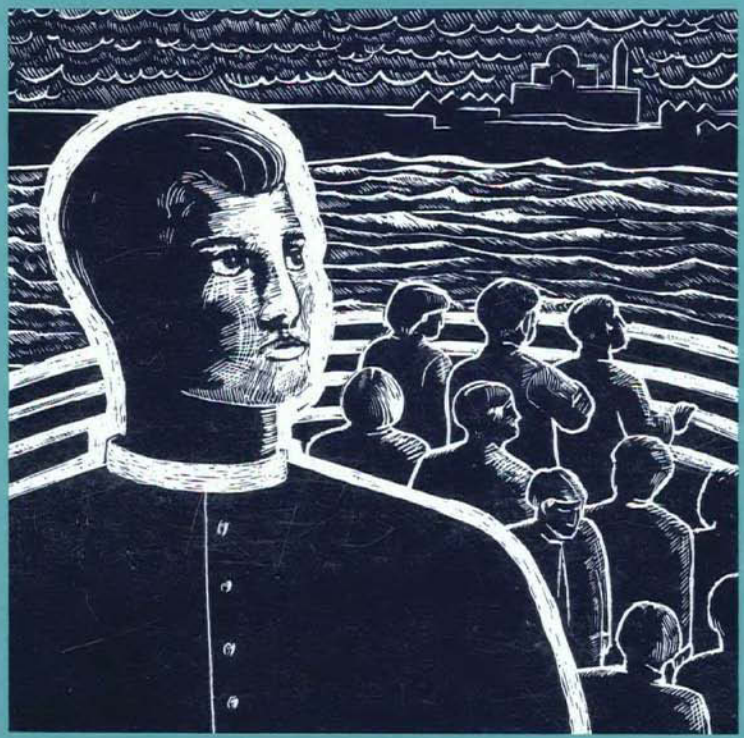
# A LIVING TRADITION

## *Penitentiary Chaplaincy*



J.T.L. JAMES

## THE CORRECTIONAL SERVICE OF CANADA PRAYER

*God of all the human family, you have committed to us a ministry of care and protection for the good of all your people. May we always recognize the God-created humanity of those we serve as of ourselves, which is the hope of our reconciliation. Keep us ever mindful of your law of love so that we may temper justice with mercy, exercise control with compassion. May our motives and our actions conform to your will and fulfill your purposes all the days of this life so that we may share in the life to come.*

*Amen*

# A LIVING TRADITION:
## *Penitentiary Chaplaincy*

by
J.T.L. JAMES



Chaplaincy Division
Correctional Service of Canada
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# MESSAGE FROM THE SOLICITOR GENERAL OF CANADA

It gives me great pleasure to introduce this book on the history of chaplaincy in Canadian correctional institutions. Our country has a long history of dealing justly with its citizens who find themselves in trouble. The commitment of the faith communities in the correctional field is a sign of their contribution to this history and calls upon all of us to renew our efforts to create a more just society.

I believe this history will contribute to an increase in community participation in the re-education and reintegration of our citizens in conflict with the law.

This book is dedicated as a symbol of gratitude to the chaplains and volunteers who, over the years, have been messengers of hope in our institutions.

Pierre H. Cadieux
Solicitor General of Canada
March 1990

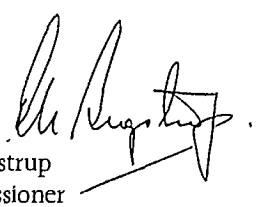
# COMMISSIONER'S INTRODUCTION

Since the beginning of corrections in Canada more than 150 years ago, the role of our institutional chaplains has been a significant one. Always closely involved with offenders, they have upheld the traditional values so important in correctional work, and contributed to the development of correctional programming generally.

In addition to providing pastoral services, chaplains were responsible for prison libraries and for counselling offenders. Some were pioneers in the development of the classification system. Through links with their respective faith communities, chaplains brought the voice of the wider community into corrections. They have also been leaders in promoting the role of volunteers in our institutions.

I am pleased with the initiative represented by A LIVING TRADITION: *Penitentiary Chaplaincy*. I believe it will inspire and encourage our staff and volunteers to be even more creative and energetic in their approach to corrections.

This book will also contribute to a better understanding of the historical roots of corrections in Canada and of our present Mission, and to improved partnership with the community.



Ole Ingstrup
Commissioner
Correctional Service of Canada
March 1990

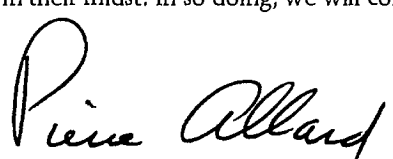
# FOREWORD

Come with me to the city of Kingston, Ontario. It is May 19, 1873. Prisoners, 119 of them, are filing onto the steamship *Watertown* to be transferred from Kingston Penitentiary to the new St. Vincent de Paul Penitentiary in Quebec. Look more closely. There in the midst of the guards and the prisoners you can see Father Joseph Leclerc, chaplain. Father Leclerc took it upon himself to travel from Montreal to Kingston in order to make the journey down the river with the men. History tells us that a number of the prisoners were so touched by the quality of the presence of the chaplain in their midst that they wished to change the course of their life.

The discovery of this episode a few years ago – combined with the desire to know more about the history of chaplaincy within the Canadian penitentiaries – led to the commissioning of the Rev. Canon J.T.L. James to write this book. Its mandate is to give present chaplains a sense of pride in their service and Correctional Service of Canada employees a better understanding of the complexity of their endeavour. It is also hoped that faith communities and theological institutions will be challenged to continue their partnership in mission with us.

Chaplaincy has not only a history but a story to tell. The richness of its story stems from the richness of its biblical tradition. This is what defines its mission and empowers it with confidence and perseverance in facing the challenge: "Do not be overcome by evil, but overcome evil with good." [Romans 12:21]

May this book give you the desire to know more about the correctional enterprise. May the offenders we meet be deeply touched by the quality of our presence in their midst. In so doing, we will contribute our humble part to a Living Tradition.



