve of abortion under specific circumstances; others forbid abortion under any circumstances.

³⁶ One significant point of contention regarding these Creeds has existed for centuries. The Orthodox Churches object to a particular phrase adopted in the West that holds the Holy Spirit to 'proceed from the Father and the Son' as opposed to the Holy Spirit proceeding from the Father alone. Some Churches are addressing this long-standing disagreement and adopting the 'proceeding from the Father' only text which pre-dates divisions between the East and the West.

³⁷ Biblical scholars differ on the authorship of a number of the New Testament texts. In the historical context in which the texts were written, ascribing one's writing to a well-known Christian leader was considered a way of honouring that person's witness.

4. *Cell Effects*

The cross is the universally recognized symbol of the Christian faith. Offenders may request to have a cross or to wear jewelry containing a cross. Unless there is a particular security concern about the request, offenders should be allowed to own a cross.

The Bible contains the sacred Scriptures of the Christian faith. Offenders should have access to a copy of the Bible if they request one.

In the Orthodox traditions, icons depicting Jesus, his disciples and/or Christian saints are considered important or even essential symbols during private and corporate worship. (See *Worship*, below, for further information)

There are a number of other books dealing with Christianity that offenders may request. These requests should be vetted with one of the Christian chaplains in the institution. Other pictures or objects related to the Christian faith may be authorized after consulting with a Christian chaplain.

5. *Contacts*

For the contact information of the chaplain(s) in a given institution, local community chaplains or the Interfaith Committee member for a particular Christian denomination, please contact NHQ Chaplaincy on Outlook at [GEN-NHQ Chaplaincy](#) or by phone (613) 996-9580.

6. *Diet*

There are no dietary requirements specific to the practice of the Christian faith. On the basis of their beliefs, values, and lifestyle choices some Christians choose to eliminate certain foods from their diets, buy only certain types of food or become vegetarians. Some Churches forbid the consumption of alcohol or any food considered unhealthy, such as coffee.

~ *Fasting*

There are numerous accounts of fasting in the Christian scriptures. On the basis of these texts some Churches commend the practice of periodic fasting to their members. This usually takes the form of refraining from certain foods for a stated period of time. Some fasts call for the elimination of meat from the diet for one day a week, on certain 'holy days' or for a 'season' in the liturgical calendar. Others encourage believers to take only

liquids for a prescribed length of time. In other circumstances, believers may refrain from eating sweets or fats as a spiritual discipline indicating their freedom from or ability to overcome compulsion or indulgence.

For the days of fasting observed traditionally within Eastern Churches, see *Holy Days and Holidays*, below.

While fasting may be encouraged as a spiritual exercise, few Churches impose fasting as an obligation. Some passages of the Scriptures exhort believers to fast without letting other people know they are doing so. However, in some congregations, a group of people may choose to organize a fast and publicize it in order to highlight a particular cause or mark a particular day in the Church year.

7. *Dress Requirements*

Few Churches have any stated expectations around what their members wear. Some require women to keep their heads covered at all times or while inside the church building. Some, such as Hutterites, may require 'modest' dress when it comes to style of garments and fabric used.

8. *Family and Parenting*

Some Churches forbid the use of contraceptives or 'family planning', citing openness to procreation as one of the inherent purposes of sexual intercourse.

Most Churches encourage parents to base the roles and expectations of family members on the values and beliefs taught by the Church. Parents may consider their parenting decisions to reflect specific biblical teaching. This may include such questions as corporal punishment, the exercise of parental authority, the obligation to have children baptized, rules about dating and pre-marital sex. Depending on their understanding and interpretation of the Scriptures, some Christians believe that the husband or father in the family has authority over the other members, including the wife. However, there is no universally agreed upon roles for family members.

9. *Gender Differences*

In some Churches the roles - especially leadership and liturgical roles - are undertaken by both men and women, while in others particular roles are undertaken only by people of one gender or another.

While Judaism is matrilineal (one is a Jew by virtue of one's mother being a Jew) no

parallel biblical teaching exists for Christians. Ideally parents decide together which faith tradition their children will be exposed to.

10. Health and Illness

Some Churches have explicit teaching allowing or forbidding certain medical interventions or setting conditions within which they can take place. These may involve reproductive technologies, sterilization, blood transfusions, cosmetic surgery, or euthanasia, among others.

While mainstream Christian theology would reject the notion that people experience illness as a result of God's anger or punishment, some Christians hold this belief. Whether or not this is the case, prayers for healing can be an important part of a believing Christian's recovery from injury or illness. Offenders wishing such prayer should have access to a Christian chaplain upon request.

11. Holy Days and Holidays

Sunday is the Christian weekly 'holy day', traditionally both a day of rest and the day for communal worship. Every Sunday is celebrated as a 'little Easter', reflecting the primary focus on the Resurrection of Jesus on 'the third day' after his death on 'Good' Friday.

Strictly speaking a 'day' in the Christian calendar begins at sunset and continues until sunset on the next day, hence the provision for some particular celebrations to occur on the evening before the calendar date (for example, Christmas Eve). This is also the reason behind services on Saturday evening 'counting' as Sunday celebrations.

The liturgical calendar is based on a combination of fixed dates (such as June 24th, the Birth of John the Baptist) and dates determined by the cycles of the earth and the moon (Easter is the first Sunday after the first full moon after the Spring equinox).

Easter is the primary holiday or feast day of the Christian calendar.³⁸ The Easter season culminates in the Ascension of Jesus and the coming of the Holy Spirit at Pentecost. A season of preparation, called Lent, is observed by many Churches, beginning with Ash Wednesday. The week immediately preceding Easter is traditionally called Holy Week and special services are often organized on particular days, especially on the Friday, known as Good Friday.

i. Western Christianity

In the West, the other holiday that receives the most focus is on the birth of Jesus at

³⁸ This may not always seem apparent from the greater emphasis placed on commercialism or the special events organised for offenders (and their families) around Christmas.

Section III - Specific Traditions

Christmas, a season that is preceded by the four weeks of Advent and lasts 12 days, concluding on the Feast of the Epiphany on January 6th.

It is worth noting that many Christian traditions celebrate the season of harvest with a Thanksgiving service. This is often, though not always, held in conjunction with National Thanksgiving. Thanksgiving as a holiday, however, does not originate from the Christian liturgical calendar.

There are many other feast and fast days in the Christian year, including the commemoration of many saints from the Bible (and, in certain traditions, from the history of the Church).

ii. Eastern Christianity

In the East, Christmas Day (also known as The Feast of the Nativity of our Lord and God and Saviour Jesus Christ) is January 7, but is celebrated on January 6th. Easter is also known as The Holy Pascha, The Descent into Hades, The Anastasis, Resurrection Day, or Bright Day.

There are 4 major fasting periods in the Eastern Christian Churches:

- In the West: The season of Advent.
In the East: The Fast of the Holy Apostle Phillip (Phillipean Fast)
- In the West: The season of Lent.
In the East: Great and Holy Lent, The Great Fast, The Black Fast
- 2 weeks before the feast of the Assumption of Mary, commonly known to as the Feast of the Dormition of the Theotokos (God-Bearer)
- 1-2 weeks (depending on the tradition) prior to the Feast of the Holy Apostles of Peter and Paul, called the Fast of Petrivka.

The major fast periods involve abstinence from meat and dairy products, but this may vary according to the specific tradition being observed.

Another common fast takes place a week prior to the Feast of the Transfiguration of our Lord and God and Saviour Jesus Christ, also known as Spasa or Spasivka. There are several other fasting periods, usually one or two days prior to the Christian Feast.

Fasting periods prior to celebrating Feast days allow more time to concentrate on the spiritual component of the upcoming Feast, more time for God and one's relationship with Him and less time concentrating on the needs of one's stomach.

12. Religious Law

The traditional term used to designate the religious law of the Christian Church is 'canon law'. In the Roman Catholic Church, Canon Law is extensive and constitutes a theological discipline unto itself. In other Churches the law - or regulations - that governs its life varies both in detail and extent, as do the governance structures.

Canon or religious law usually reflects the faith of the community whose practice it governs. It functions independently of the law passed by federal and provincial legislatures in Canada to the extent that its implementation does not infringe upon the Criminal Code. Ecclesiastical jurisdictions have successfully argued that they have the right to govern the internal affairs of the Church in a manner consistent with their religious law as long as they can be shown to have been consistently applied.

The Courts have traditionally allowed the Churches to function on the basis of Canon Law when it comes to issues such as the difference between a clergy person 'holding an office' and 'being employed by the Church', the disciplining or censoring of clergy, the disposition of financial resources, and others. However, when the parties concerned are unable to resolve such issues by appealing internal procedures, they have been known to refer them to secular courts.

13. Leadership

Christian leadership is usually undertaken by people with the theological and professional formation required by their respective Churches. In most Christian traditions, ordination or the taking of solemn vows constitutes an official recognition of a person as a leader. CSC and the IFC require ordination on the part of all Protestant chaplains, an agreement with the Canadian Conference of Catholic Bishops allows Roman Catholic 'lay people' who have not entered 'holy orders' (including men and women belonging to religious orders) to become chaplains.

Offenders belonging to more loosely structured Christian communities may request access to a particular religious leader from their faith tradition; in some instances such persons may not necessarily be ordained.

14. Marriage

Christian marriage is celebrated as a sacrament in many Christian Churches. While the Scriptures do not tell of Jesus commanding people to marry, they do tell of God's creating men and women to 'be joined' and to be 'one'. Jesus is reported to have performed his first miracle - changing water into wine - in the context of a wedding feast. And several

passages in the letters (epistles) of the New Testament advise men and women about how to live in marriage once they enter into it.

Some Churches require their clergy to be married; others forbid marriage of the clergy. Still others allow the clergy, along with all other members, to discern whether or not to live as single or married people.

Theological and biblical interpretations about homosexuality and committed homosexual relationships differ tremendously from one Christian community to another and often within Christian denominations.

15. Searches

While Christian offenders may place great value in the Bible and other religious items that they may be authorized to keep in their cells or rooms, even articles that have been formally blessed, none of these are sacred in the sense that they cannot be handled by other people. Staff are expected to show the same respect for such items as for the religious articles belonging to all religious and spiritual traditions.

16. Symbols

The Cross, the means by which Jesus died and, therefore, the place and moment when the salvation of humanity was won, is the universally recognized symbol of the Christian faith. Some Christians accept the depiction of Jesus, dying or dead, on the Cross while others object to it. (When the body of Jesus is depicted on the Cross, the symbol is more correctly referred to as a crucifix.)

In addition to the Cross, there are innumerable symbols that figure within Christian history and theology. Some are based on letters or words from the Greek (or Latin) translations of the Bible. Others depict images from the life of Jesus. Still others were adopted by the Church as it formed and spread after his death and resurrection. In the Orthodox traditions, icons depicting Jesus, his disciples and/or Christian saints are considered important or even essential symbols during private and corporate worship.³⁹

If a question arises about the use of a symbol by Christian offenders, Christian chaplains should be able to help interpret its meaning and the appropriateness of its use.

³⁹ This form of religious art depicts stylised scenes in which a scene from the Bible or from the life of a Christian saint serves as a visual gateway to the realm of the spiritual. Icons are blessed and hung in people's homes as a reminder of the unseen presence of the "communion of saint" in the lives of believers. In worship the experience of focussing on an icon lifts the earthly actions and prayers into the unending praise of God in heaven.

17. Worship

i. Private Worship

The expectations of the different Churches about how their members establish private devotional practice vary widely. Equally, the private devotions Christians practice may vary from one season of the Church's year to another. For example, many Christians increase their commitment to read the Bible or to study Christian writers during the season of Lent. There is no prescribed time of day or length of time during which Christians are expected to pray.

ii. Corporate Worship

Sunday is the traditional day on which Christians gather to worship. Depending on the schedule and availability of the institutional chaplains or volunteers from the community, Christian services may be held on a day other than Sunday, although weekend services are preferred since they reflect community practice.

Depending on the denomination(s) and on the circumstances, worship may focus on a combination or a number of components: biblical reading(s), teaching and/or preaching, prayer, Holy Communion (also referred to as Holy Eucharist or the Lord's Supper).

Music plays an important part in Christian worship. Musical styles ranges from simple melodies or chants sung without instrumentation, to traditional hymns accompanied by the organ or keyboard, to contemporary worship songs led by guitar or fully worship band. Music in institutional worship is an invaluable resource in providing a way to put into words the spiritual longings and sorrows of one's life. It can provide a common ground on which people who might have great difficulty with each other at the level of belief or personality can meet and find inner resources to face the challenges of their lives. Music licensing arrangements are available at relatively little expense in order for institutions to respect Canada's copyright laws. Regional Chaplains should be able to provide information on the licensing companies operating in the region.

Appendix A - Major Groupings of Christian Churches
(corrected list to appear on OMS)

Catholic

- Greek
- Roman
- Ukrainian

Orthodox

- Greek
- Russian
- Ukrainian

Protestant

Anglican (Episcopalian, Church of England, includes Church Army)
Apostolic Church of Pentecost
Baptist
Christian and Missionary Alliance
Evangelical Fellowship of Canada
Christian Reformed
Hutterite
Lutheran (Evangelical Lutheran Church of Canada)
Mennonite
Metropolitan Community Church
Mormon (Latter Days Saints)
Nazarene (or Church of the Nazarene)
Pentecostal Assemblies of Canada
Presbyterian
Salvation Army
Seventh Day Adventist
Society of Friends (Quakers)
United Church of Canada
Worldwide Church of God

Other (not recognized by the World Council of Churches)

Doukhobor
Christian Science
Jehovah's Witnesses
Moravian
Philadelphia Church of God
Unitarian



Appendix B - Statement of Work for Institutional Contract Chaplains

1. VISIBLE PRESENCE

The chaplain will assure an active pastoral presence in the institution that will include:

- 1.1 being present and seen throughout the institution, representing the spiritual dimension of life;
- 1.2 a pastoral presence throughout the institution, particularly in areas where offenders do not have free movement such as: dissociation, hospital, protective custody, special handling units, segregation, and other areas such as shops, schools, gyms, living units, cell ranges, and visits and correspondence area;
- 1.3 presenting the Chaplaincy Ministry to offenders in reception;
- 1.4 pastoral counseling both on an individual and group basis;
- 1.5 pastoral encounters presenting a theological, restorative interpretation of life in areas such as forgiveness, guilt, anger, hostility, pain, hurt, power, grace, self-worth, acceptance, death, trust, health, grief, and other significant components of human existence and experience;
- 1.6 referring to and consulting with appropriate staff and groups when required;
- 1.7 expressing the prophetic dimension of ministry;
- 1.8 dealing with issues of faith and relationship with God, self, and others;
- 1.9 involvement with families of offenders and staff;
- 1.10 crisis intervention in experiences such as grief, illness, despair, death, anger, depression, parole denial, suicide attempts;
- 1.11 offering restorative processes while fully participating in life within a correctional institution;
- 1.12 escorting inmates on temporary absences for religious and/or rehabilitative purposes.

2. WORSHIP AND SACRAMENTS

Originate, direct, and coordinate religious services and sacramental ministry as appropriate to offenders which includes:

- 2.1 planning and leading worship services, with liturgy, sermons, and prayers relevant to the correctional milieu, including services specifically designed to speak to significant events within the institution
- 2.2 providing appropriate worship services weekly and for holy days, and significant days and seasons throughout the year;
- 2.3 ensuring that the special religious needs (such as sacraments) of offenders belonging to denominations other than the chaplain's own, are met
- 2.4 coordinating other faith visitors for offenders of minority religions
- 2.5 ministry to meet unique crisis and special situations with liturgy and worship;
- 2.6 creating and maintaining a "sanctuary" atmosphere within the chapel.

3. RELIGIOUS EDUCATION

Create, coordinate, and deliver religious activities that will include:

- 3.1 designing, developing, conducting, evaluating and modifying programs in Religious Education, using available audio-visual, musical, and curriculum resources;
- 3.2 pursuing and developing the chaplain's own relevant personal talents and professional interests;
- 3.3 conducting prayer, scripture study and personal growth groups;
- 3.4 training chapel volunteers to be involved in Religious activities,
- 3.5 designing, developing, conducting, supervising, evaluating and modifying chapel activities.
- 3.6 administering pass lists, security and other procedures necessary to the function of chaplaincy within the institution; and ,
- 3.7 acquiring and distributing religious literature, supplies and materials

4. COMMUNITY INVOLVEMENT

Converses with community, including the chaplain's own and other churches, the needs and concerns of persons affected by the criminal justice system and dialogues with the community concerning their role in restorative processes. This includes the recruitment and training of volunteers for prison chaplaincy work through:

- 4.1 accepting invitations to address, present papers, lead seminars, act as resource person to meetings in the community;
- 4.2 accepting invitations to preach or speak to church congregations;
- 4.3 meeting with local religious leaders;
- 4.4 attending Church events such as retreats, workshops, conferences, conventions, presbytery, deanery, camp or synod meetings;
- 4.5 the contractor ensuring that the chaplain remains current with his profession through participating in his denominational continuing educational policy, attending conferences, workshops, and denominational meetings;
- 4.6 recruiting and selecting suitable volunteers from churches to be involved in chapel activities, and
- 4.7 training and sustaining chapel volunteers.
- 4.8 involvement in Restorative Justice Week activities and the promotion of Restorative justice principles and practices
- 4.9 developing partnerships with the Community Chaplaincies for the benefit of the offenders' reintegration.

D5 INTEGRATION OF CHAPLAINCY

Integrate Chaplaincy Services into the total life of the institution by regular involvement with all other staff and attendance at such meetings as may be desirable in line with the chaplain's role as one acceptable to both offenders and staff through:

- 5.1 participating on an ad hoc basis in the case management process, particularly in relation to offenders with whom there is significant involvement;

Section III - Specific Traditions

- 5.2 maintaining the integrity of ministry and adhering to the Professional Code of Conduct for CSC Chaplains;
- 5.3 developing a restorative theological understanding of life for articulation within the context of an institution;
- 5.4 integrating a system of values which reflect restorative justice principles and practices while participating in institutional life.
- 5.5 acting as a resource person to institutional boards, meetings, to provide a focus on the spiritual dimension of life, while supporting a holistic restorative approach;
- 5.6 developing a co-operative working relationship with other staff
- 5.7 involvement in crisis situations, especially where a particular understanding or relationship has been developed with offenders involved in the crisis, and offering pastoral care and restorative processes to offenders, staff and their families as needed.

Islam

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Islam.

1. Basic Belief

Islam is a religion focussed on the unity of Allah and the equality and unity of humanity⁴⁰.

The term "Islam" connotes submission, purity, obedience and peace; or means the achievement of total peace through submission to the guidance of Allah (the One and Only Universal Allah)⁴¹ and to His laws. Islam is, therefore, called a 'monotheistic' religion.

An adherent of Islam, a Muslim, is a person who believes (and recites) that "there is no god but Allah and Muhammed is His Prophet." This 'creed' is called the *shahadah*. Muhammed was the Prophet through whom the religion of Islam was revealed.

The term 'Muslim' means one who willingly accepts Islam as the way of life and commits oneself to implementing it in his or her life. The designation as "Muhammedan" is offensive to Muslims as it implies worshipping the Prophet Muhammed instead of Allah.

i. *Qur'an: The Holy Book of Islam*

The Qur'an is the Muslim Holy Book. It was revealed by Allah about 1400 years ago to the Prophet Muhammed over a period of 23 years. The Qur'an is a complete book of guidance for Muslims. Along with the *hadith* (what Muhammed is reported to have taught, said and approved) the *sunnah* or *seera* (the practice or way of living) of the Prophet Muhammed, the Qur'an provides the basis for Islamic law (*shariah*). Copies of the Qur'an (Arabic text only) are highly venerated and are touched and read by Muslims preferably after ceremonial washing. Individual Muslims should always have access to a personal copy of the Qur'an in Arabic and in whatever translation or commentary of its meaning they understand best.

Qur'anic Arabic is the sacred language for all Muslims, even if Arabic is not their mother tongue, and many Muslims have traditionally memorised the entire book. Even today, translations of the Qur'an are more acceptably called *interpretations*.

⁴⁰ The practice of capitalising words transliterated from Arabic varies greatly. Upon consultation, and without meaning any disrespect, the editors have opted to capitalise only the following words: Islam, Muslim, Allah, Prophet Muhammed, Qur'an, Imam unless the word appears capitalised in a quotation, as part of a title or at the beginning of a sentence.

⁴¹ The word Allah means 'God'. It is not the name given to God. Unless referring to 'God' as understood by another faith group, Allah will be used in this chapter when speaking of God.

Section III - Specific Traditions

ii. Core Beliefs⁴²

The essential beliefs and practices held by all Muslims and known as the *Five Pillars and Seven Articles of Faith* are the following:

The Five Pillars of Faith

1. Declaration of Faith (*shahadah*) - To bear witness that there is none worthy of worship except Allah and that Muhammed is His Prophet and Messenger to all human beings until the day of judgement.
2. Prayers (*salaah*) - To establish prayers five times daily as a duty towards Allah. Prayer strengthens the relationship with Allah and inspires higher morality. Prayer purifies the heart and prevents temptation toward wrongdoing and evil.
3. Fasting - To observe the fast during the holy month of Ramadan. During this time Muslims abstain from food, drink, sexual intercourse and evil intentions and actions from the break of dawn until sunset. Fasting aims to train the Muslim to live a complete life of total submission to Allah.
4. *Zakat* - To pay the Annual Charity of 2% of one's net worth each year, not just a percentage of one's annual income. This serves to purify the wealth of the giver and to improve the wellbeing of the receiver, the poor. In addition a special charity (*zakat-ul-fitr*) is paid before the end of Ramadan, currently in North America about \$5.00 per person in one's household, to assist the poor to celebrate. If one is unable to give it to the needy in person, one may send it to the Islamic Centre or organisation to do this for him or her. Those who may legitimately receive *zakat* are mentioned in the Qur'an (Ch.9 vs 60). The *zakaah* is the **right** of the poor over the rich; it is not a donation the rich give to the poor.
5. *Hajj* (Pilgrimage) - To perform Pilgrimage to the holy city of Makka once in a lifetime, if one can afford the means of the journey, in order to worship at the Masjid al Haram or the Holy Mosque where the Ka'ba is, the most sacred place in Islam.

Comentario: The percentage varies for different forms of wealth. For example, for agriculture products it could be 10% or even more.

The Seven Articles of Faith

1. Belief in the Oneness of Allah
2. The Angels of Allah
3. The Revelations of Allah
4. The Prophets of Allah
5. The Day of Judgement
6. Predestination⁴³
7. Resurrection after Death

⁴² This paragraph is based on the *Ontario Multifaith Information Manual*, Basic Concepts, pp. 170-171.

⁴³ Chapter (surah) 4 verse (ayah) 79 (Muhammad Asad's translation): "What good happens to thee is from Allah; and whatever evil befalls thee is from thyself."

These fundamental articles of faith are expressed and enacted through worship. Because Islam is a total and comprehensive way of living based on divine guidance, the common distinction between religious and secular, moral and economic, 'church' and state, are not accepted in Islam.

The purpose of life is to worship Allah by living according to his laws in every aspect of life. Every person is born free from sin and endowed by Allah with the spiritual potential and intellectual inclination to be a good Muslim. Human beings enjoy an especially high status in the hierarchy of Allah's creation because of the gift of rational faculties and spiritual aspirations, as well as freedom of choice and power of action.

According to Islamic belief, human beings consist of a body and a soul or inner-self (*nafs*). The soul has the ingredients of good and bad and it is up to the individual to direct it one way or the other. At the moment of death the soul separates from the body; it feels Allah's rewards or punishments and is kept in a transitional state (*barzakh*) until the day of judgement, the day of resurrection.

Humanity is not created in vain. Every person is held accountable for his or her faith, actions and blessings in this life. Those with a good record will be generously rewarded; those with a bad record will be fairly punished. The real nature of heaven and hell are known only to Allah, but Allah describes them in familiar human terms in the Qur'an. The timing of the day of judgement is known to Allah alone.

iii. *The Muslim Community*

While all Muslims consider themselves to be part of the *ummah*, the community of the faithful, there are two main groupings within Islam that differ on two fundamental issues: the line of succession following Muhammad and the exercise of religious authority. The majority of Muslims are Sunnis, who believe that the Qur'an, as interpreted by the *hadith* (sayings of the Prophet) and the *ijma* (consensus of the scholars), is the only authoritative basis of Islam. The Sunnis also believe that the elected successor of Prophet Mohammed, who is to conduct the affairs of the Muslim community, need not be from the family of the Prophet.

The Shi'ites, by comparison, believe that the line of succession is through the family of Muhammed and that religious authority rests with the Imams, whose interpretations and pronouncements regarding the Qur'an, doctrine and practice are divinely inspired. Therefore, Shi'ites submit to the authority of the "rightly guided Imams" and their present day 'clergy' (also called Imams); they also follow *hadith*. There have been twelve such Imams since the death of Muhammed. They believe that the twelfth Imam did not die - he just disappeared - and is currently in "occultation". He will return as a divinely guided Mahja at the end of the world.