Pierre Allard
Director, Chaplaincy
Correctional Service of Canada
March 1990

# AUTHOR'S PREFACE

*As I read the history of the early years, two words come to mind which capture the early vision of the proponents of penitentiaries – dignity and compassion. Subsequent history indicates we have fallen short of achieving this vision. Nonetheless, for those in the beginning the penitentiary was a radical change of direction from the nightmare of violence and squalor that characterized their society's response to criminals.* [1]

This study of chaplaincy in Canada's federal penitentiaries is designed to let the early chaplains tell their own story. Their personal reports give us ample original documentation of their considerable contribution to the development of both the theory and the practice of penology in Canada.

The type of reformatory prison which Canada has called "penitentiary" is an adopted one. We, therefore, first seek to identify the origins of such institutions. And because the concept of penitentiary has religious roots, it is of particular relevance to understand the expectations of the role of religion – and hence of chaplaincy – in such prisons.

The pioneering work done by James Andrew Kerr and the Rev. Dr. Thomas H. Wilson has been an inspiration in the conception of this book and an important resource in its writing.

Our main source of original material was the annual reports of chaplains which were published from 1837 to 1916 as part of the reports of the Directors of Penitentiaries or the Minister of Justice in Sessional Documents. Information about the subsequent years was derived from the reports of wardens, some of whom included references to the work of their chaplains; most did not. Some Commissioners too made mention of chaplaincy; most did not. In recent years the information base has become even more diffuse and future research will be more difficult.

The date of reports in this work (chaplains and others) is that of the year in which the reporting period ended. The date of publication in the Report of the Directors of Penitentiaries or of the Minister of Justice in Sessional Documents may be later.

The spelling of the name and the initials of some chaplains varies in different reports. Efforts have been made to verify the correct spelling from other sources and to use this form. Where this has not been possible, the predominant spelling in the reports has been used.

[1] D. Misener, "Community of Hope," a meditation delivered at the Commemorative Service marking the 150th anniversary of Kingston Penitentiary, June 1, 1985.

All chaplains were men during the first 140 years of chaplaincy in our penitentiaries. Women have only been welcomed in this ministry in the past two decades, and, although they now are making a contribution out of proportion to their numbers, this study is almost entirely of the early years which were totally male-dominated. The writer, therefore, disclaims intentional sexist bias in consistently using masculine terminology.

Readers are invited to make their own interpretation of the story the chaplains tell of their ministry. In doing so, they are encouraged to evaluate the observation of the chaplain whose words are used to open and close this study – that the chaplains of the past reveal themselves as persons exemplifying dignity and compassion, as befits their calling.

# ACKNOWLEDGMENTS

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# 1 THE ORIGINS OF THE REFORMATORY PRISON

*"Of all human institutions, prison is the most remarkable. It has been developed empirically, almost accidentally, and although it is in a state of continuous change it is one of the few institutions that exist in an almost identical form in all modern cultures.* [1]

Long-term reformatory prisons – "penitentiaries" as they have been called in Canada since 1835 – have not always existed in Western society. They are largely the creation of the United States and Great Britain in the late 18th and early 19th century. Some thirty years before Confederation, Upper Canada joined in the movement with the founding of the first penitentiary at Kingston. From 1867 on, Kingston Penitentiary became a federal institution, receiving only inmates with sentences of two years or more. The Nova Scotia and New Brunswick Penitentiaries were taken over from those provinces by the federal government in 1867 and operated until replaced by a new penitentiary at Dorchester, New Brunswick in 1879.

Before tracing the evolution of chaplaincy in Canada's penitentiaries, we must first understand the principles underlying the reformatory prison, or penitentiary as we know it, in contrast to the jail or common prison. We will see that Canada's pioneer penologists combined what they believed to be the best features of the British and American models. There is no evidence that Canada looked to France for guidance or example in designing either the facilities or programs for the reformation of criminals. With respect to the development of the physical institution, the primary root to trace is the American; with respect to the role of religion as focussed in chaplaincy, the root to trace is the British.

The penitentiary system of Canada was founded by well-intentioned men who often revealed the religious convictions underlying their motivation. They were determined to reform those committed to the penitentiary, not merely to punish them, or to "warehouse" them until the end of their sentences. They believed in discipline; they believed in work; they believed in education; they believed in religion. The penitentiary, it was hoped, administered by good and godly men, would provide all of these for the reformation of those men and women committed to their charge.

[1] Dennis Chapman, *Sociology and the Stereotype of the Criminal*, p. 197.

## *The Punishment Fits the Crime*

Reformative and rehabilitative ideas and ideals, so familiar – although challenged – in our day, were still very new at the time of the founding of Canada's first long-term penitentiary in 1835. John Howard's pivotal critique of prisons had been published in England only in 1777, and his challenging ideas were slowly pervading the thinking of those concerned with the evils of the jails in that country. But such liberal sentiments were not automatically shared by authorities in the Colonies. Society did not expect its jails to make its prisoners penitent; people were sent to prison to be punished or to await punishment, not to be reformed.

For some decades before the Industrial Revolution which brought about so many changes to Western society, there had been two principal popular alternative methods of dealing with convicted criminals which made even imprisonment seem marginally preferable.

One option was the infliction of physical pain by such punishments as exposure to public humiliation and ridicule in the stocks, whipping – in public or in private – branding; mutilation; hanging, drawing and quartering; or simple execution. These punishments were generally administered publicly, with the logical expectation that others as well as the guilty would be suitably impressed with the majesty of the law and hence deterred from future criminal activity. That all who witnessed such punishment were in fact not deterred did not dissuade the authorities from continuing with them, since deterrence was not the primary objective of the exercise in the first place.

Public corporal punishments continued for many centuries before public revulsion at such brutality drove the authorities to administer corporal and capital punishment indoors away from public scrutiny. Once out of sight, criminals were predictably out of mind as well, but finally influential reformers persuaded the British Parliament to enact enlightened legislation to protect the powerless offenders from many forms of cruel and ineffective retribution.

The other sentence option was exile – banishment from their homeland. The British had decided in 1752 that chain gang labour was too risky at home and also that the sight of chain gangs in public places was degrading. But the Colonies needed labour. A stay of execution by the exercise of the "Royal Prerogative of Mercy" gave a reprieve to the condemned, and forced exile left the convict intact and alive, albeit in another land where at least there was the hope of living a useful and perhaps even redemptive life. Many succeeded, as Australians are proud to boast.

## *Exile to the New World*

Banishment of criminals was accomplished by transporting them across the seas, originally to some of the British colonies in the West Indies and certain of the American

colonies where labour was in demand. The colonies in what was to become Canada in 1867 were, happily, never recipients of this expression of the motherland's generosity. Only after some of the closer penal labour destinations in North America were lost to Britain by the American Revolution did the British establish penal colonies in distant and unoccupied Australia.

Transportation of convicted criminals was a convenient and quick solution, intended – unsuccessfully, of course – to rid the country of trouble-makers. It was a less morally objectionable way of dealing with felons than hanging, branding, flogging and mutilating, and no less effective in deterring the offender and others. It was inexpensive, as the contractors who ran the jails paid the contractors who transported the prisoners; the operators of the transportation ships in turn were paid by the employers in the colonies who received the near-slave labourers.

It all began in 1597 when an *Act for the Punishment of Rogues, Vagabonds and Sturdy Beggars* provided for transportation to any of the "English Plantations beyond the seas" as a punishment second only in severity to execution. If a "Rogue so banished" returned to England without permission, he would be hanged. Petty offenders, debtors and felons awaiting transportation were detained in workhouses or short-term prisons, the county gaols.

In 1611 the 300 "disorderly persons" sent to Virginia were: ". . . so profane and mutinous, . . . diseased and crazed that not sixty of them could be employed." Still, bad labour was better than none as the native Indians could not be enslaved and English gentlemen colonists could scarcely be expected to do their own manual labour! In 1619 King James I sent "a hundred dissolute persons" to Virginia, followed by other "incorrigibles." Soon the Colony was asking for 2,000 more: "All offenders out of the common gaols condemned to die should be sent for three years to the Colony."

From then onward a steady stream of felons were transported numbering over the next 60 years some 30,000 men and women from Great Britain and 10,000 from Ireland. The colonists of Pennsylvania, however, eventually objected to the quality of the convicts sent them and suggested that the reasoning of the British Government in transporting criminals might justify the Colonies deporting their rattlesnakes to England!

At a time when religion was being severely challenged by a variety of religious non-conformists, transportation was even the penalty for religious offences such as a third conviction for attending an illegal prayer meeting. William Penn was well aware of this, having been jailed for his religious convictions before opting for freedom to set up a colony under his own rigid religious rules in America. The Pennsylvania penal code of 1682 substituted imprisonment at hard labour for whipping or mutilation and retained capital punishment only for murder. In 1692 the Quakers established "Houses of Correction" in place of conventional prisons. After Penn's death in 1718, his laws were revoked by Royal order.

During the Puritan ascendancy known as The Commonwealth, Scots and English prisoners of war taken by Oliver Cromwell, and Irishmen taken when the Lord Protector invaded Ireland were disposed of by transportation. With the restoration of the Monarchy, a new Act of Parliament provided that minor offenders could be transported for seven years instead of being flogged and branded while those sentenced to death – over 100 capital offences existed until the early 19th century – might as an exercise of the Royal Prerogative of Mercy be sent for 14 years. As long as 7,000 persons per year were being siphoned out of the holding jails, Britain had little need for long-term prisons.

By 1717 transportation was virtually a legalized branch of the slave trade, which had been carrying black slaves from Africa to other areas needing labour since the discovery of the "dark continent" in the 15th century. Slavery was not to be abolished by Britain for another century.

## *End of the Line*

The ending of transportation of British criminals to America came not as a result of progress in penology, but as a result of the success of the slave trade and because of political developments overseas. The independence won by the 13 American colonies in 1776 deprived Britain of a convenient dumping ground for criminals. George III, however, still exhibiting the arrogance which lost the colonies, hoped to continue using them for his purposes. He is reported to have written: "Undoubtedly the Americans cannot expect nor ever will receive any favour from Me, but permitting them to obtain Men unworthy to remain in this Island I shall certainly consent to."

The Americans did not want convict labour that badly! With the rise of the African slave trade which supplied 47,000 African slaves per year by the time of the American Revolution, colonists found that they were getting a better quality of labourer for a lower cost from that source than from the jails of Britain and so the prison crisis England had been avoiding for two centuries was upon them.

The colonies of British North America, which were in 1867 to become Canada, had never been a transportation destination for British convicts. Nor had African slaves been used by these colonists. But the northern colonies had themselves contemplated using banishment as a response to crime. In 1836 – strangely, the year after Kingston Penitentiary opened – the Lieutenant Governor of Upper Canada issued a proclamation that: "... an offender convicted of felony in this Province and being under sentence or order of transportation shall be sent first to England, and thence to New South Wales or Van Diemen's Land (Tasmania) as His Majesty shall direct."

Deserters from British garrisons were frequently transported; common criminals, seldom. After the abortive uprisings in 1837 against the authorities, English-speaking rebels from Upper Canada were transported to Tasmania and French-speaking ones

from Lower Canada to New South Wales. The provision for transportation was ended in Upper Canada in 1853, but the notion of establishing our own penal colony to exile offenders somewhere in the North or on an island off the Pacific coast has been proposed by politicians periodically over the years.