Inmates belonging to the two groups should be able to worship together as the faith and prayers upheld by both groups are almost identical. However, the tension between these

Section III - Specific Traditions

two approaches to living the Muslim faith can be very real at the institutional level. Only in rare situations does this tension require a duplication of services.⁴⁴

iv. Religion and Culture

"Islam has a remarkable ability to adapt to and modify various cultural traditions. This, undoubtedly, has been a major factor in Islam's expansion in areas far away and culturally different from its birthplace, particularly in the Indian subcontinent, Indonesia and sub-Saharan Africa. In these areas, Islam, while maintaining a fundamental unity at the level of religious beliefs and on issues of civil status, allowed variations stemming from different cultural, social and political experiences and backgrounds."⁴⁵

If "no religion exists outside the cultural context in which it is practised"⁴⁶, it is not surprising that the socio-cultural realities associated with Islam are inseparable from the religious aspects in the minds of Muslims both inside and outside CSC institutions.

The absence of clear boundaries between the cultural and the religious aspects of Islam in the minds of many Muslims can lead to tension and misunderstanding when institutions attempt to apply the Standard Operating Procedures (SOP's) to all inmate groups, regardless of the cultural and/or religious nature of the group. Some faith traditions do not easily adapt themselves to what may appear to inmates and their families as arbitrary decisions. Trying to limit family participation to one of the two celebrations of Eid⁴⁷ has proven highly problematic in some places; yet if both are respected, is it right that there should be no other occasion for contact in a social context for the other 10 months of the year?

CSC relies on the visiting Imams to provide authoritative information about what activities and events are considered religious devotion and what events would normally be held in halls, meeting rooms or people's homes and be considered primarily social in nature.

It is of paramount importance that Social Development and Chaplaincy provide families with adequate information before they arrive at the institution:

- information about what they may and may not bring with them when they visit for social events

For many it can be as inconceivable that their incarcerated member go through a religious festival without the traditional fare (in terms of treats or seasonal foods) as it would be for Westerners to find that candy canes or Christmas cake were all of a sudden forbidden.

⁴⁴ The other two most commonly represented groupings in Canada are the Ismailis and the Ahmadis.

⁴⁵ *The Reformed World*, p.18.

⁴⁶ See Section II - 3: Culture and Religion.

⁴⁷ See *Holy Days and Holidays*, below. *Eidul Fitre* occurs at the end of the month of Ramadan; *Eidul Adha* in the twelfth month of the Islamic calendar is the festival of the sacrifice, marking the time when all the *Hajjis* (pilgrims) have arrived on 'Arafat', when animals are killed and their meat given to the poor.

- information about what to expect at the front gate

Since the Islamic concept of 'who belongs to one's family' is much more extended than that of most Western cultures, the number of people a Muslim inmate or his or her family would expect to attend a function at the institution can be at odds with institutional protocols. In some cases, those organizing the event may need to carefully explain that only the people whose names appear on the list at the front gate will be admitted. Some family members may not realize the implications, for example, of one cousin replacing another without informing the institution in advance.

In trying to appreciate these cultural differences, it can prove helpful to remember the variety of ways in which Christmas is celebrated. When we can identify that we experience the same interplay, overlap, and/or confusion of the cultural and religious aspects of our own festivals - Christian or otherwise - it becomes easier to appreciate how the distinctions may be unclear for religious and spiritual traditions we are less familiar with.

When conscientiously observed, Islam reaches far beyond what Westerners consider to be "religious practice". In Muslim countries, the teaching of the Qur'an is applied to all aspects of life - the social, as well as the economic, medical and political realms. And yet trying to manage "social development" activities at the institutional level lands the Service in the thick of celebrations that are not worship but which are imbued with religious significance.

The issue is often further complicated by the fact that Muslim inmates may come from a number of national backgrounds; so that, while they share the same basic faith, their ethno-cultural expressions of Islam may vary substantially. Some observe the tradition of breaking the fast at sunset during Ramadan by eating dates; for others dates do not have such a central place. Muslims of Pakistani origin, for example, see things very differently from those whose families come from Egypt; and those from other parts of the Middle East approach things differently from Muslims of Caribbean origin.

It may not be easy to draw a line between the culturally and religiously based aspects of accommodating the needs of Muslim inmates, but the visiting Imam should be able to help clarify the distinctions when questions arise. His leadership must be held uppermost in the eyes of the inmates and staff; otherwise decisions may be made on the basis of inaccurate or incomplete information by people who have no mandate to speak with authority on religious matters.

v. Religion and Race

While promoting greater acceptance of religious and cultural differences, CSC must also face the fact that most practising Muslims in its care are of Middle Eastern, Asian, Afro-American or Afro-Canadian descent. These "visible minorities" are susceptible to

prejudice and discrimination and may, in response, wish to clearly identify themselves as a group, distinct because of skin colour, background and, in this case, religion.

It is not uncommon to find a desire on the part of people who share racial and historical characteristics to also share the religious ones, for a variety of reasons. Thus institutions may find the great majority of the black inmates turning to Islam as yet another way of expressing their solidarity as a group. When this occurs, it becomes all too easy for both the group members and the staff to deal with issues or conflicts that arise in the lives of these inmates on a strictly racial basis. The tendency toward and the allegations of racial discrimination invariably surface in such an atmosphere.

It is, therefore, imperative that CSC policy and practice remain uniformly applied and implemented. For example, if the group of Muslims in an institution is growing and new converts all belong to racial minorities, it becomes even more important to set and maintain consistent standards of service provision and expectations of religious observance than when dealing with a religious group of mixed ethnic and/or racial membership. Delivering religious diets in a completely separate way from regular diets cannot but constitute special treatment and, therefore, special status in the eyes of all concerned. This needs to be avoided whenever possible since any perception of special treatment simply invites conflict: either because the Muslim group wants religious accommodation to appear special (by forming a group apart, receiving special bags of food or trays, etc.) or because the method of providing religious accommodation sets them apart (a clearly identifiable group served differently in one section of the dining room, etc.).

The food made with *halal* meat may come from a different dish, but if it is prepared to look and taste the same as what the majority of people receive on the line, the "specialness" will be indistinguishable, even though the difference must be carefully respected during preparation and service. While this may not be the first choice of Muslim groups who prefer to remain "special" by appearing distinct, the institution as a whole - including the religious minorities - stands to benefit from implementing such a model. There can be no defensible argument against adopting this approach, while they do exist in relation to all other methods and models.

2. Birth

If the husband cannot be present, a female friend or relative should be allowed to attend the birth of a baby to a Muslim woman.

After birth, the Call of Prayer (*adhaan*) is recited softly in the baby's right ear and the Prayer Commencement Call (*iqaamah*) is recited in the left ear. It is traditional that a dinner and prayer of thanksgiving and gratitude to Allah (*aqeeqah*) be held with friends and family when circumstances allow.

A woman who has just given birth (or just finished menstruating) will need to perform a ritual bath (*ghusl*) at the end of her *post partum* bleeding - 40 days after delivery - to ensure ritual purity for prayer.

Since Muslim males should be circumcised, it is most convenient for this to take place before the baby leaves the hospital. In the case of adult males who embrace Islam, the local imam should be consulted on this question.

3. Cell Effects

Copies of the Qur'an (with Arabic text) are highly venerated and are touched and read by Muslims, preferably after ceremonial washing. Individuals must be allowed to keep a personal copy of the Qur'an and an interpretation of its meaning (translation in the language of their choice) with them at all times.

Muslims kneel and prostrate themselves repeatedly in the course of daily prayer. They should have access to a prayer mat (or at the very least a rug or towel) to use for prayers.

The following articles may be issued on the authority of the Chaplain, similar to the authorisation of Aboriginal items by the Native Elder. While not essential, their use is widespread among Muslims and should be permitted unless specific reasons against doing so can be documented on a case by case basis.

- "Tasbeehah" - a type of prayer beads

The use of prayer beads by inmates is permitted for devotional purposes, whether the custom belongs to the Roman Catholics (ie., rosaries) or other religious traditions. If a local concern arises about the length or the strength of string holding the beads together, a decision to limit their presence to certain location(s) in the institution, e.g. chapel, could be made at the local level.

- Toiletries:

The following list of soaps and toothpaste, known to be free of all pork by-products, has been identified by the National Consultation Group on Muslim Issues.

Toothpaste:	Pepsodent
	Aim
	Close-Up
	Crest Complete (not Regular)
	Colgate Total (not Regular)

Soap:	Dial, Jergens
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Section III - Specific Traditions

Some Muslims use a piece of a root known as "*miswaak*" or "*siwaak*" for cleaning their teeth. It is reported that Prophet Mohammed used it and recommended his companions do the same. Toothbrush and toothpaste are the modern day substitute for the *siwaak*.

A common practice among Muslims is to apply perfume to their bodies in preparation for congregational prayer. This is to avoid irritating others from any possibly unpleasant smell. Use of a fragrance for this purpose should be permitted unless proof exists that the person is using it in connection with illegal activities (such as covering the smell of contraband drug use).

4. Contacts

i. Muslim representative on the Interfaith Committee

Dr. Shakir Sheikh
President, Guyanese-Caribbean Muslim Association
(613) 825-4057

ii. Contract or volunteer chaplain, or designated resource person

Atlantic -

Muslim Association of New Brunswick
1100 Rothesay Road, Saint John, NB E2H 2H8

Quebec -

Association of Islamic Charitable Projects
6691, ave. du Parc, Montreal, Quebec H2V 4J1
(514) 274-0011

Canadian Halal Foods, Mr. Haj Mohamed
(450) 678-5695

Ontario -

The Islamic Society of Kingston
P.O.Box 2021, 1477 Sydenham Rd.,
Kingston, ON K7L 5J8
(613) 542-9000

Islamic Chaplaincy Services
R.R. 2, Comp 90
Barry's Bay, ON K0J 1B0

Rashid_t@yahoo.com

Muslim Inmate Assistance Program, c/o Scarborough Muslim Association
2665 Lawrence Avenue East, Scarborough, ON M1P 2S2
Voice mail message: 416-926-3749
Abu Bakr Mosque: 416-750-2253 miap@hotmail.com

Prairies -

Islamic Education Society of Alberta
104-28th St. SE,
Calgary, AB
T2A 0Y5
Ph. (403) 313-7777
Fax (403) 273-4307

Pacific -

Muslim Youth Centre
#208 - 7750 128 St.,
Surrey B.C.
V3W 4E6
Ph. (604) 502-8692
muslimyouthcentre@hotmail.com

B.C. Muslim Association
Ph. (604) 270-2522

Ethno-cultural references

Atlantic - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoatl/toc_e.shtml

Quebec - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoque/toc_e.shtml

Ontario - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoont/toc_e.shtml

Prairies - <http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopr/toce.shtml>

Pacific - http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopac/toc_e.shtml

5. Conversion and Initiation

i. Background

Section III - Specific Traditions

The number of conversions to Islam within the CSC offender population has been growing over the past decade. While there may be several reasons for this, the result is an expressed need to provide some consistency in how to respond to those wishing to "embrace Islam". The need resulting from this trend exists on the part of offenders' families who are often not informed of the person's conversion or of the implications for them and/or their loved one; and on the part CSC whose records do not always accurately reflect a person's religious affiliation once it has changed.

Of primary importance, however, is the need on the part of the person interested in embracing Islam to have the rights, responsibilities and obligations arising from conversion, including the need to communicate the decision to his/her family, carefully explained. The visiting imam should observe the person's behaviour and only on his authority should a person's conversion be deemed authentic and permanent.

It is also important to distinguish between the religious requirements for becoming a Muslim (declaring faith in Allah alone and that Muhammed is His Messenger) and the practical consequences of an assertion of faith. The declaration of faith, or a certificate acknowledging it, determines a person's identity as a Muslim. However, the absence of a certificate can not be used as an obstacle in the way of a person's conversion.

A recent situation in one institution suggests that the desire to embrace Islam is sometimes related to the desire to access the perceived "special treatment" and status accorded to receiving a *halal* diet. Conflict easily arises over the "convert's" sincerity in such circumstances. When the situation is repeated numerous times in the same institution, the practicalities involved in accommodating the needs of many converts can become complex.

Observation by staff of a self-professed Muslim following the obligations entailed in adopting the Muslim faith can serve in a statement or report to complement the conversion certificate as validation of the person's new religious affiliation. However, from a religious perspective - that is, the one held by the Muslim leadership who advise CSC - failure to meet some of the obligations of Islam should not serve as a reason to "judge the state of a person's heart", that is judge whether or not the person is a genuine believer.

The practice of circumcision for adult males who embrace Islam should be discussed with the visiting imam.

ii. Suggested practice

Islamic organizations, CSC staff and spiritual leaders who provide services to inmates, as well as family members, need access to two types of information in order to communicate and respect the person's decision to become a Muslim and to practise Islamic traditions:

- the person's conversion to Islam (*shahadah*) and

- the person's wishes (Will/Testament)

(See Appendix A at the end of this chapter for sample documents for recording this information.)

The following suggested practice resulted from discussions held between CSC Chaplaincy and the Consultation Group on Muslim Issues, a group made up of Muslim leaders in the community and people who provide spiritual services to Muslims in CSC care.

1. The Imam should counsel offenders as to the seriousness of the decision to profess the faith (saying the *shahadah*) and stress the importance of acquiring enough knowledge about Islam to make a decision based on free and informed choice. The CSC Consultation Group on Muslim Issues strongly encourages the Imam to admit the *shahadah* only if and when the person has fully understood the obligations of adopting the Muslim faith and the consequences of later renouncing it.
2. When a profession of faith is made, the inmate, the other Muslim community members and the visiting Imam are all responsible to assist the person to continue learning and to remain faithful in prayer and practice.
3. The Imam will assist the person to complete a *Certificate of Shahadah and Will/Testament* and will sign it in witness of his organisation's contribution to preparing the person to adopt the faith.
4. The new Muslim may be "unofficially" called by a new name by Muslim brothers/sisters, but the person's legal name remains unchanged. The new name often has symbolic meaning, referring to an aspect of spirituality that the person would like to exemplify; sometimes the name is the Arabic equivalent to the person's original name. The Imam shall make it clear to the convert that he/she need not change his/her name. If the person, however, wishes to adopt a new Muslim name, the Imam will make it clear that this does not represent a change in his or her legal name within the CSC system, but will nonetheless inform CSC of the new name.
5. The Imam will strongly encourage him or her to inform his or her next of kin of the decision to embrace Islam. The Imam will explain the necessity of informing the person's Parole Officer of this decision in order for the change of religious affiliation to appear on OMS and for the person to be authorised to practise the faith as fully as possible while incarcerated. The Imam will also advise new Muslims to make his/her desire to participate in Friday prayer known when signing up for programs, so that the necessary adjustments to schedules can be made prior to the start of the program.
6. The Imam will give the original certificate to the person, keep a copy for the records of his Islamic organisation and ensure that the institutional chaplain receives a copy.

Section III - Specific Traditions

7. Upon receipt of the *Certificate of Shahadah and Will/Testament*, the institutional chaplain will inform the person's Parole Officer and request that the change be made on OMS.
8. The institutional chaplain will explain the authorisation process in order for the new Muslim to have access to *halal* meals and will ensure that the necessary paperwork is completed in consultation with the Imam.
9. The institutional chaplain will assist the person to communicate the decision to embrace Islam with his or her family, if his or her help is requested.
10. The institutional chaplain will ensure that the Imam (or Islamic organisation) is informed in the event of the death of a Muslim inmate and will assist in carrying out the wishes of Muslim inmates by providing any required information to the parties involved (Imam, Islamic organisation, Parole Officer, next of kin). This could include a copy of the *Certificate of Shahadah and Will/Testament*, the location of the body, how to contact the next of kin, CSC policy on the Death of an Inmate (CD530) and procedures following a death of a Muslim inmate.

6. Death

For Muslims death is not the end, but rather the beginning of their eternal life. Muslims believe in resurrection on the day of judgement. Islam does not allow euthanasia or mercy killing and considers both to be crimes. In the same vein, hunger strikes that seriously threaten a person's health are not allowed as committing suicide is prohibited. Muslims consider the practice of performing an autopsy to be prohibited unless absolutely necessary.

i. At the Time of Death⁴⁸

Muslims approaching death should be counselled by a knowledgeable Muslim from the community. The family should be allowed to be with the patient at the time of death and to have a religious counsellor present. As the moment of death approaches, the person should recite the Islamic 'Creed' (*shahadah*) if able to do so, with the help of others if necessary. A Muslim who is present may recite some chapters of the Qur'an, especially Surah Ya-Seen (Chapter 36) and ask for mercy and forgiveness for the dying person.

After death the individual's eyes should be gently shut, his or her mouth closed (with a bandage running under the chin and tied over the head), and arms and legs straightened.

With a minimum of delay the body should be ritually washed, shrouded and buried. If possible, washing (*ghusl*) is performed by a close Muslim relative or friend, but may be performed by any other Muslim who knows the procedure. A man can wash a man, and

⁴⁸ Much of the information in this section is borrowed from the *Ontario Multifaith Information Manual*.

a woman can wash a woman, except in the case of a husband and wife in which a husband can wash his wife, and a wife can wash her husband. It is absolutely forbidden to look at the private parts of a corpse. CSC Caregivers are asked to show respect for this prohibition. After washing the body, it is shrouded in white cloth sheets (preferably three sheets for a man and five for a woman).

Unless a long delay prior to burial of the body is anticipated (in the event of needing to transport it to where the family resides, etc.) Muslims do not embalm their dead. Like autopsies and cremation, embalming is seen as a desecration of the body.

ii. Funeral and Burial

A funeral prayer (*salaatul janaazah*) asking Allah's mercy and blessings is held for the deceased person by the local Muslim community. This prayer service is preferably held in the congregation and led by a close relative of the deceased. However, any Muslim who knows how to perform it may do so. As soon as the prayer is over, the body should be taken to the graveyard for burial.

Imams can offer prayers in the context of a Christian funeral in the event that the family decides to proceed in this way. The only problem occurs if cremation is arranged; Muslims neither attend the cremation nor pray when the ashes are interred. The institutional chaplain is responsible to counsel Muslim offenders against being cremated and to communicate the prohibition to the family. If the family decides otherwise, the spiritual responsibility rests with them.

7. Diets

Please refer to the Guideline for Islam in the electronic version of the *Religious Diets General Guidelines* at http://www.csc-scc.gc.ca/text/prgrm/chap/diet/toce_e.shtml.

i. Islamic Ritual Slaughter

The NHQ Religious Accommodation Advisory Group and the Muslim Issues Consultation Group strongly recommend that the regional farms arrange for a Muslim imam or a Muslim inmate (who has the required training) to oversee the slaughter of animals according to the requirements for *halal* meat and then clearly package the meat for distribution within the region. This eliminates additional costs for unprocessed meats, ensures consistent supply and alleviates concerns on the part of the inmates as to the ritual purity of the meat. The institutional chaplain responsible for the farm and the Regional Chaplain can assist in identifying a visiting imam willing to train Muslim inmates in the required method of slaughter.

The requirements for obtaining wholesome meat are as follows:

Section III - Specific Traditions

1. The animal should be inspected before it is slaughtered and found to be healthy and the hide is physically free of mud and manure.
2. Traditionally, the animal's head is placed so that it faces Mecca. The animal should be slaughtered in such a way as to allow its blood to flow out freely and completely, i.e., with a sharp tool cutting the veins and the arteries in the neck, in the most painless way possible.
3. The name of Allah is to be invoked at the time of slaughter, e.g. "In the name of Allah, Allah is Supreme" (*Bismillah, Allahu Akbar*). No other name than Allah is to be invoked at the time of slaughter.
4. The meat should be government inspected to ensure that it is wholesome and does not contain any matter injurious to human health.
5. According to the Qur'an, any mature Muslim of sound mind may perform a *halal* slaughter. There is no requirement that an Imam attend the slaughter. However, the person who slaughters the animal should preferably belong to the "People of the Book"; that is, either be a Muslim, a Jew or a Christian; the person cannot be an atheist, a Pagan, or a polytheist (someone who believes in more than one god).

iv. *Fasting*⁴⁹

Fasting serves as a discipline or aid for believers to wait patiently on Allah and as an expression of thanksgiving. Every Muslim man or woman of sound mind who is legally and physically capable of fasting must perform this devotion. Islamic fasting requires complete abstention from eating, drinking, sexual relations and smoking from the break of dawn (usually 1.5 - 2 hours before sunrise) until sunset. The fast is broken after sunset with a light snack, followed by prayers; the evening meal is eaten after prayers.

Ramadan is the Muslim holy month that includes daily fasting. It is celebrated annually for a full lunar month. During the month of Ramadan, Muslims abstain from eating food and from drinking each day from the break of dawn (the first glimmer of light) until sunset. Other arrangements must be made to accommodate their dietary requirements after these hours. Muslims might also observe optional periodic fasts at other times during special religious days or out of personal observance.

The requirements of Muslim fasting, as compared with a Christian fast, for example, constitute a real challenge for those who embrace Islam in their adulthood. Their work schedule during Ramadan ought to take this difficulty into account.

Children who have not gone through puberty and persons of unsound mind are excused from the obligation to fast.

⁴⁹ This section is largely based on *Practical Manual, Muslim Diet*, Jamal-Eddine Tadlaoui, CSC, 2001.

Muslims are not expected to fast if they are ill or travelling. The taking of oral medication is considered a breaking of the fast. Days of the fast lost due to health reasons (including menstruation) or travel must be made up for at some point during the year. Women who are pregnant, in labour or nursing a baby may not fast, but they have to make up for the days they have not fasted. Menstruating women and women with postpartum bleeding are prohibited from fasting, but have to make up for the days they have not fasted. Very elderly people with failing health are exempted from fasting.

(See Appendix B at the end of this chapter for the passages of the Qur'an related to dietary obligations and prohibitions.)

8. Divorce

Islam encourages reconciliation between spouses rather than severance of their relationship. However, it is recognized that when marriage becomes impossible to sustain, it is better for the parties to amicably separate than be miserably bound together. Either party may initiate divorce proceedings.⁵⁰

9. Dress requirements

The Qur'an commands both men and women to dress modestly and to guard their chastity in order to promote modesty and mutual respect. Modesty requires that the clothing be loose and not attract undue attention.

The head covering worn by many Muslim women (*hijab*) is recommended but not compulsory.⁵¹

Men must cover themselves in a decent manner at least from the navel to the knee with loose fitting, non-transparent garments. Women must cover all parts of their body except their face and hands with loose fitting, non-transparent clothes. Devout Muslim women consider it their right and privilege to cover themselves in public so as to avoid exploitation and to maintain their dignity.⁵²

The *jellaba* is a festive garment belonging to a particular cultural expression of Islam. The wearing of this long, flowing garment is one of the ways in which Muslims try to imitate the Prophet Mohammed; others being the growing of a beard, wearing a head covering. The Consultation Group on Muslim Issues is of the opinion that while people from a certain culture might wear this garment all the time, it is a question of cultural relativity and not religious obligation. If the person feels comfortable wearing it when at

⁵⁰ *The Muslim Family*, an information pamphlet published by the Islamic Social Services Association Inc.

⁵¹ There is no Qur'anic obligation to wear the *hijab*, though some *hadith* (teachings) indicate otherwise.

⁵² *The Muslim Family*.

prayer, he should be able to do so. The Consultation Group recognises that offenders must accept CSC's security concerns in this matter if they arise.

10. Family

In Islamic societies the family is the nucleus around which the community is built. The aim of Islamic society is to nurture and empower the family. The definition of "family" includes both the immediate and the extended group of relations. Muslims keep close contact with all their kin and consider it a duty to care for their welfare. Each member of the family has rights and obligations.

Islam does not recognise any form of cohabitation other than marriage as legitimate and prohibits physical contact between people of opposite sexes unless they are related. Islam forbids drinking gambling and exploitation of women and children because they all contribute to the breakdown of the moral fibre of society and the destruction of the family.

Prophet Muhammed stated that, "Paradise lies at the feet of the mother." The mother's primary role is that of caregiver and manager of household affairs. Both parents are responsible for the upbringing, nurturing and education of the children.

The Qur'an places the husband as the leader of the family, making him both responsible and accountable. The role of the father is that of provider; he is obliged to support the immediate and extended family financially. The father is responsible for their social, spiritual, educational and financial needs. His position as leader of the family is not one of dictatorial authority. He is obliged, by divine decree, to consult his wife and family and to arrive at consensus and compromise.

In Islam children are guaranteed basic human rights in the same way that adults are. Children are considered a blessing and are cherished as gifts from Allah. Both father and mother play a role in their upbringing and are legally responsible for their welfare. In return children are commanded by Allah to respect and obey their parents and take care of them in old age.⁵³

11. Gender Issues

In Islam there is no difference between men and women as far as their relationship to Allah is concerned, as both are promised the same reward for good conduct and the same punishment for evil conduct.