Canada was ultimately to benefit indirectly from the British penal crisis caused by the ending of transportation to America. The thinking and experience of influential men like John Howard designing Britain's "reformatory prisons" would influence Canadian authorities when this country came to the point of constructing its own long-term penitentiary.

## *Are there no Workhouses? Are there no Prisons?*

The institutions which proved inadequate to cope with overcrowding in 18th century Britain were of two sorts: workhouses, and common jails.

Workhouses – often called "Bridewells" after the first such institution in Glasgow, Scotland – were established in Britain in the late 16th century. To them were sent primarily vagrants, the destitute and petty criminals. The purpose of the workhouse was to develop in the inmates the habits of honest labour by teaching working skills, while reforming character through discipline and moral instruction. Thus, on his release, the inmate would no longer be a burden to society or a nuisance to other citizens. This humanitarian and practical approach to reformation and rehabilitation was part of the tradition which later influenced British and Canadian prison planners.

Conditions in Britain's county jails were far worse than in the workhouses. Many of these jails had changed little since they were built in the Middle Ages. Their archetype in London was Newgate, which was a city gatehouse built in the 12th century and not demolished until 1903. Inside such institutions no work was done; prisoners were literally left to rot in unspeakable conditions of filth and disease. There was no attempt to classify or segregate prisoners by age, sex or gravity of crime. Women and children were thrown into the same common ward as men; first offenders with recidivists; inoffensive civil debtors with hardened criminals. The reformative concept that a prison should be a place of segregation, isolation, discipline and systematic punishment alleviated by precise injections of hope – by the chaplain – did not emerge until the founding of the "modern" prison, inspired by the theorist Jeremy Bentham, reformer John Howard and others.

Some religious authorities did speak out about conditions in prisons. The Rev. Dr. Thomas Bray, founder of a missionary organization named the Society for the Promotion of Christian Knowledge, produced a report in 1702 entitled *Essay toward the Reformations of Newgate and other Prisons in and about London* which succinctly and bravely called for a major reform of the local jails, Bridewells, and Houses of Correction. Other

religious authorities, however, had a vested interest in the iniquitous penal system. About half the county jails of England were privately owned, often by the Duke of the Shire but also, shamefully, sometimes by the Church of England. The Bishop of Durham owned a prison as did the Bishop of Ely. On admission to the Bishop of Ely's lockup, a prisoner was chained down to the floor with a spiked collar riveted round his neck but he might have this removed by paying a fee called "easement of irons."

The "trade of chains" survived until the time of the reforms initiated by John Howard's exposures in 1777. Any jailer could load any prisoner with as many fetters as he pleased and charge for their removal one at a time. The jailer himself was a contractor, who paid the proprietor of the jail for the privilege and presumably the profit of operating it since he charged the prisoners or their families fees for their keep which often exceeded the value of the debt or theft for which the offender was incarcerated. The jailers also provided, for an additional charge, luxuries such as beds, blankets, food, and even gin and prostitutes. Deportation to the relative freedom of an overseas colony had clearly been a preferable option for many impoverished prisoners.

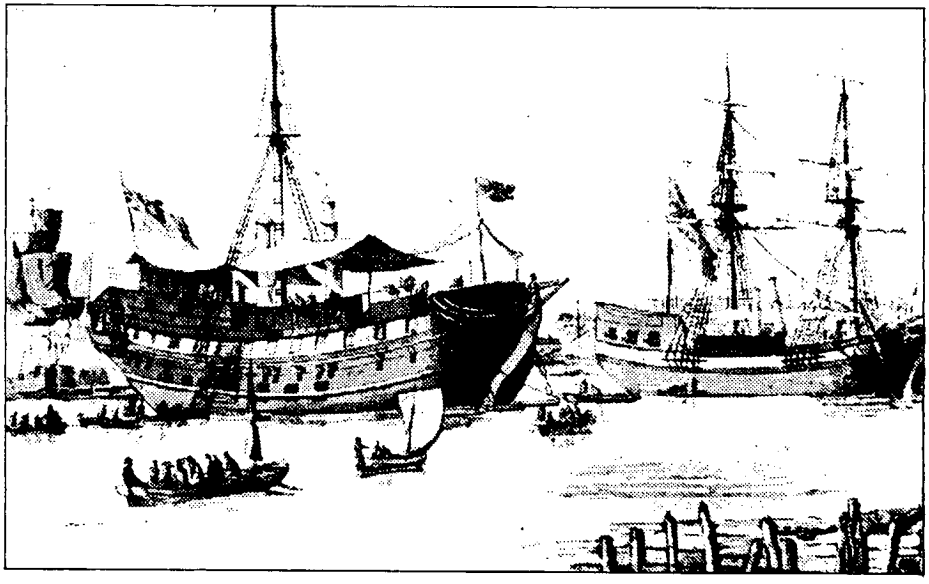
The colonies which were to become Canada did not suffer a penal crisis until the early decades of the 19th century. Jail conditions in British North America were bad, but never so bad as those in Britain. Here, in the early 1800s, fines were a much more common penalty than jail terms which were imposed usually for only days or weeks. Conditions in jails were primitive; jails were simply places of detention in which prisoners were herded together indiscriminately. By the 1830s the district jails – spelled "gaols" in the contemporary English way, of course – in Upper Canada (now Ontario) were becoming overcrowded. This was due in part to criminal law reform in 1833 which reduced the number of offences for which hanging was the maximum penalty to 12 thus necessitating long sentences for major crimes, and partly to increasing immigration of "undesirables." Conditions in the York (now Toronto) jail were criticized by an 1830 investigation which found them crowded with an indiscriminate mix of lunatics, debtors – one with his wife and children cohabiting with him – and a wide assortment of petty and major criminals. The Legislative Assembly undertook to study the British and U.S. prison systems with a view to designing a new institution to meet the need for jail space and provide conditions which would not breed crime among those confined there – a hope entertained optimistically, but in vain, by every prison builder ever since.