⁵³ *ibid.*

Stereotypes of Muslim women are largely based on the lack of knowledge and comprehension of Islam.

12. Holy Days and Holidays

The Islamic calendar started in the year that Prophet Muhammed migrated from Makka to Madinah (622 C.E.). The Islamic "day" ends at sunset and so a new day begins at sunset. The Islamic year is based on the Islamic lunar calendar with 29 or 30 days per month and 12 months per year. Thus, the Islamic year is 11 or 12 days shorter than the Gregorian (solar) calendar. Significant dates in the Islamic calendar fall 11 or 12 days earlier in each successive solar year.

Friday is the weekly holy day when Muslims join together at noon local time in congregational prayer (*juma'ah*) at the mosque. Muslims do not believe that Allah rested on that or any other day, nor does Allah get tired. Therefore, Muslims may work on Fridays except during the time of prayer, which includes a *khutbah* or sermon given by a local prayer leader, a *khateeb* or Imam.

Muslims observe two principal yearly celebrations. During these days Muslims do not work, but go first to mosques and then visit friends and relatives. On these two celebrations Muslims are especially joyful and thankful for Allah's bounty and ask for his continued mercy and blessings. The prayer services on these days must be led by an authorised member of the faith community:

- **Eid-ul-Fitr** celebrates the end of the month of fasting (Ramadan). It marks the first day of the lunar Islamic month of *Shawal*. On this day, Muslims dress in new or clean clothes and special congregational prayer is observed. In addition, alms (charity) may be given and greetings and gifts exchanged.
- **Eid-ul-Adha**, or the Feast of Sacrifice, is observed in remembrance of the intended sacrifice of his son, Ishmael, by the Prophet Abraham. This festival reminds Muslims that they should not hesitate to sacrifice anything to the glory of Allah. It takes place on the tenth day of the twelfth lunar month (*zul-hijja*) and coincides with the end of the *hajj* rituals (the Pilgrimage to Mecca). Special congregational worship on this day includes a general prayer and a sermon. Traditionally, the men in the community slaughter an animal (sheep, goat, heifer) for the benefit of their family, relatives and the poor (about one-third of the carcass to each group). Some send money abroad so that the poor receive some meat at this time.

Apart from the two Eid celebrations, there are other special observances on the Islamic calendar:

Section III - Specific Traditions

- The *Day of Hijrat* marks the beginning of the New Year and commemorates the emigration of the Prophet Muhammed from Makka to Medina. Muslims take additional time for study on this day.
- Some communities celebrate *Milaad-Ul-Nabbi*, the birthday of the Prophet Muhammed. It is marked by extra study, the narration of the accounts of the Prophet's birth, life and teachings. Muslims are encouraged to emulate his character.
- *Lailat-Ul Mi'raj*, the Night Journey and the Ascension of the Prophet Muhammed to the Heavens, is commemorated by Muslims, spending a portion of the night in reading and studying the Qur'an and performing optional worship.
- On *Lailat-Ul-Qadr* Muslims remember the night that the Prophet Muhammed received the first message of the Qur'an through the Angel Gabriel. It occurs on one of the odd numbered nights toward the end of Ramadan. Muslims are urged to celebrate this night by offering optional worship and supplications and by studying the Qur'an.

~ Fasting

Obligatory Fasting (*seyam*) in the month of Ramadan is one of the five 'pillars' or requirements of the Islamic faith. In addition to the obligatory fasting in Ramadan, optional fasting is also encouraged, but voluntary, at other times (Mondays and Thursdays are recommended) and on special occasions.

See *Diet - Fasting*, above, for further details about fasting within the Islamic tradition. Also, see Appendix B at the end of this chapter for the passages of the Qur'an that lay out the obligation to fast.

13. Health/ Illness

Muslim patients feel more comfortable being examined by a doctor or nurse of the same sex. Great care should be taken to ensure that female patients are looked after by female caregivers. Exceptions can be made only in extreme circumstances.

Muslims are required to pray five times daily and need to be in a state of ritual purity. They should not be interrupted during prayer unless absolutely necessary. Muslim patients may become upset if they are unable to maintain the cleanliness of their bodies and clothes as this makes an unclean state for prayer.

Muslims are encouraged to clean their whole body with water at least once a week (usually on Friday). Water can be wiped over casts and dressings from an injury or surgery. If it is thought that water will complicate the illness, dry ablution can replace washing with water.

As suicide is prohibited in Islam, hunger strikes that seriously endanger a Muslim's health are forbidden.

~ *Health Care of Muslim Women*

Only female doctors, nurses and technicians should care for Muslim women. Only in life or death situations is this rule waived. Hospital gowns should be long, with long sleeves. If such gowns are unavailable, women should be allowed to use their own (long) gowns.

Privacy should be observed during examination, exposing only the necessary parts of the body while the rest of the body remains covered. Muslim women who wear a scarf should not be asked to remove it unless necessary.

As a general rule abortion is forbidden in Islam. Abortion is only allowed if the life of the mother is at great risk. Islamic counselling should be made available to Muslim women when abortion is being seriously considered.

14. Religious Law

Islamic Law does not have an impact on the 'Western' judicial system. Muslims are obliged to follow the laws of the land in which they live. If Canadian law contravenes Islamic teaching, Muslims must commend the situation to Allah to act upon on the Day of Judgement.

The primary source of Islamic law is the Qur'an in which the word and will of Allah are revealed to Prophet Muhammed. A secondary source of legislation and teaching is the *hadith* (or *sunnah* or 'traditions'), the saying, actions and approvals of Prophet Muhammed. Other sources include the consensus (*ijma*) among scholars and jurists, and interpretation and exposition (*qiyas*) of the Qur'an, *hadith* and *ijma*.

Within Islam there are four schools of law in the Sunni tradition - the Hanifi, the Malaki, the Hanbali and the Shafi - and in the Shia tradition that of Jafari is added. (See *Basic Beliefs*, above, for more detail on how reliance on the various sources of authority plays out within the Muslim community.)

The basic principle of Islamic law is that all things and actions are permitted unless specifically prohibited by Allah. Islamic Law distinguishes between that which is *halal* (permitted by Allah the Law-Giver), *haram* (absolutely prohibited).⁵⁴ Anyone who engages in *haram* is liable for Allah's punishment, as well as legal Islamic punishment.

Unlawful things must be avoided at all times. If, however, a person's life or health is threatened, a temporary and limited concession is permissible, as in the case of an

⁵⁴ There are many categories between *halal* and *haram*, but only the latter is punishable by Allah. The others are 'disliked' to various degrees, but are not 'sins'.

abortion to save the mother's life. Good intentions do not make any *haram* action acceptable and doubtful things are to be avoided.

15. Leadership

There are no clergy or centralised authorities in Islam since an individual's bond with Allah is direct and needs no intermediary. An Imam hired at a mosque is a religious scholar. He conducts worship and prayers and is responsible for attending to the needs of the individual Muslims. An Imam may be addressed as "Brother", "Sheikh" or "Imam".

In Islam it is compulsory to memorise some chapters of the Qur'an in order to pray. The individual who leads prayer is chosen because he is the most knowledgeable about the Qur'an among those present in a particular group that is about to pray. So, in theory, anyone can lead prayer, including the Friday ceremony, with this minimum knowledge.

The majority of Muslims are Sunnis. They believe that the line of succession following Prophet Muhammed was through his closest companions and maintain that the Qur'an, as interpreted by the *hadith* and the *ijma*, is the only authoritative basis of Islam. The minority Shi'ites believe that the line of succession is through the family of Muhammed and that religious authority rests with an Imam, whose interpretations and pronouncements regarding the Qur'an, doctrine and practice are divinely inspired and infallible. There have been 12 Imams since Muhammed's death. They believe that the twelfth Imam did not die - he just disappeared - and is currently in "occultation". He will return as a divinely guided Mahja at the end of the world. Currently they have a clerical hierarchy with Ayatollahs ('signs of God') at the top.

Schools of Law are permissible within the framework of Islam provided that the differences are not about the essentials of the faith. As Islam respects the freedom of conscience, Muslims cannot be required to follow one particular school of law. They should, however, respect interpretations by other jurists so long as they are consistent with the basics of Islam. Two alternative interpretations of a given issue may be regarded as legitimate. There are four schools particularly recognised in Sunni Islam, and a fifth, Jafari, has its roots in Shia Islam and is accepted by all.

16. Marriage

Marriage is a religious duty for all who are capable of meeting its responsibilities. An individual can enter a marriage contract any time after puberty. Although one of the main purposes of marriage is to procreate, Islam does make provision for family planning.

Marriage in Islam is usually arranged in full co-operation and consideration between parents and children. Muslim girls must be consulted and cannot be forced to marry. *Nikaah* is the ceremony performed to marry a male and a female Muslim and must be conducted by a qualified Muslim and witnessed by as many Muslims as possible. A reception (*waleemah*) to which relatives and friends are invited is held one day after the ceremony.

Marriage can be celebrated while one or the other partner is incarcerated. (See *Section II* on Marriage for further details.) However, it is imperative that such a marriage be properly recorded in the civil jurisdiction of the institution and that the wife have written evidence of the marriage from the proper authorities, otherwise she has no protection.⁵⁵

17. Searches

The Service-wide requirement to use drug dogs in searches (according to established institutional schedules and needs) can raise concerns about the presence of dogs in living quarters for Muslims on religious/spiritual grounds.

According to a particular interpretation of the Sunnah, dog saliva coming into contact with a person's body, clothes, bed linens or food results in ritual impurity requiring specific acts of cleansing. The fact of a dog simply sniffing an area or an object, however, does not render an item or an environment ritually unclean unless the dog actually licks something.

~ Suggested Procedure

Handlers are expected to demonstrate sensitivity and respect toward the inmates for whom these religious concerns are important and avoid contact of the dog's saliva, hair or dandruff with furniture or effects in the living area when at all possible. If a dog's saliva, hair or dandruff does come in contact with items in a Muslim offender's living environment during a search, he or she has the right to request that the item(s) affected be washed. In the case of bed linens or clothes, a clean set should be provided upon request.

Inmates are responsible to put sacred objects out of the dog's reach if they are worried about contact, but must allow the objects to be searched if requested. If the inmate is unwilling to allow staff to touch the sacred object(s), he/she must be prepared to handle the object(s) in a way that satisfies the requirements of the search. A leather or wire muzzle on the dog can avoid contact with saliva.

⁵⁵ It is also imperative that the Imam ascertain that the man has no previous marriages, as Canadian law only recognises one marriage partner.

18. Symbols

The crescent and star are universally recognized as symbol of Islam. Strictly speaking, it does not have an Islamic significance. Its association with Islam originated from the historic fact of being used by the Ottoman Empire on its flag. In addition, some inmates may request to post the word "Allah" in their cells.

19. Worship

In Islam, worship is an active part of daily life. In addition to the prescribed prayers, a Muslim expresses gratitude to Allah and asks for His mercy all the time, but especially at the time of childbirth, marriage, going to and rising from bed, leaving and returning home, beginning a journey or entering a city, riding or driving, before and after eating or drinking, harvesting, visiting graveyards and at times of distress, illness and death.

The five obligatory times for prayer are the first light of dawn, immediately after local noon, in the late afternoon and before sunset, immediately after sunset and at night after the darkness has descended and before dawn. The prayers (*salaah*) can be performed at home, in the workplace, outdoors or in the mosque, individually or in congregation. Attendance at noon prayer on Friday, called the congregational prayer or *juma'ah*, is an obligation for all men who are able.⁵⁶

i. Ritual Cleanliness

Ritual washing or ablutions (*wudu*) are required prior to prayer. If water is unavailable or its use would endanger a person's health, there is provision for "dry ablutions" by striking the hands on pure earth and passing them over the face and on the arms as far as the elbows. Religious law prescribes that Muslims prostrate themselves before Allah when they pray.

A ritual bath (*ghusl*) must be performed by both men and women after having sexual intercourse (and by men after an ejaculation of semen) prior to performing prayer or touching the Qur'an. Also women must perform the *ghusl* after menstruation and 40 days after childbirth. The *ghusl* includes gargling and washing the mouth and nostrils, in addition to pouring water over every part of the body.

ii. Friday Prayers

⁵⁶ For very detailed information on the requirements for devotion, the following book can be helpful: *Islam - Beliefs and Teachings*, by Ghulam Sarwar, The Muslim Educational Trust, ISBN 0 907261 03 5. Published in England. Contact the Islamic Education Society of Alberta for Canadian distributors. (See *Contacts*, above)

Institutions in which Muslims request authorization to worship on Fridays are usually able to schedule afternoon programs in a way that allows Muslims to attend. This may require some coordination and flexibility, depending on the normal time for counts.

It is important that Muslims who wish to attend Friday prayer alert program and workplace coordinators to the fact at the point of signing up, as once the program is underway it may be too late to change the schedule.

iii. Worshipping Alone or in a Group

The positive value of corporate worship is found in the strengthening of faith and the mutual support the participants offer one another. While it may be preferable to pray together at times other than Friday at noon, Muslims in the community are not always able to gather for prayer on a daily basis (or multiple times during the day) because of work schedules, family commitments, etc. It would be difficult to make a case for corporate prayer being obligatory within the confines of CSC regulations and institutional routine.

When prayers cannot be said within a congregational setting, the location of prayer is not as important as the obligation to pray at prescribed times and in the prescribed manner.

iv. The Place of Prayer

The place of prayer must be clean and free from impurities. It is highly desirable to have a designated place for prayers with a mat, carpet, towel, blanket or any material that is kept clean (never stepped on) and only used for this purpose. No religious imagery may be portrayed in front of the person who is praying. The place should be reasonably quiet to allow for concentration and contain no images or figurines. Whatever space is provided for worship should have the direction of the *qiblah* marked, roughly Northeast in most of Canada. (The direction varies across Canada and is determined by one's actual location. The local Mosque will be able to provide the correct direction.)

The presence of non-Muslims during communal prayers is permissible, especially for educational purposes.

Sources:

Islam: Basic Concepts and Requirements, An Affidavit by Gamal Badawi, (ITC Series No. 7), Islamic Teaching Center, P.O. Box 38, Plainfield, Indiana, 1982.0

Ontario Multifaith Information Manual, Fourth Edition, 2000, Chapter on Islam, pp. 135-145.

Section III - Specific Traditions

Guidelines for Health Care Workers, The Muslim Family and Know Your Muslim Student, Information pamphlets produced by the Islamic Social Services Association Inc., www.issaservices.com; toll free phone number 1-866-239-ISSA.

The Reformed World, Volume 42, ed. M. Opocensky, World Alliance of Reformed Churches, Geneva, Switzerland, 1992.

Appendix A - Sample Certificate

IN THE NAME OF ALLAH, THE MOST COMPASSIONATE, THE MOST
MERCIFUL

Certificate of *Shehada* (Declaration of faith) and Will/Testament

To Whom It May Concern:

I, _____, do hereby bear witness to Allah (God) that there is no deity but Allah and Mohammed is His messenger. I have adopted Islam as my way of life of my own free will and with full understanding and therefore profess to be a Muslim in faith and practice.

(I choose to be called by a new Muslim name: _____)

I understand that it is my responsibility to inform my next of kin of my decision to embrace Islam.

In the case of my death, I wish to be buried according to Islamic tradition and request that _____ (next of kin) and _____ (Name of Islamic Organisation) be informed of my wishes when given notification of my death.

May Allah grant me courage and strength to practise Islam in all walks of my life.

(Signature)

(Signature of Imam/Muslim Representative of Islamic Organisation)

(Name of Islamic Organisation)

(Address of Islamic Organisation)

(Telephone number)

_____ (Date)

Original to be retained by the new Muslim

cc. Islamic Organisation

CSC Institutional Chaplain

Appendix B - Passages of the Qur'an Containing Dietary Obligations and Prohibitions for Muslims

Surahs relating to meat

Surah 5, Verse 3

*Forbidden to you is that which dies of itself, and blood, and **flesh of swine**, and **that on which any other name than that of Allah has been invoked**, and the strangled (animal) and that beaten to death, and that killed by a fall and that killed by being smitten with the horn, and that which wild beasts have eaten, except what you slaughter, (...) but whoever is compelled by hunger, not inclining willfully to sin, then surely Allah is Forgiving, Merciful.*

Surah 6, Verses 118, 119, 121, 145

***Therefore eat of that on which Allah's name has been mentioned** if you are believers in His communications. (Verse 118)*

***And what reason have you that you should not eat of that on which Allah's name has been mentioned**, and He has already made plain to you what He has forbidden to you-- excepting what you are compelled to; and most surely many would lead (people) astray by their low desires out of ignorance; surely your Lord-- He best knows those who exceed the limits. (Verse 119)*

***And do not eat of that on which Allah's name has not been mentioned**, and that is most surely a transgression. (Verse 121)*

*Say: **I do not find** in that which has been revealed to me **anything forbidden** for an eater to eat of **except** that it be what has died of itself, or blood poured forth, **or flesh of swine**-- for that surely is unclean-- **or that which is a transgression, other than (the name of) Allah having been invoked on it**; but whoever is driven to necessity, not desiring nor exceeding the limit, then surely your Lord is Forgiving, Merciful. (verse 145)*

Surahs relating to alcohol

Surah 5, Verses 90 and 91

O you who believe! intoxicants and games of chance and (sacrificing to) stones set up and (divining by) arrows are only an uncleanness, the Shaitan's work; shun it therefore that you may be successful. (Verse 90)

Section III - Specific Traditions

The Shaitan only desires to cause enmity and hatred to spring in your midst by means of intoxicants and games of chance, and to keep you off from the remembrance of Allah and from prayer. Will you then desist? (Verse 91)

Judaism

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Judaism.

Please note that unless otherwise noted, the material contained in this chapter is based on *An Understanding* and *A Synopsis* (see Bibliography, below).

Out of respect for the Jewish tradition of not speaking the name of the divine, the common practice of omitting the vowel (G-d) is used in this chapter.

1. Basic Beliefs

Judaism's core belief is characterized by faith in one, indivisible G-d by whose will the universe and all that is in it was created and by an individual and community attempt to live a life of holiness. According to this belief, the law given to the Jewish people by G-d contained everything they needed to live a holy (set apart) life, including the ability to be reinterpreted in new historical situations. The Jews await the coming of a Messiah who will usher in G-d's Kingdom.⁵⁷

The biblical patriarch, Abraham, was the first to give expression to this monotheistic faith. Although obedience to the Law is central to Judaism, there is no one central authority. Sources of divine authority are G-d, *Torah* (the first five books of the Hebrew scriptures are often referred to as the Pentateuch or the Five Books of Moses), interpretations of the *Torah* by respected teachers (the Talmud) and tradition. The *Torah* and its interpretations provide explanations of how to live a life that will bring the believer near to G-d.⁵⁸

The Jewish Community consists of many different groupings united by common ancestry, religious identification and mutual concerns. There are variations with respect to religious beliefs, ritual observances, lifestyle and acculturation. There are, for example, Orthodox Jews for whom religious beliefs and observance of strict religious codes of behavior are the focus of their daily lives, and secularly oriented Jews who identify with the cultural aspects of the Jewish people but not with the observance of religious ritual.

The differences between the religious movements are reflected by the extent to which traditional religious practices are required:

Orthodox Judaism is characterized by an affirmation of the traditional Jewish faith, strict adherence to Jewish Laws (Halacha), practices and customs around which daily life

⁵⁷ from *Religious Holidays*, p.33.

⁵⁸ Excerpt from *Religious Holidays*.

revolves. These include keeping the Sabbath, daily prayer (morning, afternoon and evening), modesty in behaviour and dress, and strict observance of the Jewish dietary laws by only eating kosher food.

The *Reform* approach views Judaism as a religious experience rather than as divine revelation. Reform Judaism stresses modern biblical criticism and emphasizes ethical teachings more than ritualistic observance. All religious activity is less rigorous and choice is encouraged. The vernacular often replaces Hebrew in prayer.

Conservative Judaism seeks to build a middle ground between the Orthodox and Reform traditions. Conservative Jews view the basic Jewish theological and ritual concepts as divine but also as objects of continuing and evolving change within a historical context. Conservative synagogues seek to retain many ancient traditions but without the accompanying demand for strict observance. They attempt to abide by talmudic regulations regarding food, Sabbath observance and festivals.

Reconstructionists take a religious-humanist approach and understand Judaism as an evolving religious civilization, with the community rather than the synagogue as its centre. Its organizers seek to recognize the diversity within Judaism and unite all factions into a unified religious society. Religious rituals are secondary to the cultural aspects of life.

Jews worship in homes and in synagogues. A synagogue (meaning 'assembly') can be created when ten or more Jewish men gather together for worship and study.

2. Birth

The birth of a child is greeted with great joy and imbued with religious significance within the Jewish Community. A Jewish child is usually given his or her name within the context of a religious service of in a synagogue setting. This is an occasion of great celebration.

~ Circumcision

At the age of eight days every Jewish male infant is to be circumcised by a Mohel, a rabbi specializing in circumcisions. An adult who did not have the Brith Mila (circumcision) can and should do so at any age. The procedure is slightly different from that of an infant and is best done in a hospital setting.

3. Cell Effects

While specific items are ascribed a certain amount of holiness - for example, Torah scrolls, phylacteries, prayer books, etc. - no objects are venerated or prayed to in the Jewish faith. Nonetheless, they are to be kept in a very respectful manner.

Phylacteries are two small leather cases holding scripture texts, worn in prayer on the forehead and arm. They are used for morning prayers, except on the Sabbath and festivals.

Male Jewish inmates should have access to the following religious articles. The seasonal (S) articles do not need to be kept in the person's cell or living unit.⁵⁹

Article	Normal Use	Permanently kept in offender's room or cell
Prayer Book	Daily	P
High Holiday Prayer Book	Holidays	P
Skull Cap (<i>yarmulka</i>)	Daily	P
Prayer Shawl (<i>talith</i>)	Daily	P
Phylacteries (<i>tefillin</i>)	Daily (except Saturdays and Holidays)	P
Jewish Scriptures	Daily	P
Seasonal/Holiday Items		Seasonal (S) - must be purchased anew each time
Jewish Calendar	Daily	P
Shofar	Rosh Hashanah	S
Lulav and Etrog Set	Succot	S
Matzo and Passover Food	Passover	S
Hanukah Candelabrum	Chanukah	S

3. Community Contacts

i. *Interfaith Committee Member*: Rabbi Ronald Weiss, Canadian Jewish Congress,
4600 Bathurst Ave., Willowdale, Ontario M2R 3V3
(416) 638-7800, ext. 217 rweiss@JfandCS.com

ii. *Contract or volunteer chaplains*

⁵⁹ from *An Understanding* p.14 (Appendix 1). Where possible it is advisable to arrange for a common secure place in which all required Jewish items can be kept so that a Jewish inmate can have access to them on a regular basis.

ATL	- Rabbi David Ellis	(902) 422-7491 atlanticjewishcouncil@theacj.na.ca
QUE	- Rabbi Zushe Silberstein	(514) 385-9514 zushesil@total.net
ONT	- Rabbi Joshua Marenof	Contact the Regional chaplain (613) 545-8706
PAC	- Rabbi Itzhak Marmorstein	Contact the Regional Chaplain (604) 870-2660

iii. *Ethno-cultural references*

The following links will give the reader access to information from *Ethno-cultural Communities - Offender Programs and Services*, a resource produced by the Community Reintegration Branch of CSC's Correctional Operations and Programs Sector.

Atlantic Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoatl/ethno-03_e.shtml#P867_27821

Quebec Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoque/ethno-06_e.shtml#P1899_45441

Ontario Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnoont/ethno-04_e.shtml#jewish

Prairie Region - Manitoba

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopra/ethno_e-03.shtml#P1683_46366

Prairie Region - Saskatchewan

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopra/ethno_e-03.shtml#P2010_53762

Pacific Region

http://www.csc-scc.gc.ca/text/pblct/ethno/ethnopac/ethno-03_e.shtml#P1341_38729

5. *Conversion*

Judaism does not recognize the conversion of people during incarceration. Offenders wishing to gain access to information about becoming Jewish should be referred to the rabbi who provides spiritual services to the institution (or, in the absence of a rabbi designated by the Canadian Jewish Congress, to the local rabbi).

6. Death

Practices around death seek to honour the dignity of the body, assist the bereaved through a process that governs the whole mourning ritual, and affirm the basic belief that life and death are a part of G-d's plan.⁶⁰

Judaism does not have any formal "sacramental" last rites. There are, however, appropriate prayers that should be recited (in order of preference) by the person before his/her death, another Jewish individual on behalf of the dying person, any other person.

When a Jewish inmate dies, a local rabbi or local Jewish congregation should be notified so arrangements for the ritual preparation of the body for burial in a Jewish cemetery can be made. The Jewish tradition is opposed to most autopsies and any other desecration of the body as it is made in the image of G-d. Whenever the need for a *post-mortem* arises, it is advisable to contact the visiting rabbi or local Jewish leadership to discuss the matter. If no such contact can be made locally, or if these people are not available, please contact:

Rabbi Ronald Weiss
Director of Chaplaincy Services
Jewish Family and Child Services
4600 Bathurst St., Toronto, Ontario M2R 3V3
Telephone: (416) 638-7800, ext. 217
E-mail: RWEISS@JFANDCS.COM

Burial should take place as soon as possible, preferably within 24 hours or as soon as the family can be gathered. The body must not be left unattended from the time of death until the burial. The body must be buried, not cremated. Specific services of remembrance take place after death (and at the unveiling of the tombstone).⁶¹

~ Shivah: The Mourning Period

A seven-day mourning period follows the burial of an immediate family member: parent, spouse, child, brother and sister. During these seven days one is to be sitting on a low chair avoiding any entertainment such as music or movies. Bathing and wearing leather shoes is not permitted.

The Kaddish prayer is recited by a male mourner, usually the son, when ten Jewish males are present for the services. The week is followed by a period of 30 days and a full year of mourning, depending of the family relationship.

⁶⁰ Ontario Multifaith Manual.

⁶¹ Ontario Multifaith, p.165

7. Diet

Please refer to the Guideline for Judaism in the electronic version of the *Religious Diets General Guidelines* at http://www.csc-scc.gc.ca/text/prgrm/chap/diet/toce_e.shtml.

The sources of the laws of Kashruth are either of biblical or rabbinical nature. Rabbinical rulings are preventative measures added to the biblical regulations. Although there are many complicated details, the main principles of Kashruth are relatively simple. One must begin with ingredients that are kosher and then ensure that foods prepared from these supplies are made in a manner that maintains this status.⁶²

~ Shabbat Foods

Customary practice at Shabbat meals in Jewish homes (Friday evening meal and Saturday mid-day meal) includes foods of religious significance: gefilte fish, chicken, challah bread and grape juice. These items are normative in this setting.

In CSC institutions meals are provided in a variety of settings, none of which reflects the "home" or "family" nature of the ritual context within which the Shabbat foods are traditionally consumed. Given the modifications to this practice imposed by meal provision in the correctional setting, it is not reasonable to require the CSC to make these foods available on a weekly basis.

As the grape juice holds greater religious significance than the other Shabbat foods, where practicable the Jewish faith community may provide grape juice for the consumption of Jewish inmates who wish to include it in their Shabbat observance.

8. Divorce

A religious divorce requires a Beth-Din, a rabbinic court with a supportive staff. It can be performed in a jail setting. Special arrangements have been made in different institutions in order to provide a Jewish divorce. According to Jewish law, as long as the couple have not received the 'Get-Divorce', they are still considered married even when a civil divorce has been granted.

9. Dress requirements

Orthodox men must have their heads covered at all times, but most men cover their heads at least during prayer. Most Orthodox men wear the *talith*, a four-cornered garment with fringes, under their everyday clothing. In certain sects, men wear side locks and do not shave. Some orthodox women cover their hair/head with a wig, kerchief or hat when

⁶² *ibid.*

outside the home. Both men and women attempt to dress modestly, with arms and legs covered.⁶³

10. Holy Days and Holidays

The Jewish calendar is based on the orbit of the moon around the earth and, therefore, has 354 days in a year, with special adjustments to incorporate leap years. Because it is based on a lunar model, the phases of the moon determine when a month begins and ends. Many of the major holidays occur on the full moon, which is the 15th day of each Jewish month. This explains why the dates of the holidays change from year to year on the non-Jewish (religious) calendar.

It is important to note that all Jewish holidays commence at sundown of one day and end at nightfall, approximately one hour after sunset, the next day (or the day after, depending on the holiday).

i. Sabbath

The word Sabbath, translated as ‘rest’, conveys the meaning of ‘appreciation of the holiness with which a specific period of time is imbued’. According to Jewish tradition, when G-d created the world, He rested on the seventh day; the Jewish Sabbath commemorates this sense of appreciation of holiness. It is observed as a day of respite from work and is often accompanied with special rituals and meals. The Sabbath begins with a religious service on Friday evening at sundown and concludes on Saturday evening at nightfall (when three stars can be seen). The Sabbath Friday night meal and Saturday lunch start with the Kiddush, a special prayer recited over a cup of wine (grape juice is an acceptable substitute) followed by two special breads called Challah.

The Sabbath is a time of sanctification and gratitude. Jews do not work, travel, handle money or bathe on the Sabbath. Observant Jews are prohibited from using any mechanical or electrical device, except in extreme life or death situations. The daily prayers are said on Friday evening, Saturday morning, and Saturday afternoon prior to sunset, and again in the evening after nightfall. The closing ritual for the Sabbath, Havdalah services, is held over a cup of wine or grape juice, two candles and some spices.

The first grouping of major holidays are mandated by the Torah. During these holidays work, etc., is forbidden like on the Sabbath.

ii. Major Holidays

Rosh Hashanah - also known as the Day of Remembrance and the Day of Judgement - is the Jewish New Year. It celebrates the birthday of the first man, Adam. Rosh Hashanaah

⁶³ *Ontario Multifaith Manual.*

is preceded by the observance of Elul, a time for Jews to reflect on their actions and attitudes during the previous year and resolve to correct their shortcomings. It is a time when G-d judges what will happen to each person in the year ahead. This two-day festival generally occurs during September.

It is customary on Rosh Hashanah to eat foods symbolising sweetness, blessings and abundance. The shofar, a ram's horn, is sounded on both days, representing the coronation of G-d as King of the Universe, the call of Jews to repentance, the memory of the shofar sounding on Mount Sinai, the "simple, primal outcry from the depth of the soul"⁶⁴ and prayer.

Yom Kippur, or the Day of Atonement, is the most solemn day of the Jewish calendar. On the eve of Yom Kippur festive meals are eaten to demonstrate faith and confidence in G-d's mercy and then the entire day of Yom Kippur is spent in the synagogue fasting and praying. It is a time to ask forgiveness for transgressions committed during the past year and to receive G-d's forgiveness, an expression of His eternal and unconditional love. Yom Kippur is celebrated in late September or early October. In addition to fasting Jews are prohibited from wearing leather shoes, bathe, and have conjugal relationships.

Succoth, or the Festival of Tabernacles, follows five days after Yom Kippur. It is a season of rejoicing and thanksgiving, commemorating the 40 years spent living in temporary dwellings - Succoth means booths or tabernacles - following the exodus from Egypt and leading to arrival in the Promised Land. During this nine-day holiday many Jews construct temporary huts on porches or in backyards in which they eat their meals.

The special prayers of this festival are accompanied in the synagogue with the waving or shaking together of "the four kinds": citron (*etrog*), palm branch (*lulav*), two myrtle branches (*haddassim*) and two willow branches (*aravot*).

On the last day of this holiday, known as Simchat Torah, Jews celebrate the culmination of a month of uplifting experiences and the completion of the annual cycle of weekly readings of the Torah and the beginning of the new cycle. In the synagogue the sacred scrolls are taken out and everyone dances together.

Pesach or Passover is known as the Festival of Freedom (commemorating the exodus of the Jews from slavery in Egypt) and as the Holiday of Spring because it is celebrated in the Spring.

Passover lasts for eight days (usually in April) and is sometimes referred to as the Festival of Matzoh because a special form of unleavened bread is eaten during this period. Observant Jews do not eat breads or any other products containing leaven during the eight days of the holiday as a reminder of the haste with which the Jews departed from Egypt. Fresh fruits and vegetables as well as all meat, fish and poultry are the same as usual, but all other products must be authorized for Passover. On the first two nights of Passover the special Passover Seder ceremony is held.

⁶⁴ Aleph Institute.

Shavuoth or the Festival of Weeks occurs seven weeks after the first day of Pesach (May or June) and commemorates the giving of the Ten Commandments to Moses on Mount Sinai. It is customary to eat dairy products and to stay up late studying the Torah.

iii. "Lesser" Holidays

This second grouping of "lesser" holidays contains ones that rabbinical scholars subsequently established. During these Holidays work is permitted.

Hanukkah commemorates the victory of the Jews, led by the Maccabees, following a three-year battle for religious liberty against the Syrian-Greek regime that had imposed strict restrictions against Jewish religious practices and values. This holiday celebrates religious freedom and is called the Festival of Lights or the Feast of the Dedication. A candelabra or "menorah" is lit every evening in Jewish homes and small gifts may be exchanged.

Purim is a one-day celebration observed generally in March that commemorates the rescue of the Jewish communities living under Persian rule in 450 B.C.E. from a planned massacre. The story is related to the Book of Esther. The "Fast of Esther" starts the morning of the day before Purim and ends at sundown at the commencement of Purim.

iv. Fast Days

- a) Fast of Gedaliah, commemorates the assassination of Gedaliah, the last governor of Judea.
- b) Asara B'tebet commemorates the beginning of the Babylonian siege of Jerusalem which culminates in the destruction of the first temple.
- c) Fast of Esther (see Purim, above)
- d) Shiva Asar B'tammuz commemorates the first breach in Jerusalem's walls by the Babylonians, leading to the capture of the city, the destruction of the Temple and the exile of the Jewish people from their land.
- e) Tisha B'av, and the destruction of the First Temple in 586 B.C.E., as well as the destruction of the Second Temple in 70 C.E. The fast commemorates both disasters and the subsequent exile and dispersion of the Jewish people. This day usually falls in July or August. It is a 24-hour fast starting on the evening before and concluding at nightfall the next day. Work is permitted but it is prohibited to wear leather shoes, bathe and have conjugal relationships.

11. Health / Illness

Medical and surgical procedures which can readily be postponed should not be performed on Saturdays and Jewish Holidays.

The emphasis in Judaism on reverence for the body requires that amputated limbs be buried, not destroyed. The visiting rabbi should be given sufficient notice to make the necessary arrangements for such burials.

The donation of organs is permitted under certain conditions when it is known that there will be an organ recipient. A rabbi should be consulted.

Judaism allows for abortion only in cases where the mother's life is endangered because of the pregnancy. The mother's life has priority over that of the foetus. Common practice is to bury the abortus or a stillborn child.



12. Religious Law

Jewish religious law governs every area of daily life. The local or visiting rabbi should be consulted if questions about Jewish religious law arise.



13. Leadership / Practitioners

The leader of a synagogue is called a rabbi. Rabbis are not priests; they are teachers or Judges (lawyers of religious law).



14. Marriage

Marriage is a very sacred issue in Judaism and is to be performed by a competent rabbi in a religious ceremony. It is possible to arrange for a religious wedding in a correctional setting.



15. Searches

Officials are permitted to handle all Jewish items but must do so with utmost respect in the presence of the inmate. Particular respect and care must be given to the tefilin (phylacteries). Under no circumstance can an official break open the tefilin. In cases where security demands that it be opened a Scribe must be summoned, or it must be taken to the Scribe; only he can open it in front of the officials.

16. Symbols

The most common symbol one will come across is the Star of David worn as a piece of jewelry or as adornment in a room. One might also wear a little Mezuzah or Menorah, a necklace with a candelabra pendant.

17. Worship

Jews are required to pray 3 times a day in a specified manner and at specified times.

Morning - Shacharit services when one dons his tefillin and talith

Mincha- Afternoon service that takes about 15 minutes

Maariv- Night Service that takes about 20 minutes

All prayers can be held in a cell or room as long as it is clean and not near an open bathroom or toilet.

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Paganism

1. Definition and Background of Paganism

Modern people in North America and Europe who call themselves Pagans are participating in a relatively new religious movement that finds its inspiration primarily in the religious traditions of pre-Christian Europe, although 'pantheons' or approaches from other parts of the world may also be included⁶⁵. Whether the practices of modern Pagans are based on ancient traditions, modern interpretation or invention, they generally hold four features in common:

1. Nature is seen as sacred.
2. The Divine is represented by multiple 'faces', both female and male, though not necessarily as 'Goddess' and 'God'.
3. The cycles and features of Nature are the basis for worship, spiritual growth and/or modern cultural and ethical responsibility.
4. While not necessarily adopting the specific practices of the ancestors, ancient wisdom is revered and re-explored for relevance to the modern world.

As such, most indigenous traditions around the world - for example, Native American, Japanese Shinto, Australian Aborigine, African tribal traditions - fall under the general category of Pagan. In common practice, however, those traditions that have been practised in a relative continuum since ancient times are generally referred to as 'aboriginal' traditions; while those which are distinctively modern interpretations of ancient traditions are referred to as 'neo-Pagan' or simply 'Pagan'.

Pagan spirituality is considered to be "manifest", that is available to all people through their direct connection with the Divine manifested in Nature, as distinct from "revealed". In this sense, the most common interpretation of the term 'pagan', especially in Western countries, is someone who does not follow the Abrahamic religions (Judaism, Christianity, Islam), the more commonly known Oriental religions (such as Buddhism), or other 'scripture-based'/'revealed' traditions.

Originally the term 'pagan' meant 'country dweller'. Likewise 'heathen' originally meant 'those who live on the heath'. The original European pagans were those rural people who were the last to be converted to Christianity, the early Christian tradition having primarily spread through urban centres. Because rural people preferred their Nature-based traditions, and were therefore resistant to conversion, the term 'pagan' took on a derogatory meaning within the growing Christian tradition, culminating in dictionary interpretations such as: non-religious, blasphemous, materialistic, and self-indulgent.

While many, if not most, modern Pagans are urban-dwellers, they seek to reconnect with Nature in a distinctly spiritual way. Neo-Pagans base their practices on the cycles of the

⁶⁵Some people who practise Wiccan or other Pagan traditions follow an Egyptian or Sumerian pantheon, or even incorporate some Hindu expressions of the Divine.

Section III - Specific Traditions

sun and moon, the agricultural seasons and the Divine as manifest in Nature. For some, Nature is celebrated as Gaia, a Living Mother, and ecological responsibility is seen as a sacred vocation. The movement can be roughly equated with Native American spirituality, both in the similarity of their themes and the variations in local practice. They also share a lack of any centralized authority. However, 'Elders' or other leaders establish a following and are generally recognized and respected.

i. Distinctions between Paganism and Satanism

Because the early Christians who converted Europe were opposed to the old 'pagan' ways, they considered people who followed them to be sinful and, therefore, demonized the pagan gods. As a result, the idea lingers that modern Paganism can be equated with Satanism. In fact these two spiritual traditions are different in origin and their adherents do not consider themselves at all related. Paganism in current usage refers to reconstructions of European tribal traditions. Satanism is, at least in its origins, a Christian heresy.⁶⁶

Pagans do not believe in a malevolent entity, such as Satan. They do recognize that evil exists in the world but do not personify it, considering it to be the result of people persistently making choices - as distinguished from 'mistakes' - that come out of, and progressively cause a greater, lack of balance within themselves, their society and the natural cycles of life. For example, cooperation and exchange of goods is beneficial for all concerned, while stealing constitutes taking without giving in return and so is harmful to the individuals involved and to society.

ii. Varieties of Paganism

The largest group under the umbrella term of Paganism is Wicca. Other identifiable groups are Asatru (reconstructed Norse), Druidry and Goddess Worship. Each of their categories comprises a variety of sub-categories or traditions, comparable to denominations within Christianity. The Wiccans, being the most numerous, have the most variations.

At the present time, virtually all Pagan spiritual visitors to CSC institutions are Wiccan, but this could change in the foreseeable future. Even Wiccans of one tradition may or may not choose to attend circles led according to another tradition. Finding community leaders of Asatruars and Druids is difficult and followers of these traditions may choose to attend Wiccan circles or practise as 'solitaries'.⁶⁷

There are also an unknown number of people who call themselves simply 'Pagans'. Many, though not all, have beliefs and practices that are generally akin to those of Wicca,

⁶⁶ The former celebrates access to the Divine in nature; the latter opposes itself to Christianity by rejecting and/or distorting its teaching. It is important for correctional staff to understand these distinctions in order to prevent inappropriate decisions based on incorrect information.

⁶⁷ Definition of 'solitaries': Pagans whose practice of spirituality and ritual practice is undertaken as private devotion, without reference or access to a group setting or faith leader.

though some consider 'divine energy' not to be personified and/or find their own 'sense of the divine' or spirituality in Nature without defining it as a 'deity'. However, there is no specific common belief system or set of practices that is 'Pagan' as such. As a result, since most of the Pagan spiritual visitors to CSC institutions are likely to be Wiccan, an inmate calling himself or herself 'Pagan' will have to accept ministry from a Wiccan leader or practise as a solitary, unless and until Pagan visitors from other traditions become available.

iii. Paganism and Christianity

At various points throughout history, Christian leadership has strongly condemned 'pagans', believing them to be living in a manner contrary to the will of God as revealed in the Hebrew and Christian scriptures. This often led to wide-spread persecution and large death tolls of those deemed to be 'pagan', the best known being the 'burning times' of the 15th to 18th centuries in Europe. In fact many of the victims were killed for political or economic reasons or as scapegoats and were accused of being 'pagans' or witches or of 'following the devil' as a justification for their death. This led to centuries of justified fear, amongst real pagans in acknowledging their faith. .

On the other hand, observance of the seasonal pagan rituals was so strongly established that the Church ended up co-opting a number of festivals and celebrations and dedicating them to certain saints and/or events in the Christian worship cycle.

Increased religious tolerance in the latter part of the 20th century has meant that modern-day Pagans (neo-Pagans) can practise their spirituality more openly, although negative attitudes toward them, based on ignorance and in some cases narrow Christian teaching, persist in some places.

In some of its expression, Christian 'creation theology' reflects the Pagan principle of the Divine as 'revealed' in Nature, but places this spirituality within the context of scriptural revelation. Some parallels can be seen between Christian celebrations of God in the natural order and some approaches of 'eco-pagans'.

2. Paganism in CSC⁶⁸

Although the general public has misconceptions about what 'Pagan' and 'witch' mean, this *Manual* is providing correct information regarding the beliefs and practices of people who use those terms for themselves today. Since nothing in the practice of Paganism as described in this *Manual* contravenes the law, Pagan offenders are free to practice their religion and CSC is obliged to provide appropriate accommodation.

⁶⁸ The information above was provided by spiritual visitors to Wiccan inmates housed in CSC institutions and other Canadian sources of information. What follows are general observations from the *Manual's* editor.

i. *Functional Distinctions between 'Paganism' and 'Wicca'*

In present practice, the term 'Pagan' is used in two ways:

- Firstly, to designate *a particular category of spirituality*. Thus, people practising Wicca, Goddess Worship, Druidism, Asatru and various other spiritual traditions are all Pagans. So for example, the Pagan Federation of Canada (PFPC) is an association of people who practise a number of spiritual traditions under the umbrella of Paganism. As a result, individual members of the Pagan Pastoral Outreach (pastoral offshoot of PFPC) may offer different traditional practices in institutions; however, since the only PPO members currently visiting the prisons in Ontario are themselves Wiccan, they offer Wiccan practice to the inmates.
- Secondly, to designate *people following a specific tradition* falling under the category of Paganism. In the community people who call themselves Pagans usually practise as 'solitaries', but may also attend groups and rituals of specific traditions (such as Wicca). "Paganism" as such does not connote any defined beliefs (equivalent, as a category, to "monotheism") and practices in the way that Wicca or Druidry do, for example.

For the purposes of this *Manual* the terms 'Pagan' and 'Paganism' will refer to both the category of spiritual tradition within which other specific traditions - such as Wicca - fall *and* the people who identify their spiritual practice as Pagan but do not choose to belong to the other traditions listed above.⁶⁹

These distinctions are important when it comes to ensuring that inmates' religious affiliation (as it appears in OMS) corresponds to the tradition endorsed by visiting community leaders. In some cases, Pagans will feel strongly about practicing their own specific tradition, and therefore attempts should be made to find a visitor from that tradition.

On the other hand, some feel comfortable participating in whatever tradition is being offered in that particular institution, including by multi-traditional organizations (whose members may be from any one of the major traditions). However, since 'Pagan' is not a defined tradition in itself, inmates who identify as such will need to practice as 'solitaries' or attend the gatherings of whatever Pagan tradition is presently practiced within that institution.

Wicca, in particular, is divided into distinct sub-traditions with different practices, as different as those between Christian denominations. . As a result, inmates may not accept

⁶⁹ This is not unlike the general term 'catholic' (meaning "universal") applying to a number of Christian denominations at the same time that it is used in designating specific traditions, such as the Roman Catholic Church.

the specific practices of available Wiccan visitors in the same way that a Protestant would not necessarily accept the leadership of a Catholic pastor.

Another way in which these distinctions may affect the management of institutional religious groups is in inmates' willingness (or unwillingness) to recognize a spiritual leader from the community as representing their beliefs. Unless a Pagan group clearly defines itself as belonging to a particular tradition (or sub-tradition) that the outside leader does not, this must be taken as rejection of the individual visitors, in which case it is up to the inmate group to find another leader acceptable to them and CSC.

ii. Variations in Belief and Practice

Unlike most "Western" religious traditions, the practice of Paganism is shaped to a large extent by the individuals within small, local groups. There is no authority structure responsible for establishing and upholding generally held beliefs, authenticating valid practice or making decisions in the name of the tradition at large.

As a result, the practice of the traditions within Paganism varies greatly from one group within the community to another. Such creative freedom is only limited by the preferences of group members and provisions of the law. The same cannot be said of the practice of Paganism within CSC institutions. Not only are a number of the "tools" used in Pagan rituals forbidden in this setting, but certain limits on creative expression are deemed appropriate in the interests of the safety and good order of the institution. For example, some time limits on rituals must be observed, outdoor rituals may be approved only under certain conditions, and rituals must normally be carried out during the day (even though the tradition may normally hold some of them at night in the community).

Also, Pagans in the community may choose to design their rituals on the basis of any beliefs held by one or more individual, without approval of a designated leader. However, a spiritual leader from the community is required in order for a Pagan group to function in CSC institutions, and such a leader must take responsibility to ensure that the teaching and practice of his or her group conforms to institutional regulations. In many cases the leader must adapt the spiritual practices for use in the correctional setting. And since each leader is independent (meaning that there is no central authority) and each institution may have reason to impose certain restrictions, practice will vary from one institution to another.

Wicca

1. *Basic Beliefs*

i. Origins

Wicca as it is currently practised is a modern reconstruction of European tribal, Nature-based religion. The movement was largely started by Gerald Gardner (aided by Doreen Valiente) in the 1940's and '50's and is based on surviving pagan folk customs with some Masonic and ceremonial elements. Since the 1950's, feminism, Jungian psychology, the ecological movement, and other influences have brought about many variations, some of them very different from "traditional" practice, but all authentic for their practitioners.

The "European tribal" reference has to do with the origin of the practices only, and in no way limits practice to people of European descent. Wicca is practised by people of all ethnic and racial groups, sexual orientations, etc.

Other names by which this spiritual tradition is known include Witchcraft, Earth Religion, Old Religion, and the Craft. It is sometimes also referred to as Neo-Paganism, which actually includes more than just strictly Wiccan practice.

ii. Theology

Some Wiccans understand the faith to be polytheistic, others pantheistic or 'panentheistic'.⁷⁰ In more general terms, however, Wiccans understand the Divine as being a cosmic unified One-ness (somewhat similar to the concept of 'godhead'), which is intrinsically beyond the ken of human beings. Nature is considered to be the Divine's primary expression. Worship focuses on 'faces' of the Divine, that is, multiple forms that people can identify with and/or relate to personally and which are personifications of the reality that we all live within - time, space and this planet. The most common and central 'faces' that represent living reality are Mother Earth and Father Sun, who together produce life. Attribution of the feminine as well as the masculine to the Divine is a basic feature of Wicca.

Wiccans believe that no single path to the Sacred is right for all people and see their own religious pattern as only one among many. Wiccans respect all religions that foster honour and compassion in their adherents, and expect the same respect of their traditions from others. Members are encouraged to learn about other faiths and are permitted to attend the services of other religions if they wish to.

⁷⁰ *Ontario Multifaith*: "There have been and continue to be very many Gods and Goddesses. They are distinguished by the times and places in which they are worshipped and by the natural forces or human endeavours over which they rule. Deities who rule over human works are held to be exemplars of excellence in their areas of expertise; human efforts in those areas are considered as offerings to those deities." However, many modern Wiccans understand the various Goddesses and Gods as archetypes, and multiple faces of a One Divine (that may not be deified at all).