## *A Ship of Inmates*

The model the Canadians had to consider in Britain was not yet very edifying. In the very year of the American Declaration of Independence, 1776, the British Parliament

passed the *Hulks Act* because of the inadequacy of the common jails to serve as an expedient replacement for transportation, and the failure to find any viable alternative. One which had been proposed in vain was the exchange of criminal convicts for Christians seized by Moslem pirates off the North African coast!

The *Hulks Act* provided for convicts sentenced to terms of from three to 10 years hard labour to live in the hulks of unseaworthy ships, moored in the Thames. The Hulks served as the precursors of the long-term reformatory prison: "... since transportation to America is found to be attended with various inconveniences ... any male, lawfully convicted of great or petty larceny, or any other crime for which he shall be liable by law to a sentence of transportation to any of His Majesty's colonies or plantations in America ... shall be punished by being kept to hard labour in the raising of sand, soil and gravel, and cleansing the River Thames, or any other service for the benefit of the navigation of the said river."



*The Hulk Prisons.*

The Hulks were initially not seen as reformatory; little was done for the inmates' welfare. Those who died were buried by one of the hulk officers in unconsecrated ground without religious ceremony. The need for chaplaincy services to these convicts was one of the concerns raised by John Howard in 1776 when he visited one ill-named the "Justitia." Not until 1779 did a Committee recommend the appointment of a chaplain.

Although the *Penitentiary Houses Act* was passed in 1779 providing for the building of a reformatory prison, like so many temporary expedients the hulks were to continue as grossly inadequate prisons until the 1850s, long after the legislators of Upper Canada had opened their much more modern and humane institution at Kingston.

There were, however, powerful forces rising in Britain which would lead to penal reform, and particularly to religious involvement in prison life. What directly influenced Britain would indirectly affect Canada.

## *Voices of Enlightenment*

John Howard (1726-1790) was a wealthy Englishman who in 1756 set out for Portugal to assist at his own expense in earthquake relief. At sea his ship was captured by French privateers. Crew and passengers were held captive in revolting conditions on board ship and later in a dungeon in Brest, France. After buying his freedom, Howard arranged for the release of some of the others still held captive.

When in 1773 he was appointed High Sheriff of Bedfordshire, he visited Bedford Jail – where John Bunyon had been confined for 12 years from 1660-72 as a religious dissenter. Howard was shocked anew by the stench, filth, starvation, disease and cruelty of prison. He was particularly distressed by the fate of some who, even after acquittal were brought back to remain in custody until they could satisfy the payment still owing the jailer.

Howard visited the workhouses and other county jails to compare their conditions with those of Bedford Gaol. Finding little improvement elsewhere in Britain, but better conditions in some continental European jails, he wrote his now-famous book *The State of Prisons in England and Wales with Preliminary Observations and an Account of Some Foreign Prisons, 1777*. It pressed for Parliamentary action to rectify the situation in Britain. His conclusions about the operation of prisons significantly influenced the way in which the government of the day responded to the need for long-term prisons.

Howard was personally inspired by the religious evangelist and reformer John Wesley whom he met in 1787. Howard said of him: "I saw in him how much a single man might achieve by zeal and perseverance, and I thought 'Why might I not do as much in my way as Mr. Wesley has done in his if only I am as assiduous and persevering?' "

Although the most prominent force in penal reform in 18th century England, Howard was not alone in his analysis of the needs of prisoners. A contemporary, Jonas Hannaway, an eccentric who did not have the influence in high places which Howard had but was just as vocal, said in a 1775 tract with the inflammatory title of *The Defects of Police the Cause of Immorality*: "To render the punishment subservient to no end but terror is but half the work; it is intended to preserve the prisoner, and restore him to the world with impressions of religion and social love in his mind."

Like many others Hannaway advocated: ". . . solitude and labour, under a gentleman-keeper and an able, earnest chaplain, well paid."

Prisons with a stated goal of reformation had emerged somewhat earlier in other countries and hence John Howard, when he visited most of the countries of Europe, found examples of better systems to recommend in Britain. The Protestants of Amsterdam had built a house of correction for women in 1593 and another for men in 1603. The declared purpose was, by means of work and religious education, "to turn them away from evil and towards the good."

In 1615 the Sisters of the Good Shepherd founded in Rome a "house of correction for erring women." A similar house was founded in Nancy in 1613. In 1705 Pope Clement XI established St. Michael's Prison in Rome, a forerunner of the present-day reformatory. Education and trades training were provided in a regime of separation, silence and prayer, with greater isolation, bread and water diet, flogging and dark cells as punishment. The intention of reform as the objective of the institution was enshrined in the Latin inscription over its door:

> Parum est coercere improbus nisi probos efficias disciplina?
>
> [What is the purpose of punishing dishonest men if by that discipline you do not make them honest?]

John Howard was profoundly moved by that sentiment, and it influenced the concept of imprisonment which he expounded back home in Britain.

The Maison de Force in Ghent, Belgium had in 1775 established a regime of silence, separate cells, and common work. In prison development, France was also ahead of Britain, although it continued to use its penal colonies long after Britain had given up transportation. In 1791 a "modern" prison was constructed in France where progressive social commentators had mused: "Should not we design a penal system which fulfils a double role of punishing the guilty and making him better?"

The preamble to the French criminal code in 1808 affirmed: "While the punishment imposed by the law is primarily intended to achieve reparation for crime, it should also bring about change in the criminal." And it declares wistfully: "The atmosphere in prisons should strongly contribute to the renewal of the inmates. Poor upbringing, legions of bad examples, laziness . . . have all given birth to crimes. Very well. Let us try to close off these sources of corruption. May the rules of balanced morality be practiced in the prisons, that being obliged to work initially, they will finish by loving it when they reap the fruits of it. The inmates will then develop the habits, the desire and the need of work, that they will give each other good examples of working life. It will then become a pure life. Soon they will begin to know sorrow for the past, the first beginnings of a love of duty."