"[Wiccans] seek to control the forces within him- or herself that make life possible in order to live wisely and well, without harm to others and in harmony with nature. [They] acknowledge that it is the affirmation and fulfilment of life, in continuation of evolution and development of consciousness, that gives [*sic*] meaning to the Universe we know and our personal role within it."⁷¹

Many Wiccans believe in reincarnation, but the tradition does not require such a belief. There are a variety of concepts about the 'afterlife', some of which include a paradise, place of transformation and/or reincarnation. For most Wiccans, the specifics of the 'afterlife' are not of primary importance; rather, living one's present life in an honourable and responsible way in regard to all life is more focal.

iii. Practice

Wiccans focus on the poetic/symbolic significance of Nature rather than on any scripture or creed. They celebrate the cycles of Nature the progress of the sun around the Wheel of the Year and the resulting seasonal changes, as well as the phases of the moon. Both literally and metaphorically, Wiccans see the seasons of the year (or cycles of the moon) as reflecting the seasons and cycles of their lives.

A group collectively committed to each other and to a specific tradition is called a *coven* and its members join by invitation only. Wiccans think in terms of not only going around the cycles of their lives, but of spiralling deeper (or higher) and progressing in their spiritual understanding together. Traditional covens mark this by initiations, or degrees, by which every practitioner is made a priestess or priest. Prison ritual groups (or 'circles') cannot operate like exclusive covens and have to be open to a variety of participants. 'Initiations' and taking a priesthood role in relation to other inmates are not appropriate. However, dedication rites, which celebrate an individual's personal dedication to the Goddess and the God, are appropriate. They serve to encourage further spiritual development and help the inmates feel they are part of a larger community that exists outside the prison.

Goddess Worship is a derivative of Wicca with the focus on the Divine as mainly or entirely Goddess, the Great Mother. Practitioners are usually women, though male practitioners do exist. The teachings of Wicca generally apply to Goddess Worship.

For specific ritual practice see below: *Worship* and *Cell Effects*.

iv. Adopting Wiccan Names

Some Wiccans use a special 'spiritual' name. In the past such names served as a pseudonym to protect their identity⁷². Although this is still sometimes the case in modern

⁷¹ from *Drawing Down the Moon*, Margot Adler, p. 101, quoted in 'A Law Enforcement Guide to Wicca', Kerr Cuhulain, Wiccan Information Network, Vancouver, B.C., 1989, p.3.

⁷² *Law Enforcement*, p.15.

Section III - Specific Traditions

culture, it more often represents a personalised commitment to the individual's faith and tradition. In many traditions this name is only used by the members of one's coven or circle; in others, it may be used within the community at large.

v. Common Misconceptions

There exist many common misconceptions about Wicca in the minds of Wiccans and non-Wiccans. These will be addressed in a section dedicated to the subject at the end of this chapter.

2. Birth

There are no actions required on the part of Wiccan women who give birth.

Recommended practice, however, includes:

- For the expectant woman - three rituals, one in each trimester of gestation, focus on adjusting to the changes in body and life and on developing commitment to the child;
- A Wiccaning ritual, similar to a christening, for the child;
- Encouragement for fathers to attend birthing classes and the birth itself, and to have an on-going bond with the child (whether or not he and/or the mother is incarcerated).

3. Cell Effects

There is nothing absolutely necessary to Wiccan religious expression, but the use of candles is central to practice.

i. The Use of Candles

Staring into a candle flame is very effective for meditation purposes, particularly for inmates who are surrounded by much noise in the cellblocks. Where an inmate is denied access to candles (see Fire Safety SOP⁷³), the Pagan Prison Outreach⁷⁴ agrees that the play of light through a crystal might serve as a substitute. Due to the refraction of light, crystals can provide a visual aid for meditation somewhat similar to a candle flame.

However, for religious purposes other than meditation, i.e. personal rituals, a crystal is not a substitute for a candle. The candle embodies the element of Fire or 'light in the

⁷³ See Infonet/Bookshelf/Manuals or <http://infonet.techservice.engservices/fire-safetve.doc>

⁷⁴ Affiliated with the Pagan Federation/Fédération païenne Canada.

darkness', whereas a crystal embodies quite a different element, namely Earth. Candles are universally central to Wiccan worship, while personal meditation practices may vary considerably.

See the Appendix at the end of this chapter for a Best Practice from Warkworth Institution on managing the use of candles.

ii. *Sacred Objects*

Required: An altar with candles and incense is an integral part of Wiccan practice, which inmates should have wherever possible. The altar can be any flat surface. A standard set-up would include a cloth, three candles (for Goddess, God and Cosmic Source), incense, water or juice in a cup (a chalice), and salt in a bowl.

Recommended: Wiccans also like to have natural objects - such as shells, feathers, stones, crystals, a small tree branch, etc. - on their altar, representing the four elements of Air, Earth, Fire and Water.

The wearing of a symbol or talisman (or other religious jewellery) is common amongst Wiccans, as it is amongst people of other faiths. These symbols represent a general commitment to their faith, a spiritual dedication, and/or specific commitment to a particular group/tradition, and especially if blessed by one's priesthood or circle group.

Although not sacred objects, many Wiccan practitioners wear robes or other particular items of clothing, such as a special shirt, for personal or group worship.

Unless particular security considerations exist that would curtail access to these items, inmates should be permitted to use *those already mentioned and/or the following* in the practice of their spirituality:

- Braided cingulum (a coloured cord or sash worn around the waist of simple robes); the colours vary according to the tradition
- Assorted candles and candle holders
- Two small bottles of consecrated oils
- Incense stick and burner
- Assorted ceramic and wooden chalice and bowls
- Tarot cards and/or rune stones (ceramic or wooden)
- Stones and ritual jewellery (rings and pendants)
- Altar figurines
- A wooden wand (length traditionally from elbow to tip of index finger, but is often a small blunt stick)

iii. *Sacred texts, literature, study material*

Wicca is traditionally more an oral than a written tradition. There is no common sacred text.

Section III - Specific Traditions

Recommended: Practitioners usually have a personal notebook, listing their rituals and working notes, commonly called a 'book of shadows' (in many traditions, 'shadows' refers to private reflections). They are encouraged to collect books on Wicca and related subjects, together with study material supplied by the authorised spiritual visitors from the community. Most Wiccans use tarot cards (or similar decks of cards) for meditation and self-knowledge. These should be permitted for personal or group use.

Some examples of Wiccan literature commonly referred to are:

- Adler, Margot, *Drawing Down the Moon*, Beacon Press, Boston Mass., 1987.
- Starhawk, *The Spiral Dance*, Harper & Row, NY, 1979.
- Cunningham, *Wicca, a Guide for the Solitary Practitioner*, Llewellyn Publ., St. Paul MN. 1988
- Weinstein, Marion, *Positive Magic: Occult Self Help*, Phoenix Pub. Inc., Custer WA, 1981.
- Crowley, Vivianne, *Wicca - The Old Religion in the New Millennium*, Thorsons (U.K.) 1996, and *Principles of Wicca*, Thorsons (U.K.) 1997.
- Farrar, Stewart & Janet, *The Witches Way and Eight Sabbats for Witches*, republished in one volume as *A Witches Bible Compleat*, Magickal Childe Publishing, NY, 1984

4. Contacts

As of 2002, the following groups provide spiritual services to inmates in CSC's custody:

- The Pagan Prison Outreach (affiliated with the Pagan Federation/Fédération païenne Canada) provides visitation to inmates where possible, contacts potential Wiccan prison visitors elsewhere and provides a correspondence study program, especially where there is currently no Wiccan visitation. Contact information: Box 8312, Station T, Ottawa, ON K1G 3H8; 613-299-3327.
info@paganpastoraloutreach.ca; www.paganpastoraloutreach.ca.
- The Aquarian Tabernacle Church (or ATC) is based in Seattle, but has branches in British Columbia. Members of this group have visited Pagan inmates (men and women) in the PAC region in the past. The address is ATC Canada Headquarters, P.O. Box 20048, Duncan, BC V9L 5H1; atccanada@seaside.net or phone (250) 746-7646.
- The Wiccan Church of Canada provides leadership to some institutions in the ONT region. The address is 106 Vaughan Rd., Unit 201, Toronto, ON M6C 2L9, info@wcc.on.ca, www.wcc.on.ca, (416) 656-6564.

Some Further References

- The Ontario Religious Tolerance website- <http://www.religioustolerance.org/witchcra.htm>
- U.S. Prison Chaplaincy Handbook - website <http://www.nicic.org/pubs/2002/017613.pdf>

5. Conversion / Initiation

Wicca specifically prohibits proselytising, but Wiccans are obligated to answer questions from sincere seekers. Circles are generally open to anyone who is genuinely interested and willing to participate in a Wiccan form of worship – whether the person presently identifies him or herself as pagan or not.

Although it is not appropriate for inmates to be initiated and act as priesthood (as is common in traditional practice), dedication rites, which celebrate an individual's personal dedication to the Goddess and the God, can be offered, and are usually a significant element in the inmate's spiritual journey.

6. Death

Required: There are no general customs as regards the handling of the body, nor any prohibitions against autopsies or organ donations, etc.

If the inmate's family is aware of and sympathetic to his or her religious practice, the religious cell effects should be given to them. Otherwise the effects should be given to the Wiccan visitors, who will give them to other Pagan inmates for their use during their incarceration or return them to the earth (usually this means burying or burning them).

Recommended: The deceased's priestess or priest usually conducts a memorial service with his or her fellow inmates, with family and friends present, if desired.

7. Diets

Required: Wicca has no general dietary requirements beyond a preference for 'seasonal foods' for sabbats. Individuals may decide on personal religious grounds to be vegetarian, but it is not a requirement.⁷⁵

Recommended: High holidays - in particular October 31st and May 1st - are generally celebrated with a feast, preferably featuring seasonal foods, which can either be ordered from a caterer in the community or prepared in the institutional kitchen. For the other six sabbats, a token feast (e.g., sabbat cake - note: "cake" is an old fashioned term for round

⁷⁵ Some traditions practise the belief that the Divine protects animals and, therefore, observe a vegetarian diet. The community leader supervising the Wiccan group at the institution should be able to assess whether an inmate's choice to be a vegetarian is based on an authentic spiritual belief.

bread and doesn't mean something sweet) can be arranged by the inmates. (See Holy Days and Holidays, below.)

8. Divorce

Required: There are no rules pertaining to divorce.

Recommended: A 'hand-parting' ceremony is often done to mark this passage/change, either for both parties (if they are willing) or with one partner. (See the section on *Marriage* below.)

9. Dress Requirements

Required: There is no required dress code for Wiccans.

Recommended: The use of robes or some other special item of clothing - for example, a special shirt - for circle/ritual is optional. However, a change of dress can help a person achieve a certain state of mind different from that of everyday reality, which is conducive to meditation and worship.

Wiccans often wish to wear a pendant in the form of a pentacle (an interlaced five-point star within a circle) as an expression of their faith and a constant reminder of their communion with the Divine and their search for an authentic, responsible relationship with the living Earth. Many covens have a symbol that identifies members and provides spiritual connection. (See *Sacred Objects*, above, and *Symbols* below.)

10. Gender Issues

There are no obligations regarding prayer, dress or leadership based on gender, except that, while priest and priestess are equals, the priestess is considered 'first among equals'. The more traditional Wiccan rituals are usually led by both a priestess and a priest, thereby reflecting the feminine and masculine 'faces' of the Divine.

In other traditions or more eclectic practice, members of either gender (singly or jointly) can lead a ritual. This by no means precludes homosexual leaders or participants. Solitary ritual, in which there is no leader, only the single participant, is a practice included in most traditions, whether or not the person has access to group practice. In solitary ritual practice, the individual (of either gender) commonly does the ritual parts that traditionally the priestess and priest would do in group worship.

11. Health / Illness

Required: The acceptance or refusal of care, including transfusions, is a matter of individual conscience since Wiccan policy on medical restrictions does not exist.

Recommended: In the case of illness, the person's coven and spiritual leader should be notified. Whenever possible, the religious visitors should be permitted to visit seriously ill Wiccan inmates, whether in the institutions or a hospital⁷⁶. A healing ritual should be allowed. It is recognised that some reasonable restrictions of tools used in the bedside ritual may pertain in some cases.

Hunger Strikes: Even if spiritually motivated, hunger strikes remain a personal choice. Inmates considering such a choice are encouraged to seek spiritual counsel, but cannot necessarily expect support for this course of action (or its stated cause) from their prison visitors.

12. Holy Days and Holidays

The dates of specific celebrations or 'sabbats' are based on the progress of the sun through the wheel of the year and the agricultural/natural cycles. While some Wiccans insist on celebrating the sabbats on the proper day, most wait for the weekend or some other convenient time. In CSC institutions, sabbat celebrations are often held in the course of regular get-togethers for ritual with the religious visitors; it is therefore not necessary to celebrate the sabbats on precise dates.

The primary holy days are Samhain (Oct. 31/Nov. 1) and Beltane (April 31/May 1), marking the beginning of winter and summer respectively and reflecting the ancient Celtic division of the year into two seasons, the Dark and the Bright. Inmates and their religious visitors often celebrate these with an all-day visit and special ceremonies.

The sabbats serve as life lessons derived from Nature: There are hard times, but they eventually give way to good times, and vice versa. There are different kinds of necessary work to be done in the dark times and in the bright times. The wheel turns and change is the only thing constant in life. But each turn of the wheel is an opportunity to do things better, based on experience of the past.

Besides Samhain and Beltane, the other two major sabbats are Imbolg/c (Feb. 1/2) and Lughnasadh or Lammastide (Aug. 1/2), marking the time to prepare for spring and harvest respectively. Together they divide the year into the four agricultural seasons. The four major sabbats are called the 'cross-quarters' because they fall in between the astronomical

⁷⁶ However, "Wiccans generally believe in the efficacy of spiritual or psychic healing when done in tandem with standard medical treatment. Most Wiccans believe that healing energy can be sent from great distances." *The U.S. Army's Religious Requirements and Practices of Certain Selected Groups: A Handbook for Chaplains*, (pp.231-236), date of publication lost.

Section III - Specific Traditions

markers of the year, the solstices and equinoxes. The four cross-quarters and the two solstices and two equinoxes together constitute the eight sabbats celebrated within Wicca.

The agricultural year cycle is a progression and has no clear seasonal markers. Although tradition has given the shifts specific dates (with a day or two variance between traditions), the actual day is less important than a recognition of the progression of the year cycle, and this reminds practitioners that the change of seasons is a process and not a particular date or event. The four major (cross-quarter) sabbats celebrate the seasonal changes and mark a shift in approach to one's own life, including those within the psyche, and the world around, eventually coming full circle within each year.

On the other hand, the minor sabbats (the equinoxes and solstices) mark the shortest and longest days, and the point at which day and night are equal. The actual date changes (20, 21, 22) according to the rotation of the earth around the sun each year, although the 21st is generally held as the sabbat date. Still, the effects of these celestial events upon the world lag behind. For example, 'Midsummer' is celebrated on the summer solstice, usually June 21st, because it is the longest day and the sun is at its height. However, the effects of the sun in terms of heat and growth do not reach their height in the Northern hemisphere until a month or more afterward, and are celebrated at the major sabbat of Lammas on August 1.

i. Ritual Food

The Wiccan wheel of the year is based on the agricultural cycles, and therefore it is traditional for seasonal foods to be included, either in the ritual itself or in a celebratory feast afterwards. Some traditions attempt to include a specific list of foods for each sabbat (where available), but most focus on what is seasonal within their own geographical area. Of particular significance would be any food that inmates have grown themselves.

ii. Solitary Observance

Wiccan inmates who are isolated will need to celebrate the sabbats in a solitary ritual. Those who do have Wiccan groups and visitation available may want to do a solitary observance on the actual date of the sabbat if the group's celebration was either before or after that date. Although these solitary rituals would have a particular focus, they would not be significantly different from other solitary practice (and CSC limitations thereof), except for the inclusion of seasonal foods (if the inmate requests them). If they need direction on solitary observance for regular or sabbat worship, isolated Wiccan inmates should request contact with the Wiccan service providers, either directly or by correspondence, through the institutional chaplains.

What follow are brief descriptions of the main festivals observed in most Wiccan traditions⁷⁷:

⁷⁷ A list of specifics for those inmates practising within the Wiccan Church of Canada's tradition is available at the Ontario Multi-Faith website.

- **Samhain** (on which the cultural holiday Hallowe'en is based) - October 31st - originally marked the 'death' of the year, the apparent death of the natural world, the end of the harvest, the culling of the herd. It is the time to remember ancestors, say final farewells to friends and family who have 'passed over' during the year, and to acknowledge one's own future death. This sabbat is sometimes called the 'third harvest', when root vegetables and squash are brought in and animals slain. Samhain heralds the shift of attention from one's external world to the internal reality, thus a time for reflection, contemplation, and preparing for internal metamorphosis. Blessings are requested for safe passage through the long night of winter and its transformations in the wheel of life.
- **Yule**: The night has reached its zenith and days begin to lengthen. Held on the winter solstice (December 21), this is the celebration of the re-birth of the sun and the waxing of sunlight, as the short days of winter begin to get longer. The evergreen tree and holly, which stay green throughout the winter, unlike deciduous trees, are honoured as representations of 'life everlasting' despite the cycles of birth and death. The Yule tree may be dressed with fruit or other decorations, representing the promise of spring and a fruitful summer to follow. Candles are lit to represent the sun; the Yule log is lit to bring warmth. The exchange of gifts symbolises how people must give to each other in order to survive. Attention is focused on the re-birth of light and its promise of a new year. Blessings are requested to remain strong through the barren times of one's life, and to encourage 'new light' in one's directions.
- **Imbolc**: Usually observed on February 1st or 2nd, this is a festival of light and fire. The increase of warmth and light, and the promise of spring that are both present even in the depths of winter, are celebrated. In some traditions, 'corn' dolls (from last year's straw – note, corn is the European term for grain; it does not refer to maize) are burned as offerings to the sun, to speed its return. In the meantime, Brigit, the ancient goddess of the hearth and arts and crafts, as well as knowledge, smithing and forging, is honoured. She, like many other goddesses, represents the cauldron of transformation (death to life) from which all life comes.⁷⁸ It is a time to prepare for the coming agricultural season and an opportunity to study during times of confinement. Attention turns to new directions for the coming year and whatever preparations are necessary (physically, emotionally, and 'in spirit'). Blessings are requested for these new directions – that they be wise and held with determination.
- **Ostara (or Ladyday)**: The spring equinox celebrates the coming of spring (March 21), which is often envisioned as a Maiden Goddess who returns from the land of the dead where she spent the winter. One of her names is Eostre, from which the word 'Easter' is derived. Eggs and rabbits are eaten, marking the return of life and fertility. Attention turns to the beginning of actualising new projects or directions in one's life. Blessings are requested for the 'seeds' of growth and a wise stewardship of them.

⁷⁸ Remnants of this Pagan festival are found in Christian worship as the feast of St. Brigid.

- **Beltane:** Celebrated on April 30th or May 1st, this is widely regarded as the mating day of the Earth Goddess and Sun God (representing the fertility and virility of Life, respectively), whose marriage will eventually provide the fruit of the harvest. It marks the full return of the bright season and the time to plough the land in readiness for planting. Maypole dances today are holdovers from pagan fertility rites. This time is for hard work in gardens and fields. Attention moves to developing healthy 'fertile' relationships in all areas of one's life. Blessings are requested for fertility (both physical and mental) and fulfilment of new directions.
- **Litha (or Midsummer):** The summer solstice (June 21) is a celebration of the sun at the height of its power. The festival marks time out from hard work, but at the same time any adjustments that might need to be made now at the first signs of 'fulfilment' (such as weeding). Some people also mourn the beginning of the sun's dying, as sunlight begins to wane after this date⁷⁹. Attention focuses on the strengthening of one's will in the choices made and testing original plans. Blessings are requested for the 'ripening' of one's personal directions, skills, relationships, etc.
- **Lammas (or Lughnasadh):** Usually observed on August 1st or 2nd, this is a celebration of the first harvest of grain, marked by a special loaf of bread to be shared (Lammas means 'loaf mass'). The people who did not mourn the 'death' of the sun at Midsummer may do so now, as it still lingers but is weakening. The grain king is honoured for his sacrifice on behalf of Life as he is cut down in the harvest. Attention shifts to re-evaluating the specific plans of a new project (or new direction within an existing one), and any adjustments that need to be made. Blessings are requested for a healthy harvest in one's own life.
- **Mabon (or Harvestide):** A celebration (September 21) named after the sacrificed god, who is the harvest. This is the 'second harvest' when vegetables and fruit are gathered and the major grain crops cut down. It is a time for preserving food and making other preparations for the long winter months. This sabbat is considered the pagan Thanksgiving. Attention focuses on giving thanks for the 'harvests' of the past year in one's own life. Blessings are offered for the Earth's abundance, and requested for new seeds that may be planted now or stored for spring.

The 13 full moons (**Esbats**) of the year are also celebrated (particularly in solitary ritual, but also within a group, if circumstances permit), but are not considered 'high holidays'. The new or dark moon phase (moon absent from the sky) may be also observed.

13. Religious Law

⁷⁹ Different traditions acknowledge the 'death of the sun' on Midsummer, or one of the three harvests – Lammas, Mabon/Harvestide or Samhain.

Required: There are no abstract ‘religious laws’ in Wicca generally, although specific traditions may include some distinctive expectations⁸⁰. Where they exist, they provide rules to settle disputes, instructions for maintaining the security and privacy of one's fellow Wiccans, procedures to create new covens, limits on acceptable uses of money within the religious community, and instructions for caring and maintaining sacred objects. (See *Contacts*, below, for more information.)

In general, Wiccans base their actions (as best they can) on the moral imperative of the 'Wiccan Rede', “If it harms none, do what you will”. This means each person has the responsibility in all actions both to avoid any deliberate harm to others or oneself and to consider the possibility of unintended harm resulting from choices one makes. The Rede is seen as an obligation to think carefully about the potential consequences of an action before one acts. On the other hand, Wiccans are encouraged to make the best and most creative use of their life and talents. In the phrase “what you will”, the word “will” is considered something more profound than mere want, i.e., “true will” or tuning in to the Divine will.

The ‘Charge of the Goddess’, a central piece of Wiccan liturgy, exhorts practitioners to live in “strength and beauty, honour and humility, power and compassion, reverence and mirth”, and to seek within rather than look for someone outside to tell you what to do. Any further interpretation and application of these precepts are the responsibility of each individual.

14. Leadership / Practitioners

Wicca has no overall central authority. Some traditions have an internal hierarchical structure, while others function on a more egalitarian basis.

A traditional Wiccan group or *coven* usually consists of a high priestess and high priest, and a handful of other people. Renowned to number thirteen people, covens are usually made up of fewer. Once the coven has initiated more than thirteen members, and at least one is capable of leading a coven on his/her own, a new group usually ‘hives off’. Covens are seldom permanent arrangements, but tend to include close relationships for the duration.

Within a traditional coven, the high priestess, usually assisted by her high priest, serves as leader in the rituals, teacher and counsellor, for coven members and unaffiliated ‘pagans’. ‘Eclectic’ covens tend to share leadership more equally.

With the growth of Wicca in recent years, more and more people do not follow the coven model and practise as solitaires, in casual groups, in open circles or in long-standing

⁸⁰ A copy of the code of laws commonly used by the Wiccan Church of Canada is available upon request from Ontario Multifaith. Note, however, that they only apply to that particular tradition.

groups. For reasons noted above (see *Beliefs and Practice*), the latter models are more appropriate to prison settings.

In prison, groups practising Wicca should be accessible to any interested inmates. Wiccans and people from other Pagan traditions (Druidry, Asatru, etc.) often circle together. Wiccan groups should not function with an inmate leader who has religious authority, as that would be the equivalent of conveying the status of 'acting priesthood'. All responsibility for religious authority should remain with the visiting priests/priestesses who are accountable to the Pagan community, CSC and the general public for maintaining acceptable standards of practice.

Wiccan priesthood or spiritual advisors are bound by the same rules of confidentiality regarding personal information as any other priests or counselors. Since rituals are participatory and often involve a revealing of deeply personal information, all participants are expected to maintain the confidentiality of the ritual circle. In either case, however, this does not extend to anything regarding security, violence or suicide threats.

15. Marriage

Required: There are no rules concerning marriage, beyond those set out by the government.

Recommended: A Wiccan wedding is called a 'handfasting' and is performed by the priesthood of one's tradition or another acceptable Wiccan priesthood. Only a few provinces have licensed pagan 'clergy' to perform legal marriages. In places where such is not the case, a 'legal' marriage can be performed before or after the handfasting; or, alternatively, an authorised clergy person or a Justice of the Peace can attend the ceremony and legalise the marriage.

In the difficult matter of prison marriages, marriage counselling prior to any confirmation of the ceremony is strongly recommended.

16. Searches

i. Personal Searches

Wicca has no policy relating to searches of inmates and visitors, the use of 'drug dogs', the taking of blood/urine samples, or the use of any technology. Wiccans acknowledge that the rules of the institution prevail.⁸¹

⁸¹ Some Wiccans have refused to give urine or blood samples. (See *Common Misconceptions Among Wiccans #3* at the end of this chapter.)

ii. *Cell Searches*

CSC policy allows inmates to be on hand when their cell/room is searched in order to show their religious items to the correctional officers, who do not actually handle them. If the inmate is not on hand, the chaplain can handle and show the items. It is preferable that staff not handle the religious items; but if it happens, as is bound to occur from time to time, the items can be re-consecrated. (Also, see *Misconceptions Among Non-Wiccans* #6, at the end of this chapter.)

17. Symbols

Required: None

The universally recognized Wiccan symbol is the pentagram (or pentacle), in which a five-pointed star is interlaced within a circle (with the fifth point on top, not at the bottom of the circle).



Many Wiccan inmates wear a pentagram pendant or ring. While this practise is not required, those who wish to should be permitted to do so, unless there are security considerations to the contrary. Unfortunately many non-Wiccans tend to regard the pentagram negatively despite its being a simple star, familiar in many other contexts (see *Misconceptions*, below). Wiccans may display other symbols (e.g. a triskel) to acknowledge their particular Wiccan or pagan tradition as a matter of personal choice.

If institutional staff have questions relating to the use of a specific symbol by a Wiccan practitioner or group, they are asked to contact NHQ-Chaplaincy, who have resources describing some of the symbols and their meaning.⁸²

18. Worship

⁸² *Law Enforcement*, p.4. Providing a list of symbols related to Wicca can prove problematic because "a given symbol may have a specific meaning for the group that uses it, while another group may use the same symbol to represent something completely different. [...] Certain symbols are traditionally used in Wiccan practice. Unfortunately, some of them have been borrowed by Satanists, just as they have borrowed magical, Qaballistic [*sic*] and Christian symbols, changing the meanings to suit their purposes."

Section III - Specific Traditions

Because Wicca is a very physical expression of spiritual practice, a variety of "tools" are generally used, particularly in group rituals, but also in solitary practice. (See *Cell Effects*, above.) These tools are useful in maintaining ritual focus and should be available to inmates if they pose no security risk. Strictly speaking, none of them is required, but their use is characteristic of the practice.

All objects found in nature, including stones, serve as aids to meditation as the goal is to 'get in touch' with the natural world, and clearly if Wiccans have a choice they will have such things at their disposal. That being said, however, no physical object is actually essential for Wiccan worship. Wicca teaches that adherents should be able to maintain their spiritual discipline if circumstances preclude the availability of candles, crystals, etc.

The eight sabbats (see *Holidays*) are usually celebrated as close to the actual day as possible. Esbats (moon rituals) are usually done at the full moon, but sometimes at other lunar phases.

i. Solitary Practice

Worship can be either solitary or collective, and may take on more or less of a formal ritual mode. Though many Wiccans worship in groups, all of them also do personal rituals and meditations as part of their work towards spiritual development.

Solitary practice can happen at any time, while the timing of group circle practice is only restricted by the presence of the spiritual visitor from the community. In the absence of a service provider, incarcerated pagans should be solitary practitioners.

ii. Group Rituals

Formal worship usually consists of invocations of Goddess and God and elemental energies, meditations, chanting and dancing or moving around the circle, personal contemplation, and healing and/or divination work. Frequently, though not always, an altar is set up for group worship (see *Cell Effects*, above). A ritual usually includes use of a broad range of tools (candles, etc.); however, these are primarily symbolic and not essential to worship itself. Non-participating observers are not generally welcome at Wiccan rituals.

Some Wiccan spiritual visitors who offer leadership to Wiccans incarcerated in CSC institutions sometimes adapt rituals from the normal practice of the outside community to forms that take the limitations of the correctional setting into account.

Ritual style ranges from quite informal to highly structured between different traditions and differs considerably in how focal personal/individual development is incorporated in the ritual (somewhat comparable to the 'range' between the rituals of Quakers and Catholics).

iii. "Sacred" Space

Group worship is referred to as a 'circle', which can be done at any time or on any day. Where possible, Wiccans do their circles outside on the earth, under the sun or moon, and Wiccan inmates should ideally have a dedicated growing space, such as a garden plot.

"A Wiccan does not have any formal temple, though they may have some room or field reserved for ritual use. Outdoor worship is preferred. A Wiccan creates a sacred space whenever and wherever by "casting a Circle", which is traditionally nine feet in diameter or larger to accommodate larger groups.⁸³"

Traditionally, the 'casting of a circle' is done by an athamé (ritual knife) or sword. However, various sorts of 'wands' (including those handmade from a tree branch) can also be used, or the person could simply use a pointed finger; this is generally more appropriate for both solitary and group practice within a prison.⁸⁴ 'Casting' creates a defined sacred space equivalent to a physical temple - holding any untoward energies outside of the circle and any intended ones within the circle until the appropriate time to release them 'into the world' (such as is done with a 'power-raising' for healing, a physicalized equivalent of 'prayer').

iv. Robes/Candles/Incense

These items are used to help a person achieve a certain state of mind different from that of everyday reality, one that is conducive to meditation. Their use is a valid option within the Wiccan tradition. Inmates often request to use these things because of how difficult it is to achieve a state of mind conducive to worship and meditation in a prison environment. (See *Use of Incense in Section II*)

v. 'Magick'

Wiccans understand *magick* as part of the natural/dynamic forces of the Universe that are not physically manifest or easily recognisable. 'Working magick' in a ritual may include dance, chant, creative visualisation and/or focus of psychic energy for the purpose of healing, protecting and aiding members in various endeavours. In this sense there are some similarities between 'magick' and more physical expressions of prayer. Many Wiccans spell the word "magick" to distinguish their practice from sleight-of-hand entertainment.

⁸³ *Law Enforcement*, p.8.

⁸⁴ However, some groups have made a wooden model of a sword for ceremonial use.

Common Misconceptions

1. Among Non-Wiccans

1. Misconception: Wicca is universally understood to be polytheistic.

Correct Information: Generally, the Divine is understood as a 'One-ness' that can be seen in its many 'faces'. (See Theology, under *Beliefs and Practice*, above.)

2. Misconception: Wicca is uniformly anti-Christian.

Correct Information: Wiccans are not necessarily anti-Christian. Although there is recognition of the particular historical issues, based in politics of dominance that pitted Christianity against Paganism, the general acceptance of diversity of faith within Wicca encourages Wiccans to respect all faith traditions.

"Even today "some people have suggested that Wicca must be anti-Christian simply because it isn't Christian. The same individuals who make this suggestion often accuse any faith or Christian denomination other than their own of being anti-Christian or Satanic. [...] We believe in good and evil, just as Hindus or Buddhists do. But we do not have a Zoroastrian forces-of-light vs. forces-of-darkness concept such as the one adopted by Christianity and Satanism. We are not anti-Christian. We are simply different."⁸⁵

3. Misconception: Wicca is indistinguishable from (and, therefore, equivalent to) Satanism.

Correct Information: "Wicca is not Satanism. Satanism is a deviant and perverted Christianity with the same God and Devil. A Satanist must, by definition, believe in all the Christian myths. It is only through that belief that the Satanists' blasphemies [claim to] have any power. [...] We Witches do not believe in the Christian God or Devil, so the whole question is outside our religion."⁸⁶ (Also see the chapter on *Paganism*, above.)

4. Misconception: Wiccans reject the Judeo-Christian scriptures.

Correct Information: Wiccans do not revile the Jewish and Christian scriptures (the Bible), although they may disagree with its premises. They simply regard it as one among many of the world's mythic systems deserving of respect.

5. Misconceptions: Wiccans symbols have hidden, anti-Christian meaning.

Correct Information: Some Wiccan symbols, notably the pentacle or pentagram, are also used by other groups (such as so-called Satanists) and sometimes given other meanings, particularly threatening ones. As such, the pentagram (five-pointed star) is often thought

⁸⁵ Law Enforcement, p. 3

⁸⁶ *ibid.* It should be noted that this is particularly true for "gothic" or "classical" Satanism, but not necessarily for contemporary philosophical Satanists.

to be a symbol of evil. When this is the case, it is unfair to attribute this new meaning to Wiccan faith.

The pentacle or pentagram is considered to be in the upright position when a single point is at the top. In the reverse position it simply means materialism (as opposed to spirituality), and this is why that form is used by Satanists. Some traditional Wiccans use the reverse (materialism) pentagram as a 2nd-degree symbol, meaning they have mastered the form but not yet the spirit, and the 3rd degree is symbolised by an upright pentagram (spirit presiding over the other four points of mind, emotion, energy and action). However, because of the bad reputation of the reversed pentagram, most Wiccans at present use it only in the upright position.

While there are a variety of interpretations of the pentagram among Wiccans, they all centre around life-affirmation.

6. Misconception: The items on a Wiccan altar are not, by their nature, 'sacred'.

Correct Information: Sacred objects, such as stones, do not have quite the same significance as an Aboriginal medicine pouch because all objects can be considered sacred in Wicca and take on specific sacred connotation. However, since naturally occurring objects are seen to be representative of the Earth (Nature), they are valid sacred objects in Wiccan practice.

If a stone, for example, does not present a security risk, incorporating one into personal devotion by placing it on one's altar is a legitimate Wiccan practice. It is, therefore, appropriate for CSC staff to be respectful of such items if the inmate is authorized to have them in his or her possession.

II. Among Wiccans (especially those new to the faith)

1. Misconception: Some Wiccan inmates have a tendency to take the idealistic representations in books as the way 'real-life' Wiccans do things. There is also a strong tendency to take mythology as literal or to attempt to recreate ancient practices exactly. Furthermore, it is often the case that a newcomer to Wicca will read a book based on one tradition, and assume that its specifics hold true for all Wiccan traditions, thereby becoming a 'religious right'.

Correct Information: Wiccan leaders encourage reading a variety of books by credible Wiccan authors to learn about the range of true Wiccan practice.

2. Misconception: Some Wiccans believe that Non-Pagans can contaminate ritual tools by touching them, or that rites of purification are required when this happens. For example: "Our religious items and our robes constitute a 'portable church'. Therefore, they are considered sacred and having non-believers rummage through them is comparable to people desecrating a church, temple, or mosque."⁸⁷

⁸⁷ Citation lost.

Section III - Specific Traditions

Correct Information: While some traditions do not allow ritual tools to be handled by non-pagans or even other members of their group, this belief is not inherent to all Wiccan traditions. However, since Wiccans generally believe that tools hold the residual energy of their users, it is appropriate for tools to be re-consecrated if handled by others, when such is the wish of their owner.

3. Misconception: Some Wiccans have claimed that their bodily fluids are sacred and, therefore, cannot be taken for drug testing.

Correct Information: There is no basis for this stance in Wiccan thinking. When everything is considered sacred, bodily fluids have no special status.

Bibliography

Law Enforcement Guide to Wicca, Kerr Cuhulain, Wiccan Information Network, Vancouver, B.C., 1989, 33 pp.)

Multifaith Information Manual, The Wiccan Church of Canada, Ontario Multifaith Council on Spiritual and Religious Care, Toronto, ON M3C 1T5, pp.221-231. Omcsrc@omc.on.ca)

ÁSATRÚ

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Ásatrú.

1. Basic Beliefs⁸⁸

i. Origins

Ásatrú is one name for the modern-day revival of the pre-Christian religion of the Germanic tribes of northern Europe. Its inspiration comes from the Bronze Age through about 1300 C.E., and from surviving literature and current history, archaeology and sociology. Other names include Vanatru, Heathenry/Heathenism/Heithni, Odinism/Wodenism, Irminsul, Theodism, Forn Sed, Germanic/Teutonic Paganism, The Elder Trow, The Folkway and The Northern Way. For the purposes of this document, *Ásatrú* will refer to the faith, and *Heathen* to a follower of this tradition.

ii. Theology

Ásatrú is polytheistic. Many Heathens do not like to use the word *worship*, as they feel it implies subservience. Heathens see the gods as their elder kin, and therefore treat them with honour and respect, but meet them on a much more equal footing than many other faiths.

Heathens follow an ethical and moral system derived from the surviving literature, which many Heathens codify as The Nine Noble Virtues: Courage, Honour, Truth, Fidelity, Hospitality, Industriousness, Perseverance, Self-Discipline and Self-Reliance.

Heathens often gather in small worship groups, variously called *kindreds*, *hearths* or *garths*. These groups often become like extended family and can become very important to the Heathen. Family, close relatives, ancestors and community are very important to Heathens and form the very foundation of their lives. *Troth* and *frith* are very important concepts to Heathens. *Troth* refers to loyalty, staying true, in the way that one might refer to staying true to one's spouse or one's ideals. *Frith* refers to peace and the interconnected web of a healthy community. *Frith* is enhanced by such things as friendship, gift exchanging and coming to the aid of one's community in times of need.

Ásatrú does not believe in sin in the Christian sense. Rather, Heathens believe in a natural cause-and-effect relationship between *wyrd* and *orlog*. *Wyrd* is the sum of the deeds of each Heathen's life, the lives of their ancestors and of anyone to whom they have sworn an oath. *Orlog* is the process of natural laws by which *wyrd* is re-balanced: Those who do good deeds can expect good to come to them in turn, and ill deeds will bring ill of one kind or another, either to the individual or their children if their debt is not paid in

⁸⁸ Information provided by Althing Canada

Section III - Specific Traditions

their own lifetime. In this way, the past leads to a most likely future, but through their conscientious effort of rebalancing *wyrd*, Heathens can affect their own *orlog*, choosing to voluntarily pay their own debts.

Oaths are sacred in Ásatrú. Any promise made, especially in the context of a holy ritual, is a serious commitment to the gods, as well as to the people concerned. The words spoken go into that Heathen's *wyrd*; if they are not lived up to the resulting *orlog* can be quite negative. Oaths sworn within a community, even for small things, are the bonds that tie a community together in *frith*. They are the bonds of friendship, trust, marriage, responsibility and dependability. Without oaths, community cannot exist. Many of the ancient tales tell of people who broke oaths suffering what others might call streaks of incredible bad luck, and others tell of Heathens who would rather die than break an oath. Heathens today are less extreme and more practical, but nonetheless take their promises very seriously.

iii. Practice

Priests exist in this faith - *gothi* is the male term, *gythia* is the female - but are not necessary for Heathen to speak to their gods. *Gothar* (plural) chiefly exist to be the experts in leading rituals, though individual Heathens may lead their own.

The basic rite of Ásatrú, the *blót* (rhymes with 'boat'), which means an offering, is a ceremony of the exchange of gifts. The faith teaches that a gift demands a gift in return and the *blót* ritual provides an offering for the gods in exchange for their blessings. A secondary rite, called *sumbel*, is a ritualized drinking of toasts, a holy setting in which all that is spoken passes directly to the gods and into *wyrd*. (For further details, see 18. *Worship*, below.)

Many Heathens, but not all, use magic (in the sense of exerting one's willpower to create changes in the world) as a part of their religious practice. One of the most popular forms is the use of runes for divination or magical writing. Runes, often called *futhark*, are the ancient characters that formed the first written language among the Germanic tribes.



The basic tools required for the faith, which are quite simple, include a Thor's hammer pendant or other symbol of the faith (see 17. *Symbols*, below) and books and/or photocopied material for learning and study. Most worship rituals require a drinking horn or other vessel, and often a bowl for sacred offerings. The swearing of oaths, prominent in some rituals and even throughout life, requires a large metal ring (an *oath-ring*) upon which the oaths are sworn. The ring symbolizes the unending nature of the oath. To use an oath ring one simply holds it and says aloud the oath being sworn. If two people are swearing oath together (as in a marriage rite) both would hold the ring. It may also be held by a *gothi* or *gythia*.

2. Birth

A naming ceremony is often held nine days after birth, whereby the parents formally name their child and bring him or her into their community. Often, this consists of consecrating water in the names of the gods, anointing the child and providing birth-gifts. Sometimes a full blót is held to request blessings for the child.

Required: Short ceremony. Water, bowl and other basic tools.

Recommended: Evergreen twig as aspergillum, a meal as a sacred feast, with exchange of gifts and an offering to the ancestors.

3. Cell Effects

Required: A Thor's Hammer pendant or other Ásatrú symbol (see 17. *Symbols*, below) and a set of runes (usually written or carved on small stones or wooden tiles), as well as books and photocopied material.

Recommended: An altar (flat surface called a "stall") and cloth, with drinking horn, offering bowl, images or statues of the gods and goddesses, candles and an oath-ring.

4. Contacts

The Pagan Pastoral Outreach association can provide visitation in some areas and will attempt to locate Ásatrú prison visitors elsewhere. A pen-pal program is also available. Box 8312, Station. T, Ottawa ON, K1G 3H8, info@paganpastoraloutreach.ca, (613) 299-3327.

5. Conversion/Initiation

Ásatrú accepts converts from any faith (including atheists) without restriction. However, Heathens do not seek to convert others, nor do they proselytize. Generally, one discovers an attraction to the faith on one's own and then finds others to help one learn about it.

No special ceremony is required for initiation, though many Heathens choose to swear holy oath on an oath-ring that they will be true to the gods and goddesses of the North. If

they are joining a pre-existing kindred, the members may wish the new member to swear an oath of peace and respect to the others.

6. Death

Cremation or burial, personal or family preferences are respected. A standard memorial is not inappropriate, but there may be a request that other faith symbols be removed.

Required: A service by someone trained in Ásatrú ways (or sensitive to them) and willing to respect the wishes of the deceased.

Recommended: Blót, feast and sumbel (see 18. *Worship*, below) to remember the deceased.

7. Diet

There are no specific dietary requirements associated with this tradition. For blót and sumbel, fruit juice can substitute for mead or other alcohol. Foods for sacred feasts are general rather than specific, usually derived from European cuisine, including hearty, home-cooked dishes such as roasts and stews, desserts and apples. Often a portion of the food is left on the ground or in the wilderness as a gift to the gods, ancestors and nature spirits (see 18. *Worship*, below).

8. Divorce

Marriage vows are considered holy oaths, and one who break a vow without very good reason courts disaster (see 1.ii. *Theology*, above). Therefore, people considering divorce should do so with great thought and deliberation and an awareness of potential consequences. However, both historically and today, divorce occurs and not particularly looked down upon.

9. Dress Requirements

There are no specific dress requirements. Some adherents prefer historically-based attire for rituals, but this is not strictly necessary.

10. Gender Issues

Men and women have equal status in Ásatrú. Any position of importance, including priest, can be held by either gender, and either gender (or both) may lead a ritual. Sexual orientation is likewise of no issue in Ásatrú. These issues are of no concern in the doctrines of the faith itself, though some individual Heathens may hold specific stances.

11. Health/Illness

Most Heathens use standard Western medicine, sometimes opting for naturopathy/homeopathy or magical healing practices when available. Medical matters, such as autopsies, are not strictly a religious matter. Hunger strikes are not in any way considered a religious activity.

12. Holy Days/Festivals

In the historical period, holy tides and feast days were greatly dependent upon a given community's local customs. Even where the same festival was held in two different places, differing climatic considerations often changed its timing. Today, most Heathens follow a general guide that includes the following:

- 1) Yule-tide or Júl celebrates midwinter, a week on either side of winter solstice, usually December 21st. Some Heathens celebrate on the full moon closest to the equinox, and some celebrate for thirteen nights beginning the night before the equinox.
- 2) Easter-tide, Eostre, Ostara or Summerfinding celebrates the beginning of summer, at any time during the lunar cycle following the spring equinox. It may vary according to local tradition from March 21st to May 1st.
- 3) Litha or Midsummer may be celebrated as a day, a two week period, or in some traditions a lunar month, bridging the summer solstice (around June 21st).
- 4) Winterfinding, Winterfylleth or Harvest celebrates the beginning of winter at any time during the lunar cycle following the fall equinox. It may vary according to local tradition between September 21st and November 1st.

There are additional holy-tides which may or may not be observed by individual Heathens or groups, depending on their tradition, including Thorblot or Disablót in early

February, Hlofnact or Loaf-Night in early August, and other feasts commemorating the heroes, gods or ancestors.

13. Religious Law

There are no written laws in this tradition. Most Heathens strive to follow the Nine Noble Virtues or a similar code (see 1.ii. *Theology*, above), and the advice from the historical literature, such as *Hávamál* ("the Words of Odin"). In addition to this all believe that mistakes and ill deeds become debts which must be paid. Therefore, responsibility for one's own choices and actions is of paramount importance.

14. Leadership

Ásatrú has no supreme leader. Many Heathens are lone practitioners, responsible to themselves and their gods. Kindreds may have a gothi or gythia to lead rites and/or a secular leader ("chieftain," "lord," or "lady") to provide a sense of leadership to the group; but such leaders do not have power over other individuals, nor do they usually decide matters of faith. They act more as elected leaders, subject to the group's will.

15. Marriage

Required: A marriage solemnizer trained in Ásatrú ways (or sensitive to them) and willing to do as the couple wishes. Oath-ring for the swearing of vows, normal blót equipment (see I.iii. *Practice*, above).

Recommended: Blót and feast (see 18. *Worship*, below) to celebrate the occasion.

16. Searches

Required: No strict requirements.

Recommended: The inmate's faith symbol/pendant and runes should not be handled by others, if possible; but if this is unavoidable, they can be re-consecrated.

17. Symbols

The most common symbol of the faith is Thor's Hammer, often worn as a pendant. Also common are the valknut, the runes themselves, the solar wheel/Odin's Cross, and the Irminsul. See images below.



18. Worship

Blót involves giving something up in exchange for the blessing of or particular help from the gods. It usually takes the form of drinking a horn of mead dedicated to the gods, requesting the blessing, sharing the drink among the group, and pouring out the rest on the ground. Because mead is contraband in CSC institutions, juice, milk or water can be used. During blót food, craft items or money can be offered. A blót can be elaborate with many props and poetry in ancient languages. It can begin with the symbolic erecting of sacred space (similar to a Wiccan circle), or a lone practitioner with a cup of juice can say a few words to the gods, taking a sip and pouring the rest out. This rite is best performed in a group, led by a gothi or gythia, but if necessary it can be performed as an individual ceremony.

Required: Basic tools, bowl and/or horn.

Recommended: Group setting, evergreen twig for sprinkling the group instead of drinking, outdoor location.

Sumbel, a series of ritualized toasts, often follows a sacred feast. A horn or other single vessel is passed and the one who holds the horn may speak in this most holy context. In some cases, all hold their own drinking vessel and the speaking turn passes without an obvious visual cue. This may be preferable if there are any health concerns. The first round of toasts is offered to the gods and goddesses. The next to those gone before (literal ancestors, those who followed the faith of old, or even personal heroes). The third and any subsequent rounds are open, for oaths, boasts (promises of worthy deeds to come), brags (tales of worthy deeds already done), stories, poetry and song. Sumbel ends with the pouring out of the remainder, as in blót. This rite requires a group. A gothi is not necessary to the rite, but some practitioners may prefer an official leader.

Required: Basic tools, group setting, cup or drinking horn, fruit juice or other drink.

Recommended (additional): Outdoor location. Some prefer for all participants to have their own drinking vessel.

Common Misconceptions

1. **Misconception:** Ásatrú is a racist faith, exclusive to "white" people.

Correct Information: Among those who identify themselves as Heathens (or any of the other names associated with this tradition, (see 1.i. Origins, above) there is a minority who feel that race is a factor in their faith. This approach may range from "anyone of any background can follow this faith, but one wonders why they haven't found a connection to the ancestral faith of their own people" to "this is the faith of northern European Germanic people, and is only for those people," and even to "this faith is a white people's faith, and it teaches that they are better than others."

All available scholarly information on the faith as it was and the cultures it came from disagrees with the more extreme of these views. The ancient peoples welcomed outsiders into their societies and families. The extant stories of the gods themselves tell us that they welcomed individuals from other groups, even from among their greatest enemies (and some of the gods themselves have mixed ancestry).

Those who believe that Ásatrú is a faith best suited to those of Germanic descent, but anyone is welcome, are generally just proceeding from a strong feeling of cultural identity. The cultures from which Ásatrú is descended are a very important part of the faith and form the basis for its beliefs and observances.

However, any Heathen who claims that feelings of racial superiority are a part of his or her faith or wants to actively keep non-Germanics out of it is either proceeding from a poor understanding of it or actively using it as a smokescreen for a pre-existing predilection to racism.

2. **Misconception:** Ásatrú and its symbols are related to Nazism and skinheads.

Correct Information: The Nazis appropriated some ancient Germanic symbology, but they were merely using the old symbols for political purposes, and did not follow the old religion at all.

The swastika ("fylfot") was a holy sign, but one of luck and personal power, not really a symbol of the faith. A small movement of modern Heathens wish to reclaim its original symbology, so the presence of this symbol does not automatically indicate a more racially-oriented mindset, though it often does.

3. **Misconception:** Ásatrú is tied to gang activity.