It is perhaps too bad that the Commission which investigated prisons in order

to make recommendations to the Government of Upper Canada considered only British and American models and did not themselves directly consider the progress that had been achieved in the countries of continental Europe. Such examples, therefore, benefited Canada only as reflected in the research of John Howard and its application in Britain.

## *The Sinking Prison*

Long-term penitentiaries were developed in the United States soon after their Independence in 1776. The British examined the various models of prisons there before building their first "General Penitentiary" in 1812 to provide a form of "internal exile," replacing the previous expedient of banishment by transportation across the seas. The new prison took the name 'Millbank' from its location. As governments of Canada have so frequently done in recent decades, the British government chose to build the prison in a location which was selected for reasons other than for the well-being of the prisoners or even the good of the staff. In this case, the location selected was doubly unsuitable, on the marshy land bordering the Thames.

Not only did the weighty building sink into the swamp, entailing a much greater cost in construction than anticipated, but the environment was so unhealthy that fevers and diseases could not be avoided or controlled, resulting in countless unnecessary deaths of inmates.

Millbank prison was designed with six converging wings with the chapel standing dominantly in the centre hexagon formed by their bases. The first wing was not ready for occupancy until 1816, and because of construction problems the prison was not completed until 1821 – just fourteen years before the establishment of Canada's prototype, Kingston Penitentiary.

## *A Trio of Penal Regimes*

As a penal philosophy was evolving in the 1820s in Britain, the relative merits of the three components – solitude, separation and silence – which were at that time developing in the United States were being much debated. Canadian government officials formed their opinions during the planning of Kingston Penitentiary. That institution's chaplains in the following decades also engaged in the evolution of Canadian penology, espousing conditions which they thought from their experience would best reform prisoners.

In its purest form the "Solitary System" intended each prisoner to have his own cell where he would live out the whole of his sentence with no work or visitors except the chaplain or others of "moral virtue." Alone with his Bible, the inmate was expected to reflect on his past, repent and resolve to live a good life thereafter.

The advocates of the system did not expect the inmate to be driven insane, as many were.

The "Separate System" was similar to the Solitary but allowed work which could be done in cells or on the treadmill or crank in separate compartments. If there was a chapel, its interior was so arranged that each prisoner sat in a box from which he could see only the chaplain and warder at the front.

The "Silent System" provided for work, exercise and prayers taken usually in association during the day but under strict supervision and in absolute silence. In some establishments masks were worn all day long. Night accommodation was either in separate cells or dormitories.

These "new" systems were not without their vocal critics. In 1779, English poet Samuel Coleridge made this caustic comment:

> As he passed by Colbath Fields, he saw
> A solitary cell;
> And the Devil was pleased,
> For it gave him a hint
> For improving his prisons in Hell.

The *London Observer* of May 28, 1864 gave a prosaic description of conditions still existing in Pentonville prison nearly a century after Coleridge: "Come reader and let us now traverse this corridor – let us remark the intensity of still life. All are profoundly engaged. One plies his trade, another is busy with his slate, a third is affixed and motionless over his Bible . . . unconscious that any eye is upon him, he has no part to act, no sympathy to dream of exciting; and as he now appears, so will he be found at any interval of hours, days, of weeks, of months.

"If the visitor be still disposed . . . he will presently see a long file of prisoners emerging from their cells, in such a prearranged order that each man is 15 paces apart from his fellow, and so masked as to render mutual recognition impossible."

Charles Dickens in his *American Notes* writes scathingly of such a prison, but another Englishman, William Crawford, an Inspector of Prisons who visited American penitentiaries in 1834 extolled the system. He wrote: "Solitary confinement is not only an exemplary punishment, but a powerful agent in the reformation of morals. It inevitably tends to arrest the process of corruption. In the silence of the cell contamination cannot be received or imparted. A sense of degradation cannot be excited by exposure, nor reformation checked by false shame. Day after day, with no companion but his thoughts, the convict is compelled to reflect and listen to the voice of conscience. He is led to reflect on past errors, and to cherish whatever better feelings he may at any time have imbibed. These circumstances are in the highest degree calculated to ameliorate the affections and reclaim the heart."

Churchmen also criticized the new system – for its liberality. The Rev. Sydney Smith (1771-1845) moral philosopher, lecturer and prolific writer – and a critic of Elizabeth Fry and the penal reformers – wrote: "In prisons which are meant to keep the multitude in order, and to be a terror to evil-doers, there must be no sharing of profits, no visiting of friends, no education but religious education, no freedom of diet, no weavers' looms or carpenters' benches. There must be a great deal of solitude; coarse food; a dress of shame; hard incessant, irksome, eternal labour; a planned and regulated and unrelenting exclusion of happiness and comfort."

That the penitentiary system worked for the inmates and so for society was certainly the conviction of the Rev. John Clay, a prison chaplain in England in the mid-1800s. What he believed to be the result of the separate system was indeed the epitome of the penitentiary ideal: "In his cell he has no temptation from without and many salutary monitions from within. Few can conceive the nature of these feelings which bring daily tears from eyes that never wept since childhood . . . Active memory collects and brings before him everything that ever happened to him since he was a child: the sense of sin and sorrow for it succeed; he is directed to Him who bore our sorrows and atoned for sin; then rises up prayer for pardon and that is followed by the consolation which answers prayer and when about to leave the scene of his probation and try the stability of his new impressions he says in a voice which does not permit a doubt of sincerity: 'By God's grace I'll be a different man for the future.' "

Elements of the three systems – solitude, silence and separation – were incorporated in different ways in the two major model penal institutions in the young U.S.A., the Philadelphia and the Auburn.