Correct Information: While Ásatrú has sometimes been used as an excuse for gang-related activity, and while close-knit communities are very much an element of the faith,

there is no legitimate connection between the faith and this type of behaviour. Individuals associating together for reasons of power, even if the Ásatrú name is used, are in no way pursuing a religious activity. Those who associate for such reasons but who are also honest practitioners of the faith should have no trouble separating the two.

References:

"The Eddas" - The Elder, or Poetic Edda and the Younger, or Prose Edda constitute the greatest extant repository of the old stories of the gods. Although not equivalent to a Bible, these two are generally considered the must-have books for any Heathen, and tell more about the faith than any others.

- *A Book of Troth*, by The Troth (see website, below)
- *Teutonic Religion*, by Kveldulf Gundarsson
- *Northern Mysteries and Magick*, by Freya Aswynn

"The Troth" - <http://www.thetroth.org>. The Troth is an international organization based and incorporated in the United States, serving as an umbrella organization to help Heathens everywhere get in touch. It generally allows members (individuals and groups) to make their own choices and set their own policy, but it does have a strong stance against a racial interpretation of the faith. Though exact numbers of Heathens are not known, the Troth appears to be the largest Ásatrú organization worldwide.

Druidry

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Druidry.

1. Basic Beliefs⁸⁹

i. Origins and Modern Expressions

Originally the word ‘Druid’ referred to the priestly class of ancient Celtic cultures. While some modern groups do the same, in practice most followers of this religion are known as Druids. In this chapter, ordinary followers will be referred to as ‘Druidic practitioners’.

Knowledge of the ancient Druids comes from archeology and classical writings as well as stories, myths, poems, etc., preserved in medieval manuscripts.

Ceremonial Druidism originated in the secret societies of the eighteenth century, such as Freemasonry. Some modern orders are strictly cultural, rather than religious. Others promote historical scholarship and participation in ecological and social issues; they can have a more religious or philosophical focus. Some may draw upon earlier traditions such as Gnostic Christianity. In addition some orders - such as the British Druid Order (BDO), and the Order of Bards, Ovates and Druids (OBOD) - draw the inspiration for their practice from extant literature, history, and archeology.

Celtic Reconstructionists, Traditionalists and Revivalists are distinctive traditions, differing on issues of the use of a priesthood caste, specifics of organization and leadership, and the degree of tribal orientation. However, all attempt through archaeology, historical research and comparative anthropology to reconstruct and practise the religion of the ancient Celtic peoples.

The most common groups in North America are those who have self-consciously created a new Neo-pagan religion inspired by the ancient religions of Europe with a stress on Celtic culture, customs and cosmology. One example of this is the ADF (Ár nDraíocht Féin: A Druid Fellowship). These groups are most likely to refer to all participants of the tradition as Druids, rather than reserve that term for a specific priestly class.

It should be noted that Druid groups, while looking to Celtic tradition, do not seek to exclude those without Celtic ancestry. One's own ancestors are generally revered, but in some groups (OBOD, for example), there is an acknowledgment that all members of the Order who have passed to the Summerlands are their “ancestors” and are still present on several levels, ritually and otherwise. Such groups also hold that all humanity is really one tribe and has a common heritage and future.

⁸⁹ Resource information in this chapter has been provided by practitioners of various Druid paths, edited by PPO (see Contact, below).

ii. Theology

Druid practitioners are generally polytheistic and tend to honor Deities from within a specific Celtic cultural pantheon. Their relationship to Deity may be variously expressed in the following ways:

1. Gods are seen as real beings who participate both in this world (Nature) and realms beyond (the Otherworld). They can therefore bring knowledge and powers from the Otherworld into this one.
2. Gods are aspects of a Transcendent Divine Force or Being.
3. Gods are human archetypal representations of Divine Energies that exist in the world.

There are Three Sacred Realms: Earth, Sea and Sky. All beings are considered sacred, be they Gods, Spirits of Nature, Ancestors or any other form of life on the planet. The spirits of trees and springs are considered particularly sacred. Sacred beings are seen as knowable, and relationships between them and the Druid practitioner can be cultivated by means of an exchange of offerings for favours and blessings or through meditative communion and reverence in ritual.

The Otherworld is the home of the Gods and heroes. It intersects with this world, enabling the Gods and mankind to interact with one another. The Summerlands, or Underworld, is the Realm of the Dead.

iii. Practice

Druidic practitioners seek the divine and sacred through a connection to the Natural world and, for some, their ancestors.

They celebrate the cycle of the seasons, and their major holidays mark the major events of the agricultural and solar years. The natural world and everything in it is seen as sacred, and the divine/spirit is seen as immanent in all things. As such, the natural world is to be revered and treated with great care and respect. Practitioners consider themselves to be part of a complex web of interrelationships that connects everything on the planet.

Religious practice can be solitary or within a group, sometimes called a 'grove', 'fellowship' or 'seed group'. Such groups are usually open to newcomers. Ideally, ritual is performed outside in contact with Nature, but may be done indoors in an appropriate setting. Group rituals can be facilitated by a single person; alternatively, any or all participants can take active roles.

Some practices that ordinarily would not be seen as religious (such as academic study, music, artistry, craftsmanship) are considered by most practitioners to have a religious significance. (See 3. *Cell Effect*, ii. *Sacred Texts/Study Material*, below)

2. *Birth*

Required: There are no required practices related to the birth of a child.

Recommended: A ritual called a Saining is commonly performed for the purpose of formally naming the child, introducing him or her to the community, the Ancestors and the Gods. It involves an anointing, with the recitation of traditional prayers and appointing God-parents for the child. In some traditions, guests bring gifts for the child.

3. *Cell Effects*

i. *Sacred Objects*

Required: Wherever possible, inmates should be allowed an altar - any flat surface or a special box - with symbolic representations of the three realms:

- Land (a bowl of earth)
- Sea (a bowl of water)
- Sky-Fire (the Bile, pronounced "bill-uh")

The Bile may be any one of the sacred trees in the Ogham (Irish) alphabet. (See *Sacred Texts, Literature and Study Material*, below) and is associated with the sky-fires of sun and lightning. When a small branch of one of these trees is inserted into a bowl of earth, which is then nested in a bowl of water, it is considered to traverse and connect all three Realms, and therefore represent them. For practice in prison, any kind of cut branch or artificial representation of a tree or branch can be used.

A candle for fire, representing the Primal Force of Creation, is at the center of Druid ritual, together with the Bile. Incense may also be used in ritual.

Recommended: Other religious items can include ritual garb (a robe or special shirt), a tree branch with bells and other items from Nature. The use of items evocative of the seasons and seasonal practice is also very common, for example:

- Samhain: Pictures of ancestors or friends that have passed away, or other items that signify the ancestors
- Lughnasadh: Sheaf of wheat or other harvest-related items
- Beltane: Flowers in bloom, other items that signify fertility and growth
- Imbolc: Early spring plants, especially bulbs

As these four celebrations are Fire Festivals, a candle should be permitted where possible.

ii. Sacred texts, literature, study material

Required: There are no required texts. However, some groups may view the myths and other writings as sacred Ancestral lore, especially in groups in which Ancestor worship is central.

Recommended: Recommended texts include:

- Scholarly material describing Celtic culture, languages, mythology and religion, as well as other ancient Indo-European cultures and history.
- Divination tools are also sometimes used (e.g. small sticks inscribed with the Ogham alphabet or Tarot cards).
- Scholarly materials for the three types of training– Bards, Ovates/Filidh and Druids (See *Leadership/Practitioners* #14 below).

4. Contacts

The Pagan Pastoral Outreach association can provide visitation in some areas and will attempt to locate Druid prison visitors elsewhere, or suggest appropriate correspondence study programs. Box 8312, Stn. T, Ottawa, ON K1G 3H8, (613) 299-3327, info@paganpastoraloutreach.ca, or <http://www.paganpastoraloutreach.ca>.

Druid Network - <http://www.druidnetwork.org/index.html>

The Order of Bards, Ovates and Druids (OBOD) - <http://druidry.org/>

Henge of Keltria <http://www.keltria.org/>

Grove of Danu, Pagan Church of Alberta www.groveofdanu.com

5. Conversion/Initiation

Druidic practitioners have no interest in proselytizing. While the practice itself is based on Celtic cultural traditions, it is open to people of any ancestry.

There is no rite of entry into Druidism/Druidry, but a ceremony welcoming a new person to the religious community is commonly performed, often followed by a social gathering.

6. Death

The passing of a Druidic practitioner from this world is regarded as a continuation of the spirit's journey; part of a continuing process, rather than an ending. Most practitioners believe in a form of reincarnation, in which the spirit will return to the temporal world to continue its journey through more than one lifetime. In addition, it is believed that there are times of the year, known as Holy Days, on which the barrier between the Otherworld and the temporal world is particularly thin. At these times, the spirits of the Ancestors and the dead are especially honoured, communion with them being more easily effected at such times (particularly Samhain).

Required: There are no general customs regarding the handling of the body, nor any prohibitions against autopsies or organ donation, etc. The body and religious effects should be disposed of according to the wishes of the deceased. In the absence of such a statement, the inmate's religious community should be consulted with regard to the disposal of religious artifacts.

Recommended: Druids believe that the deceased journeys to the Summerlands or Underworld, a joyful event to be celebrated by the community (a wake). Candles are lit and traditional prayers said. Traditionally, these activities took place in the presence of the body, but today it is customary to provide a picture of the deceased, with a candle and shot of liquor or substitute drink beside the photograph. The drink is later poured out on the ground as an offering to the deceased's spirit.

7. Diets

Required: Although not a requirement, many Druidic practitioners choose an organic vegetarian or vegan diet out of respect for animal life and general desire to minimize their impact on the planet. This is considered a diet of conscience only.

There are no specific dietary rules for Druidic practitioners. However, the body is understood to be sacred and should be cared for and not abused.

Juice mixed with honey is an acceptable substitute for mead, ale or whiskey (which are considered particularly sacred), as an essential libation to the Gods, Spirits of Land and Place, Nature Spirits and the Ancestors. Honey, hazelnuts, salmon, oatcakes or bannock are commonly eaten.

Recommended: Holiday celebrations are usually accompanied by eating certain traditional foods associated with the season or considered sacred to the specific celebration:

- Samhain: Ham, pork,
- Imbolc: Milk and milk products esp. butter

- Beltane: Honey
 - Lughnassadh: Cereal grains, ale (or juice)
-

8. Divorce

Required: For many Druidic practitioners there are no rules pertaining to divorce.

Recommended: A 'hand-parting' ceremony is often done, either for both parties (if they are willing), or with one partner to mark this passage/change. Though the bond between partners is dissolved, responsibility for any offspring remains.

9. Dress Requirements

Required: There is no required dress code for Druidic practitioners.

Recommended: The use of robes (or some other special item of clothing, such as a special shirt) for private or group ritual is optional.

10. Gender Issues

There are no gender or sexual orientation distinctions in Druidic practice or ritual.

11. Health/Illness

Required: The acceptance or refusal of care (including transfusions) is a matter of individual conscience.

Recommended: Whenever possible, the religious visitors should be able to visit a seriously ill inmate, whether in the institutions or a hospital. A healing ritual should be allowed, recognizing that some restriction of the tools used may be necessary.

Hunger strikes have a long tradition in Celtic law, where they were a means of redressing grievances and compelling justice. An inmate making such a choice can expect spiritual counsel, but cannot necessarily expect support for their cause from Pagan prison visitors.

12. Holy Days and Holidays

All Druidic practitioners celebrate the Celtic Fire Festivals, which mark the midpoints between the solstices and equinoxes.

Samhain — October 31st

Imbolc — February 1st⁹⁰

Beltane— May 1st

Lughnasadh — August 1st

The Celtic year ends and begins at Samhain (as the Celtic day begins and ends with sunset). The dark half of the year is from Samhain to Beltane; the light half from Beltane to Samhain.

Some Druidic practitioners also celebrate the Equinoxes and Solstices. They are generally held on the dates below, but shifting each year to a day earlier or later:

- Spring Equinox/Mean Earaigh/Ostara/Alban Eilir - March 21
- Midsummer/Summer Solstice/Litha/Comhain/Mean Samhradh/Alban Hefin -June 21
- Fall/Vernal Equinox/Mabon/Mean Fomhar/Alban Elfed - Sept 21
- Midwinter/Winter Solstice/Yule/Mean Geimhriuil/Alban Arthan - December 21

It is preferred, but not strictly necessary, to celebrate group rituals on the exact days. Celebrations within a correctional institution may be held in the course of regular get-togethers for ritual with the religious visitors.

13. Religious Law

There is an underlying concept of personal honor and a strong sense of justice in Celtic tradition. Truth, Honor and Duty are the three highest causes. Individuals must take responsibility for their actions and make appropriate restitution, preferably in this life, to those one has wronged. If one fails to do this, the responsibility for restitution will be carried into the Otherworld or the next life, if need be.

Many groups base their moral behavior upon the precepts of Brehon Law and cultural custom. Brehon Law is a body of law texts that governed all social interactions recorded in 7th-8th century Ireland. It has its foundations in the much earlier oral and social traditions of pre-Christian Ireland. Because of its archaic context and language, only a council of fully trained Druids and Brehons are authorized to interpret it for a modern day environment.

As well, many groups adhere to the Irish and Welsh Triads, which are three-line maxims and proverbs that serve as memory tools to help the practitioners remember the spiritual

⁹⁰ Imbolc is always celebrated indoors, around the hearth fire, which may be symbolized by a candle flame.

and social laws they live by. While written to address the specifics of ancient Celtic culture, they are essentially variations of 'perennial wisdom' similar to the moral directives of other religions, and are more appropriate to incarcerated practitioners.⁹¹

14. Leadership/Practitioners

A Druidic organization or order can confer "Priesthood" confer as a recognition of accomplishment following an extended period of study or considerable practical experience (12 to 20 years would not be unusual). There is status or authority inherent in the title by virtue of the higher level of learning and training achieved in each Grade. However, groups differ in terms of how formal this authority is. In some it grants special power over other practitioners; in other, it does not.

Scholarly pursuits are central to most Druidic orders, which are usually divided into three major areas of study:

- Bards: the arts and cultural history
- Ovates/F'ilidh (pronounced 'fee lya'): healing, herbalism, divination, as well as the deeper spiritual meanings of the arts and law)
- Druids: philosophical issues, administration of legal issues, mediator of disputes, transmitters of knowledge

The leader of an organization may be referred to as "Arch Druid" or "Chosen Chief".

In the prison setting, outside leadership should be respected in matters of the tradition and teaching. Although some outside groups may have strict hierarchies, hierarchy within inmate groups is not recommended.

Druidic spiritual advisors are bound by the same professional ethics of confidentiality as other Priesthoods or counselors, concerning personal information. Participants in Druidic rituals should respect the privacy of their fellows. In either case, the security of the community at large and the welfare of the individual in question should be the paramount concerns.

15. Marriage

Required: There are no rules concerning marriage. Some groups may choose to adhere to traditional marriage law, which does not, however, supersede the law of the land.

Recommended: Traditionally, a Celtic marriage or 'handfasting' (a term borrowed by other Pagan traditions) is an explicit agreement between two people stating their

⁹¹ See <http://www.illusions.com/rowanhold/mainpage.htm> for an example of the Triad's interpretations.

Section III - Specific Traditions

responsibilities in their relationship. The parties may agree in advance to a temporary or permanent arrangement or may set conditions for its dissolution. Legal (permanent) handfastings are officially witnessed as a matter of law. Non-legal (or temporary) handfastings need not be officiated by a third party, but must include a witness.

Marriage counseling beforehand in the difficult matter of marriage during incarceration is strongly recommended.

16. Searches

i. Personal Searches

Druidism has no policy regarding searches of inmates and visitors, the use of 'drug dogs', the taking of blood/urine samples, or the use of any technology in this regard. They acknowledge that the rules of the institution prevail.

ii. Cell Searches

If the inmate is not on hand for cell searches to show their religious items to the guards, the chaplain can handle and display the items. It is preferable that the religious items not be handled by staff; but if it happens, as is bound to occur from time to time, they can be re-consecrated, if desired, by "smudging", burying in salt, immersing in pure water, or exposing to the rays of the sun or to moon.

17. Symbols

Required: None

Recommended: Some symbols commonly associated with Druidism are:



The Triskel



The Awen



Celtic knotwork

Other symbols include Brigid's cross (three and four legged) and the Ogham alphabet. Trees are central to the symbology of Druidism, especially the leaves, acorns/seeds or branches of Rowan, Apple, Hawthorn, Elder and Yew, or Oak. In some Orders, there are symbols associated with specific Grades, or levels of study.

18. Worship

Worship can be either solitary or collective, and may take more or less of a formal ritual mode. Druidic practitioners may choose to worship together with other Pagans and should be allowed to attend open circles with those of other Pagan traditions.

Solitary ritual may include a period of meditation employing visualization techniques to facilitate and develop a connection and communication with sacred beings. This may also occur in group ritual work, but it is not required.

Wherever possible, Druidic practitioners worship outside in contact with the earth and close to trees and natural sources of water. If weather is not conducive or other restrictions apply, ritual may be celebrated indoors. Druidic practitioners should have access to a growing space/garden plot, if possible.

Rituals can take place at any time or on any day, alone or with the religious visitors. However, observation of the Fire Festivals, Equinoxes and Solstices ideally should occur at the customary times or as close as possible.

Generally, Druidic rituals involve first establishing a symbolic microcosm within the ritual space mirroring that of the cosmos as perceived in the Celtic tradition. After this components of ritual include:

- the acknowledgment of the sacred beings;
- the making of offerings to Spirits of Land and Place (food and drink, precious items, poetry, dance, music, stories, essays, etc.);
- invocations of the beings with whom one wishes to relate, which may take the form of requests for favours and blessings, work (e.g. divination, meditation, healing);
- thanking the beings invoked; and
- closing.

A ritual can last for anywhere up to three hours, depending upon the number of participants and the content of their offerings.

Appendix A : Memorandum of Understanding from Warkworth Institution

Memorandum of Understanding between Warkworth Institution and the Wiccan Community re: the Use of Candles in Inmate Cells

All Wiccan inmates holding a valid Wiccan Property Card can use candles in their cells, as stipulated by the Human Rights Commission and C.S.C. providing the following conditions are met:

- a. Candles are to be used in inmates' cells.
- b. For safety considerations, the candles must be approved 'votive' type.
- c. These candles must be in approved brass votive candle holders.
- d. Inmates are limited to 5 candles and holders at any given time.
- e. The metal base of spent candles must be returned to the Chaplain before new candles are issued.
- f. The inmate must not be residing in the E.M.U. (*Eighty Man Unit*) because this Unit is not only smoke-free but also allergens-free.
- g. No Wiccan inmate may give candles to non-Wiccans.
- h. The candles are issued strictly for religious purposes.
- i. The Warden of the Institution reserves the right to cancel the permit of individuals for infractions of the above rules.

Chaplain

Inmate/FPS

Date

Warden

Rastafarianism

Section II of this Manual contains information that is common to all religious traditions; this chapter only attempts to provide information specific to Rastafarianism.

1. Basic Beliefs

The Rastafarian movement dates from the 1930's and takes its name from RasTafari Makonnen, the Emperor of Ethiopia known as Haile Selassie, whose title was "King of Kings, Lord of Lords, His Imperial Majesty, The conquering Lion of the Tribe of Judah, Elect of God."

Haile Selassie traces his lineage back to Menelik I, son of the Queen of Sheba (Ethiopia) and King Solomon of Jerusalem. This makes him a direct descendant of the root of David - the same lineage as that of Jesus Christ (who was "one and the same with Selassie, but of an 'earlier dispensation'").⁹²

i. Theology

The name of God is Jah, an abbreviated form of Jehovah (Ps 68:4).

Rastafarianism is the religious expression of a spirituality born among the black people of Jamaica during generations of oppression and suffering. Elements of this spirituality are a protest against injustice at the hands of the white 'establishment'. It expresses a "yearning for deliverance from bondage, freedom in a new land, the land of their ancestors, Africa. It is a radical attempt to reclaim their African heritage."⁹³

In every possible way, Rastafarians choose the ways of nature over the ways of civilisation. From their spiritual perspective, nature gives life and healing, whereas civilisation (Babylonian/white) brings death and destruction.

The circumstances in which Rastafarians find themselves in Canada impose restrictions on their ability to live a completely natural life. Everything from heating to clothing to construction of buildings is 'civilized' to a very great extent. When their circumstances include incarceration, the restrictions imposed are even greater, and the themes which are at the roots of their religion -deliverance from bondage and oppression by white society- come into play, leading to a stance of protest against perceived violation of rights.

Credal statements include the Twenty-One Points, a semi-political statement summarising the Rastafarian position in society.

⁹² BOP *Rastafariansim*, p.7

⁹³ *Ontario Multifaith*, p.193.

Section III - Specific Traditions

Rastafarian beliefs can be summarised in the following⁹⁴:

1. One who accepts Haile Selassie as the true and living god. Since 1975 he has reigned in a spiritual body.
2. The black people are the reincarnation of ancient Israel who, at the hand of the white man, were exiled in the New World, especially Jamaica.
3. White people are not inferior to blacks; however, Rastafarians believe that white people are products of an evil civilisation devoid of spiritual basis. The white culture is, therefore, an unnatural culture.
4. The Jamaican situation is hopeless; Ethiopia is the true home of the black people and is also heaven.
5. The Emperor of Ethiopia is arranging for the expatriated persons of Africa to return to their home.
6. When the black people return to Africa, the white society in the West will collapse and black people will rule the world.

Another source enumerates the basic beliefs of Rastafarianism as the following⁹⁵:

1. Blacks are God's chosen people, the reincarnation of ancient Israel, today's true Hebrews. (The descendants of the Lost Tribes of Israel).
2. Western civilisation with its white establishment is Babylon, the godless city of evil. The Pope is the Head of Babylon who leads the oppression and mental enslavement of the black people.
3. The Bible is the Word of God, although parts of today's Bible are not from God, but originate from God's enemies.
4. The police are Babylonian agents, protecting white society by oppressing black people.
5. The reward for following the ways of the Bible is "life ever-living" and repatriation to Africa, the land of freedom. Ethiopia is the true home of black people and heaven. When black people return, white society in the West will collapse and black people will rule the world.
6. The Ethiopian Emperor Haile Selassie was an incarnation of God, still reigning (since his death in 1975) in the spiritual body through a "High Council" of fifteen men (theocratic government), seated in Jamaica.

A particular resource consulted⁹⁶ refers to Rastafarianism as a 'movement', and its adherents as 'cultists' of a 'messianic-millennium movement', "even though they rely on the Judeo-Christian holy books as a basis for some of their beliefs which have strong connections to Ethiopia and a Black God. Black supremacy is a basic tenet of their belief [... However,] despite the rhetoric, the Rastafarians, contrary to many reports, are not

⁹⁴ Colorado, p.92.

⁹⁵ *Ontario Multifaith*: Basic Beliefs, p.194.

⁹⁶ Barrett, Leonard E., *The Rastafarians: Sounds of Cultural Dissonance*, Revised and Updated Edition, Beacon Press, Boston, Mass., 1988.

anti-White. The White race are seen as oppressors but not all white people are considered evil.” (Barrett)

ii. Organizational Structure

Rastafarianism is by no means an organised, hierarchical or uniform movement. A more secular stream of Rastafarianism emphasised social reform and migration to Africa. It has a very informal structure, no official voice or central body that can speak with authority about its practices and beliefs.

This makes it impossible to obtain a definitive description of its practices and beliefs. Efforts have been made to document their varied practices. The Quebec and Ontario Regions have managed to establish a contact with a Rastafarian in the community who is willing to be consulted. The highly informal nature of their association makes formal contact highly unlikely.

*iii. Major Groups within Rastafarianism*⁹⁷

a) Orthodox or Nyabinghi

This group tries to bridge the gap between Rastafarianism and Ethiopian Orthodoxy. Their theology is a mix of Christianity and Rastafarian beliefs. Their members consider themselves to be Nazarites and wear dreadlocks.

b) Twelve Tribes of Israel

This group believes that H.I.M. is the Christ revealed. The members regard the wearing of locks as an option which may or may not be utilised by the members who do not consider themselves to be Nazarites.

c) Bobo Shante

This group views their leader, Prince Emanuel I, as the Christ who is now revealed in this time. Bobo Shante Rastas consider themselves to be Nazarites and wear the dreadlocks.

3. Cell Effects

Rastafarians accept the King James Version of the Bible as their sacred text. This Bible is accepted as an authoritative text but not all its contents are acceptable due to the belief that the various translations from the original "Amharic" language of Ethiopia, many corruptions have occurred (sic).⁹⁸

⁹⁷ BOP p.9-10.

⁹⁸ Indiana p.46

Section III - Specific Traditions

Some Rastafarians also refer to the Jerusalem Bible⁹⁹. The importance of the Jerusalem Bible is due to the fact that God's name is spelled Yahweh, the closest approximation to Jah.

The Bible is further interpreted in an Afro-centric manner, a divinely inspired perspective given to the creative powers of H.I.M. Rastafarians believe that numerous Bible texts support their teaching that God is black (Jer 8:2); for to them blackness is synonymous with holiness.[...]Furthermore, according to Ps 87:3-4, clear reference is made that God would be born in Ethiopia. An allegorical interpretation of biblical passages is preferred.¹⁰⁰

"The God of the white race is the devil, because only the devil is the source of "all evils that have come upon the world, the god of hate, blood, oppression and war."¹⁰¹

The following items are an important part of the Rastafarian religion¹⁰². While these items are not necessarily an essential requirement based on religious canon or law, they are all items widely used by the followers of the Rastafarian faith in their community religious activities:

- Dreadlocks and beard are mandatory requirements for male followers of this faith.
- Men wear a pendant on a chain; women may wear it in their hair. The pendant is usually a seashell or a lion, or medallion (usually an ankh).¹⁰³
- An Ethiopian flag¹⁰⁴

4. *Contacts*

i. CSC Ethno-cultural references:

http://infonet/reintegration/reintegration_programs/rein_home_e_frame.htm

ii. Community Resource Groups

Jamaican Association of Montreal
Mr. Noel Alexander, President
4065 Jean Talon St. West
Montreal, QC H4P 1V5

⁹⁹ *BOP Rastafarianism*, p.4.

¹⁰⁰ *BOP Rasta* p.7-

¹⁰¹ Barret, *The Rastafarians*, p.108

¹⁰² *Colorado*, p.94.

¹⁰³ *BOP*, Religious Property, p.10.

¹⁰⁴ *BOP*, p.10.

(514) 737-8229
Fax (514) 737-4861

Mr. Bryan Rouse
JustUs Rastafari Program Facilitator (Ontario)
e-mail : brouse@hotmail.com

Black Inmates and Friends Assembly (Ontario)
2518 Eglinton Ave. W.
Toronto, ON
M6M 1T1
(416) 652-3131
Fax (416) 652-5381

The Church of Jah Rastafari
P.O. Box 63948
Washington, D.C. 20029
e-mail - JAHWORD@AOL.COM
Contact person: Ras Abraham Peddie

5. *Conversion / Initiation*

Identification is through the Jamaican culture or adoption of Rastafarian teaching.¹⁰⁵

Membership occurs through a spiritual birth, through self-awareness; not by adoption, but by right as a believer. Members are thus able to claim divinity through their relationship with Haile Selassie. They believe there are no untrue Rastafarians. Either one fulfils his or her vows or one does not. No specific public rituals exist for membership.¹⁰⁶

6. *Death*

There are no specific funeral and burial requirements or prohibitions within Rastafarianism.¹⁰⁷

¹⁰⁵ *Indiana*, p. 47.

¹⁰⁶ *BOP. Rastafarianism*, p.3.

¹⁰⁷ *Colorado*, p.95.

7. *Diet*

Please refer to the Guideline for Rastafarianism in the electronic version of the *Religious Diets General Guidelines* at http://www.csc-scc.gc.ca/text/prgrm/chap/diet/toce_e.shtml.

The only standard striven for by Rastafarians is that of the diet followed by the Nazarites in the biblical book of Leviticus. However, much of the food described in Leviticus was specific to the era and the Middle Eastern setting. No contemporary authoritative documentation exists detailing specific foods that must or may not be eaten.

As with the Wiccan - and to a certain extent the Buddhist - traditions, the adherent very much shapes his or her personal practice and discipline. Because of the informal structure of the Rastafarian religion, the basic tenet of seeking that which is natural over that which is defiled by civilization (ie. processed or treated) is not supported by a religious code obliging the absolute application of this tenet. Nor are there religious repercussions for not applying it strictly. In essence, then, it is up to the individual and his or her circumstances to determine to what extent it is possible to emphasize reliance on the "natural" over the "processed" in dietary practice.

While religious practice often varies from one individual inmate to another, each CSC institution also varies in its ability to accommodate reasonable requests by Rastafarians. CSC's main commitment to the Rastafarian inmates to date has been to provide them with a vegetarian diet.

9. *Dress Requirements*

i. *Men*

a) Dreadlocks

Rastafarians view their dreadlocks as their outward commitment to Jah and believe they are able to receive inspiration from Jah through their natural "receptors", the dreads. Dreadlocks are expressive of the Rastafarian's commitment to live righteously and naturally. (also see *Symbols*, below)

b) Headcovering

Rastafarian men wear a woollen tam or 'crown' (a sort of turban) to contain the dreadlocks. They are often made of the colours of African liberation:

- Red symbolises the church triumphant and/or the blood shed by martyrs in the history of the Rastafarian movement;
- Black represents the African continent;

- Green represents the beauty and vegetation of Ethiopia, the promised land; and
- Gold represents the wealth of the homeland, Ethiopia.¹⁰⁸

Case Study: Request to Wear a Bandanna (Prairie Region)

An inmate claimed the right to wear a bandana at all times despite an institutional ban on the wearing of bandannas. Wearing a bandanna presumably falls within the practice of head covering, which is an authenticated practice, even though it is not an obligation.

The Canadian Human Rights Commission expects CSC to accommodate religious practice up to the level of practice in the community. The dreadlocks are the 'sacred' element within the practice of Rastafarianism; CSC cannot require that they be cut. The bandana itself is not sacred, but wearing one is an expression of religious identity. This means that in the ordinary way Rastafarian inmates should be allowed to wear them, unless there is a specific reason to deny the practice.

In this case a ban on wearing bandannas had been instituted for gang-related reasons. It would be important in such a case to ascertain whether the ban existed for security reasons (fear of something being concealed in the bandanna) or for band identification reasons (different bands wearing a distinctive bandanna). In the case of turbans for Sikhs, the head covering is permitted and if a search is necessary, the person has the right to take it off himself and allow it to be examined. A similar procedure should be adopted for a Rastafarian bandanna.

However, if the black bandanna resembles one of the distinctive bandannas worn by one of the gangs and there is concern that allowing this man to wear it will either put him at risk (as being identified with one of the gangs, or if the bandana might be used as a weapon) or will cause disruption because the members of that gang are not allowed to wear one, the Rastafarian would either have to wear a bandanna that could not be mistaken for a gang-related bandanna or, if this option were not acceptable to him, cease wearing a bandanna. However, if the black bandanna bears no resemblance to the gang-related bandannas (and there is no risk of him or gang members using it as a weapon) the Rastafarian inmate should be allowed to wear it.

A religious practice should be permitted even if the practice is denied to others requesting a similar practice for non-religious reasons unless a case-specific reason for denying the practice to the inmate in question are considered justifiable.

ii. *Women*

Deuteronomy 22:5 dictates modest dress, while I Corinthians 11:5-6 calls for the covering of women's heads while in public. Women are required to wear skirts or dresses, not trousers, and to keep their heads covered in public. They do not wear makeup or fragrances.

¹⁰⁸ BOP, p.8.

10. Gender Differences

Rastafarian women are usually segregated from the men. Their role in Rastafarian belief is clearly limited and subservient to men.¹⁰⁹

Leadership is male and charismatic. Women are excluded from spiritual leadership.¹¹⁰

Some Rastafarian men object to having their meals prepared or served by women during their menstrual cycle. The basis for teaching is found in the biblical Book of Leviticus, chapter 12. CSC cannot guarantee that this prohibition will be respected in settings in which inmates do not prepare their own food.

11. Holidays and Holy Days

The two Special Days generally observed are:

- April 23 - a celebration in honour of Haile Salassie and a renewal of one's commitment to live a natural life, sometimes referred to as 'the annual Grounation'¹¹¹;
- July 23 - a celebration of Haile Salassie's birthday.

Other dates observed as important to the Rastafarian tradition:

- August 17th - Marcus Garvey's birthday
- September 11 - Rastafarian New Year is celebrated on this date.
- First Monday in August - Jamaican Independence Day
- November 2 - Crowning of Haile Selassie
- Jan 6-7, Christmas Eve and Christmas Day in the Ethiopian Orthodox Church

Some Rastafarians observe Jewish High Holy Days and adopt the vows of Nazarites (found in the biblical book of Numbers, chapter 6).

12. Health and Illness

Rastafarians believe that nature gives life and healing; therefore, the ways of nature are preferred to artificial methods.¹¹² There are no restrictions [with regard to medication], but herbal rather than chemical medication is preferred.¹¹³

¹⁰⁹ BOP, p.8.

¹¹⁰ Ontario Multifaith, p.194.

¹¹¹ Ontario Multifaith, p.196.

CSC attempts to accommodate particular religious practices in order to meet the religious diversity of our offender population. Consultation with and participation of a visible faith community is integral in obtaining accurate and relevant information and requirements, and, ultimately, in validating the authenticity of the religion and its practices.

Cosmetic surgery is forbidden. Blood transfusions, even the use of birth control [including abortion], is not permitted by some Rastafarians, as these practices are against nature and the natural (I-tal) way of life.¹¹⁴

According to one source, oral dental work is forbidden.¹¹⁵

13. Leadership

Leadership is male and charismatic. Women are excluded from spiritual leadership.¹¹⁶ A chairperson, convenor or "leading brother" serves as the spokesperson for the group.

i. Religious Authority

Because of the nature of the Rastafarian faith, there are no authoritative bodies in the community to which CSC can appeal for information or to verify a claim made by and inmate. Like the Wiccan - and to a certain extent the Buddhist - traditions the adherent shapes his or her own personal practice and discipline. This means that while the basic tenet of seeking that which is natural over that which is defiled by civilization is a given (ie. processed or treated), there is no religious code obliging the absolute application of this tenet, nor are there religious repercussions for not applying it strictly.

In essence, then, it is very much up to the individual and his or her circumstances to determine how to pursue the reliance on the 'natural' over the 'processed'. It is important for the Rastafarian adherent to distinguish between the basic tenets of the faith and the cultural experience of that faith which he or she is accustomed to. The circumstances in which Rastafarians find themselves in Canada impose restrictions on their ability to live a completely natural life. Everything from heating to clothing to construction of buildings is 'civilized' to a very great extent.

While not all Rastafarians are members of the Ethiopian Orthodox Church, the Church was founded with the explicit purpose of giving some structure to the Rastafarian community outside of Ethiopia.

¹¹² *Health Sciences*: p.43.

¹¹³ *Colorado*: p.95.

¹¹⁴ *BOP*, Rasta p.3.

¹¹⁵ *Colorado*, p. 95.

¹¹⁶ *Ontario Multifaith*, p.194.

Section III - Specific Traditions

ii. Case Study - Ontario and Quebec

In addition to long-standing unresolved issues around provision of a Rastafarian diet within the organizational and architectural realities of the different security levels across the country, the following requests have been made.

1. One issue involved requests about "dress code, head covering and having an Ethiopian flag".
2. A female inmate refused to give a urine sample during her menstrual cycle, basing the refusal on the tenets of her religion.
3. An inmate requested to have his bed removed, wishing to sleep on the floor, claiming this as a religious practice.
4. There were rumors of an impending hunger strike as a result of a long-standing grievance over an institution's refusal to allow inmates to cook their own food in a maximum-security setting.

The Rastafarian tradition does not have identified community 'religious authority' structures in the way most other religious traditions. It is, therefore, difficult to ascertain the validity of inmates' claim.

14. Symbols

Hairstyling and use of food are dominant ritual symbols. One of the chief marks of a true Rastafarian is the way the hair is worn. They refer to themselves as Nazarites, using Samson as their example, and neither shave nor cut their hair...The hair is washed only with water and locally grown herbs and may be left uncombed.¹¹⁷

One of the most prominent symbols among Rastafarians is the lion which represents Haile Selassie, the Conquering Lion of Judah. Ritual language is referred to as "soul language", and is unintelligible to most persons outside the faith group.¹¹⁸

~ Dreadlocks¹¹⁹

From the earliest days, many Ras Tafari brethren wore beards and let their hair grow long, basing the practice on Ezekiel 5 and other scriptural references (Nazarites).

- The growing of "dreadlocks" is an expression of a spiritual commitment to the Rastafarian faith and way of life, and one's opposition to Babylon and its combs, scissors and razors.

¹¹⁷ *Indiana* p.46.

¹¹⁸ *Indiana*, p. 47.

¹¹⁹ Ontario Multifaith, p.195.

- The longer the hair is, the holier the person. The long locks are like the wool of sheep or lambs and, at the same time, like a lion's mane. (Black people, like Haile Selassie, are simultaneously lambs and lions.)
- Forcing a Rastafarian to cut his dreadlocks is experienced as an act of abuse, an assault on the person's spirituality and identity.

Rastafarians strongly object to sharp implements used in the desecration of the figure of man - trimming and shaving, tattooing, cutting of flesh.¹²⁰

Rastafarians also use the Star of David as a symbol of their heritage based on the Hebrew scriptures.

15. *Worship*

There are no set or required personal or group practices. [...] How one chooses to pray or worship is strictly between the individual and Jah. Each person is encouraged to create and follow his/her personal, spiritual walk.¹²¹

Some Rastafarians consider Saturday a holy day to be used for celebration. The Association of Rastafarian Theologians (U.S.A.) states that "we do utilize incense and oils in our ceremonies." (What remains unclear is the type of oil used, its frequency, amount and purpose.)¹²²

i. *Private*: meditation, Bible reading

ii. *Corporate*: In the community, weekly meetings are generally referred to as business meetings where ongoing programs are discussed and problems solved. Monthly meetings are more of an inspirational type involving music, prayers, scriptures, eating and exhortations.

Worship consists of prophecy, Biblical inspiration, music (especially drums), dance and smoking of marijuana. Reggae music is very influential. Loosely organized groups that meet weekly for worship are called 'circles'. Each circle is headed by several 'brethren' who assume leadership charismatically, that is [on the basis of] their personal authority and power. Attachment to a circle is informal.

"Any 'brother in the faith' may conduct worship services, but group worship is not required. Weekly meetings are generally held."¹²³

There are no special arrangements or equipment necessary for Rastafarian worship.

¹²⁰ *Chaplains Handbook*, Section on Rastafarianism.

¹²¹ *BOP*, Rasta p.1.

¹²² *BOP* Rasta p.1.

¹²³ *Colorado*, p.94.

Section III - Specific Traditions

According to the BOP, meetings are opened and closed with the prayer which has been associated with the movement for many years:

Princes shall come out of Egypt, Ethiopia shall stretch forth her hand unto God. O thou God of Ethiopia, thou God of divine majesty, thy spirit come within our hearts to dwell in the parts of righteousness. That the hungry be fed, the sick nourished, the aged protected, and the infant cared for. Teach us to love loyalty as it is in Zion.

Deliver us from the hands of our enemy that we may prove faithful to the last day, when our enemy has passed, and decayed in the depth of the sea or in the belly of the beast. O give us a place in the kingdom forever and ever. So we hail our God Selassie I, Jehovah God, Ras Tafari, Almighty God, Ras Tafari, Great and Terrible God, Ras Tafari. Who sitteth in Zion and reigneth in the hearts of men, and women, hear and bless us and sanctify us, and cause thy loving face to shine upon us thy children that we may be saved. Selah.

iii. Rituals

“Certain unique activities have become indispensable parts of Rastafarian cultic behaviour...” These would include meetings or 'congregations' for inspiration, exhortations and meditations. They sometimes involve processions and collective ceremonials necessary for holding a group together. Rituals often include prayers, recitations of codes, music, sacrifice, fasting and the observations of certain taboos.”

iv. Marijuana

Although the liberal use of marijuana (or 'ganja') is a common practice among Rastafarians in the community¹²⁴, the laws and regulations that govern CSC institutions do not allow this practice. If an offender requested CSC to provide marijuana either on religious grounds or as a human right, the request would be denied.

Bibliography

Barrett, Leonard E., *The Rastafarians: Sounds of Cultural Dissonance*, Revised and Updated Edition, Beacon Press, Boston, Mass., 1988.

BOP - Inmate Religious Beliefs and Practices, U.S. Bureau of Prisons, 2002.

Chaplaincy Handbook - An updated version of this resource is expected before the end of March 2004. In the meantime, chaplains are provided with a print version of current edition.

¹²⁴ See Appendix A, below.

Section III - Specific Traditions

Colorado - Handbook of Religious Beliefs and Practices of Certain Selected Groups, Colorado Department of Corrections, ed. W. T. Potter.

Health Sciences - Health Sciences Multifaith Guide, Pastoral Care Services Department, Welland County General Hospital, Welland, ON.

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Nicholas, Tracy, *Rastafai, A Way of Life*, Anchor Books, 1979. (Cited in Ontario Multifaith)

Ontario Multifaith - Multifaith Information Manual, 4th Edition, Toronto, ON, 2000.

Appendix A - Marijuana Use

[N.B. The following information was provided by a representative of the Rastafarian community and **does not** reflect the views of the Correctional Service of Canada. Ed. ¹²⁵]

The word *ganja* comes from the Hebrew word Gan Yah that means Gan (garden) Yah (God) in reference to the garden of Yah. There are many verses in the Bible that speak about the use and benefits of ganja (herb) quoted below in the King James Version.

Genesis 1:29

And God said, Behold I have given you every herb bearing seed which is upon the face of all the earth and every tree in which is the fruit of a tree yielding seed; to you it shall be more meat.

Proverbs 15:17

Better is a dinner of herbs where love is, than a stalled ox and hatred therewith.

Psalms 104:14

He causeth the grass to grow for cattle and herb for the service of man

Genesis 1:12

And the earth brought forth grass and herb yielding seed after his kind and the tree yielding fruit whose seed was in itself, after his kind: and God saw it was good.

Genesis 3:18

...thou shalt eat the herb of the field.

Exodus 10:12

...eat herb of the land.

~ *The Use of Marijuana by Rastafarians*

Rastafarians use herb as a ritual aid for meditation, relaxation and reducing stress. It heightens unity and brings peace of mind to many. It also has many medical benefits, which society is now realizing and slowly accepting, such as in cases of glaucoma, asthma, physical ailments, etc.

The drinking of alcohol has been proven to have more harming effects than the smoking of herb, yet it is legal in our society. Many Rastafarians believe that alcohol contributes to violent behaviour while herb brings tranquility. Rastafarians and most users of herb have personal reasons for their use of herb. Herb is spiritual and should be treated as such and not abused.

¹²⁵ No Chaplain or Food Services personnel working within the Correctional Service of Canada institutions has ever been asked to provide marijuana either on religious grounds or as a human right. If asked, they would refuse, as the regulations governing CSC institutions do not allow any inmates to smoke marijuana.

Section III - Specific Traditions

There is a long and interesting history around the use of marijuana. 2800 BC is the approximate year of the first recorded reference to cannabis. Chinese emperor and physician Shen-Nung recommended a hemp elixir for treatment of beriberi, constipation, malaria, rheumatism, menstrual cramps, postpartum depression and gout. (Toronto Star article) The herb has also been used in India for centuries as Indian hemp or Bang. It was used for making rope and for meditation purposes.

Hemp, which is the non-potent part of the plant, is a very valuable and versatile natural resource. The U.S. receives approximately 200 million dollars in annual sales from the industrial hemp industry for products ranging from fabric to paper, to lip balm (Toronto Star article). Stems are used for fabric, fuel, paper and commercial use; and the foliage for medicine, food and relaxation. The hemp seeds produce oil for cooking, lubrication, fuel etc.; the seed is also an excellent source of protein.

(text provided by a Rastafarian Consultant to CSC in the Ontario Region)

APPENDICES

Appendix I - Sensitivity Awareness Training and Learning Opportunities

Appendix II - Glossary

Appendix III - Human Rights

Appendix IV - Abbreviations

Appendix I - Sensitivity Awareness Training and Learning Opportunities

There was a time when CSC policy was relatively static; but now the rate of change has greatly accelerated and it is a real challenge for operational staff to keep abreast of all the changes. There is, therefore, a need to clearly communicate the rationale behind policies and practices that the usual training and subsequent policy update mechanisms do not meet. Sensitivity awareness training could help achieve the goal of keeping staff abreast of changes in policy that affect questions of religious and spiritual accommodation.

"Sensitivity awareness" means something deeper than attitudes. It refers to the values that inform CSC policy which are often in conflict with the values held by the staff and/or the inmates they work with.

The goal of "sensitivity awareness" training would be to provide facts about:

- CSC's legal obligations to accommodate religious needs,
- the value of religious practice and spiritual growth for offenders both during incarceration and reintegration,
- the process of validating requests: using the Manual, consulting with religious leadership in the community, and
- the collaboration of different offices and services within CSC required to accommodate these needs.

In addition, this training would challenge attitudes and negative definitions of religious accommodation issues. For examples, in response to the stated or unstated question, 'Do we even think we should accommodate religious needs?', the goal would be to minimise the extent to which staff and management rely on either finance- or security-based excuses for not accommodating valid religious needs and focus on CSC's legal mandate.

It is often difficult to keep the ethical- and values-based aspects of corrections on the front burner when staff experience stress or conflict in dealing with operational issues. A variety of training events could offer various models for improving communication and making collaborative decisions about religious accommodation at the regional and institutional levels. The following suggestions could be included as part of a regional strategy for addressing the need for Sensitivity Awareness Training:

1. The establishment of multidisciplinary Religious Accommodation Committees, similar to the one functioning at NHQ, would bring together staff whose work impacts on CSC's mandate to accommodate the religious needs of offenders to work collaboratively to provide consistent responses when requests arise.
2. At "Focus Groups" a team from NHQ could share their experience and offer resources. The goal of such groups would be to generate conversation, promote greater understanding and ultimately offer a higher level of satisfaction to offenders.

Appendices

At the same time, staff could provide feedback on the issues that need to be addressed.

3. Brown Bag Lunches for staff could offer information, a question to launch and focus some discussion, an opportunity to invite speakers (such as religious leaders from different traditions), a chance for staff from differing areas of responsibility to describe the challenges they face, as well as to build relationships among themselves.

Appendix II - Glossary

Affiliation	- One's association as a member; to trace one's origin, or to connect or associate oneself
Agnostic	- One who holds the view that any ultimate reality (a God) is unknown and probably unknowable
Atheist -	One who denies the existence of God or a Supreme Being
Cult	- A group without roots in a particular religious body which comes into existence in response to a charismatic leader
Faith	- A system of belief in ultimate reality
Fundamentalism	- an approach to religious teaching based on the 'fundamentals' (of sacred texts and/or traditions); often erroneously understood and used as a synonym of extremism, fanaticism, and even terrorism. ¹²⁶
Religion	- an articulated set of doctrines and practices in response to faith
Sect	- a group which separates from its parent religious body because of differences of belief or practice
Spirituality	- expression given to the aspirations of the human spirit
Tradition	- an expression of religious or spiritual belief demonstrated by a group

¹²⁶ "Thus the term 'fundamentalist', when used by the West with reference to Muslim leaders and groups, clearly embodies a negative value judgement and evokes a powerful image of persons who are irrational, immoderate and violent." (*The Fundamentalist Phenomenon*, ed. Norman J. Cohen, Wm. B. Eerdmans Publishing Company, Grand Rapids, Michigan, 1990, Chapter 9 - The Burgeoning of Islamic Fundamentalism: Toward an Understanding of the Phenomenon, Riffat Hussan, p. 157.)

Appendix III - Human Rights

(text from the CSC Human Rights Division Web Site)

http://infonet/corp_dev/rights_redress_resolution/currentwork/hr/rrr_hr_main_menu_e.htm

1. What Do We mean By Human Rights?

"All Human Beings are born Free and Equal in Dignity and Rights"
(*Universal Declaration of Human Rights, 1948*)

- ◆ Human rights are basic rights that all people are entitled to without exception.
- ◆ Human rights assume equal treatment of individuals. Rights and freedoms cannot be removed or denied; nor can they be forfeited, ignored or withdrawn without legal justification.
- ◆ Human rights protect fundamental civil and political liberties associated with freedom of conscience, religion, thought, belief, expression, speech, assembly and association.
- ◆ All human rights instruments prohibit discrimination on the basis of one's gender, race, religion, ethnicity, sexual orientation, age or disability. They forbid torture and other forms of cruel, inhumane or degrading treatment or punishment.
- ◆ Human rights also involve legal rights, including the right to be presumed innocent until proven guilty, protection from arbitrary arrest and detention, and safeguards against unreasonable search or seizure.
- ◆ Canada's human rights framework incorporates a range of social protections embodied in international, constitutional, and domestic legislation.
- ◆ Canada's domestic and international human rights framework defines and defends the rights of all Canadians
- ◆ Canada's international commitments are reflected in the *Canadian Charter of Rights and Freedoms* (a part of our *Constitution*).
- ◆ The rights of Canadians are also protected by a number of federal human rights statutes, including the *Canadian Human Rights Act*, the *Privacy Act*, the *Access to Information Act*, the *Employment Equity Act* and the *Official Languages Act*, as well as various provincial statutes.
- ◆ Canada is a signatory to all the principal international human rights treaties. These instruments include: the