The Philadelphia model called for isolating prisoners in cells day and night, with no contact with the outside world. When symptoms of complete subjection were manifest, the prisoner would be allowed books – including of course the Bible – and later some work to do in his cell. The prisoners stayed in their cells for divine worship, the preacher standing in the corridor with the prisoners listening to him through the small hatches through which their food was normally passed.

The State Penitentiary at Auburn, New York was built in 1797. Solitary confinement was rejected there as producing uneconomical idleness so, while separate cells were used for sleeping, by day inmates laboured together at industrial work contracted out to entrepreneurs. In order to avoid the evil contamination of association, silence was made compulsory with flogging as the punishment for attempting to communicate.

Authorities in Upper Canada knew that they needed to build a long-term prison. The Canadian Commissioners considered Glasgow's Bridewell and both the Philadelphia and Auburn systems in the U.S.A. They opted for the Auburn as most suited to the needs and capabilities of the Province. They clearly were not punitive in their intentions as they show when they describe in their report to the Legislature the virtues

of the Auburn system: "The Auburn system consists briefly in this: absolute solitude during the night; joint labour during the day, but without communications with each other by word or sign; meals taken at the same table, but so disposed as not to see the faces of those opposite them; religious instruction on Sundays received in a body; a Sunday School in the same manner twice a day; . . . a full diet of meat, bread and vegetables; comfortable bedding in very narrow but well aired, well-warmed cells, and the utmost attention to cleanliness in every department of the prison."

Consideration of the various penitentiary systems was spurred by practical necessity. Building a new, purposeful penitentiary would be cheaper than increasing jail facilities because the American authorities had assured the Legislature's committee studying the problem that the Auburn system could be self-sufficient. Prisoners would be kept constantly working in silence instead of planning future crimes with fellow idle prisoners as they did in the jails. The Courts would be able to give longer sentences that would ensure the protection of the public from dangerous criminals for a longer period than was possible in the jails. And, given the religious regime envisioned, inmates would be morally reformed in the process. It was expected that just as the criminal's environment had led him into crime, the institutional environment would lead him out of it.

How the penitentiary environment affected the inmates would be a matter of concern for caring people ever after. With the best of intentions, no one could guarantee the reformative results expected.

## *The Sounds of Silence*

Like Auburn, silence was integral to the regime established at Kingston Penitentiary. Rev. Robert Rogers, Kingston's second Protestant Chaplain, testifying in 1849 to the Brown Commission into mismanagement in the institution, implies his support: "The silent system is not at all carried out; the men talk and laugh in groups together throughout the yard, constantly; they know everything that is going on outside, and the want of discipline is quite notorious and often noticed by strangers."

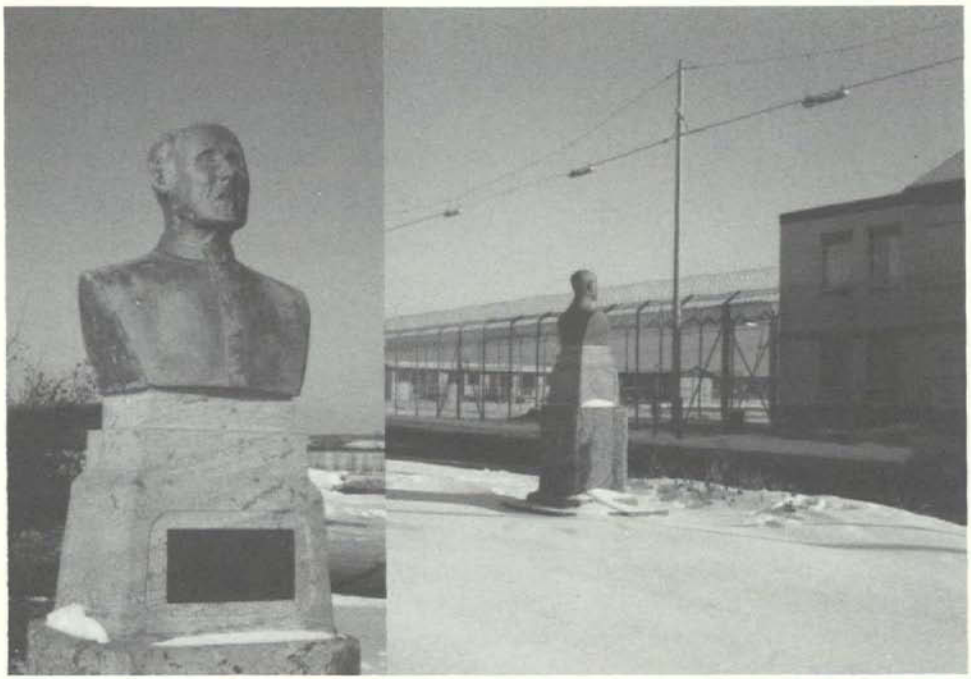
Chaplains frequently supported the prison regime because it enabled them to exercise their ministry – as they saw it – to the inmates. None acknowledged directly that the very fact that the inmates were allowed to talk to them, but to no others, gave them a decidedly advantageous position.

Silence was originally enforced to an absurd extent, even in the chapel. Included in the Duties of the Chaplain for 1844, 1845 and 1847 was the injunction: "During the time of Divine Service, no audible response shall be allowed by the Convicts, nor shall any singing or chanting be allowed on their part."

It was not until 1870 that this stringent rule was officially modified with respect to services of worship, and the Chapel became the one place where prisoners could

exercise their vocal chords legitimately. In that year the chaplain, Rev. Hannibal Mulkins – of whom we will hear much more later – who had been advocating the change, reported that: "The system of indulgence as a reward for good conduct, in the permission given them to take part in the musical portions of Divine Service (a privilege very properly appreciated) has had a wholesome effect."

In 1875 Fr. Joseph Leclerc, the first chaplain at St. Vincent de Paul Penitentiary, supported the silent system: "I have urged that the rule of silence should be observed as strictly as possible." He felt he needed strict discipline as a necessary adjunct to his ministry: "This exact supervision and silence, seems to me to be two essential points for any moral improvement, and, therefore, necessary to the success of the Priest's ministry."



*The statue of Fr. J. U. Leclerc in front of the institution that carries his name. The inscription on the statue reads (in French): "An act of kindness has more effect on the most wayward of souls than the severest punishment."*

Not until many decades later, in 1933, was the rule of silence finally relaxed in the institution. Convicts were allowed that year to talk to one another in a conversational tone before proceeding to work in the morning, during lunch hour and

up to 7 p.m. while confined in their cells. But wardens observed, not surprisingly, that: ". . . the average conversation is of no reformative value to those taking part."

In 1933 although complete chaplains' reports were no longer published as they had been until 1915, the Commissioner cited a long passage from the report of Fr. Dalpé, newly-appointed chaplain at St. Vincent de Paul in which he complains about the privilege of conversation which the warden at his discretion is permitted to extend to convicts: "We are right, I believe, to rejoice in the spirit of piety shown by a great number of convicts. Confessions and communions of each week have been numerous this year. I regret to say, however, that they were slightly inferior to the preceding years. What is the cause? After much observation and reflection, I think, sir, that the cause for this is the conversations which the convicts are allowed a couple of times a day, while in their cells. Upright characters, those whose faith is strong, do not pay attention, but those who are weak, whose faith has been killed through misconduct, and those who are afraid to be ridiculed, do suffer by these conversations, and more especially when same are held by free thinkers or by those who proclaim their impiety and irreligion.

"The teachings of the priest are not the only ones to be submitted to criticism. They have such a bad influence that it could be said that the penitentiary, instead of being an institution of moral reformation, becomes through this fact a school of hate, impiety, deformation of conscience and depravation of the heart. Considering these heart-breaking results, sir, and if I am allowed to make a suggestion, I would ask the authorities to withdraw this privilege of conversation in cells as same, in my opinion, is diametrically opposed to the aim and object of our institution."

Not all chaplains were progressive in their thinking on matters of penology!

## *A Single Cell*

The Auburn System called for inmates to be confined in separate cells. Cells blocks were not initially constructed in Kingston or St. Vincent de Paul penitentiaries; inmates were accommodated in dormitories.

In his report of 1880, Fr. Leclerc discourses at length on the benefits of the cell system as a result of his own observations and his study of the Report of a Penal Congress held in Stockholm in 1878: ". . . a deep study and experience of Penitentiary questions cannot fail to bring all minds to an agreement as the great principles which must form the basis of every sound system of Penitentiary management.

"An opinion which I have already repeatedly expressed, and which I find to be approved by a vote of the Congress, is the necessity of adopting, under some form or another, the cell system. The most satisfactory results have followed from the trial of this system in most of the countries of the world. 'Whether as applied to the whole penal system, or as constituting merely the first period of a progressive

system applied to long terms of confinement, individual imprisonment is now in operation in all parts of the world and in all latitudes.'

"The one sole object of the cell system is to remove the convict from the contagion of vice by isolating him from those who may injure him or from those whom he himself may injure."

In his quotation from the Stockholm Congress, Fr. Leclerc shows that not all the participants took a simplistic view of reform in the penitentiary. However, they seem to have seen the cell system as the panacea. One participant, whom Fr. Leclerc cites without any apparent recognition of the much more basic issues he raises, is quoted as describing the effect of taking a man out of society and putting him into the prison: " 'But how inconsistent to withdraw them from an atmosphere in which they have, it is true, met with none but evil influences, but where they might have met and might still meet with good influences and then plunge them into another atmosphere restricted and limited, where they must unavoidably and necessarily meet with none but influences the most detestable! And there you hope to reform, to amend, to transform them! You doubly intensify the pestilential air which has destroyed their moral health, and yet you expect to cure them! You expect to succeed in doing so by the help of Keepers whom they will detest, of Schoolmasters whom they will turn into mockery, and Chaplains whom they will overwhelm with abuse!

" 'What precautions will you adopt against the inevitable contagion of vice? Isolation during the night, during meals and recreation? You will in that way prevent the worst evils; but will you prevent, so soon as your convicts come together again, their foul conversations, bragging over past crimes and the frenzy of excited hopes?' "

In his 1879 report, the Rev. C.E. Cartwright, third Protestant chaplain at Kingston Penitentiary and a contemporary of Fr. Leclerc, expresses his belief in the value of the solitary system, but recognizes its potential dangers: "Every year increases my belief that a solitary system would be better for the moral improvement of men, provided always that it was so regulated as not to be injurious to the health of mind or body."

In another report, he gives rather contradictory arguments in support of his position: "It is an unquestionable social law that evil communications corrupt good manners. It is also a divine law that 'It is not good for a man to be alone.' These two scriptural laws define what is needful in a good prison system, viz.: separation from evil influences and contact with good ones. A really wise cellular discipline or separate system will secure both." Rev. Cartwright remained a strong advocate of the separate system. In his 1881 report, he sees all his efforts as only stopgap measures until a separate system was instituted: "Services, visiting the sick, bible classes, school and library exercise restraining and beneficial influence on the convicts and check, to a considerable extent, the baleful influences of association." The Auburn System, however, provided for work to be done in association.

## *According to Their Work*

Theologians played a significant part in the development of the penal philosophy of work as a reformative influence. In 1785 a Cambridge professor, Rev. William Paley, propounded the theory that the punishment of criminals should be measured, not by time, but by work done. In 1829 Rev. Richard Whatley, later Archbishop of Dublin, urged that convicts be sentenced to give the state a measurable amount of labour in expiation of their sins, so that the quicker and better they worked the sooner they would be free: "With each additional step of the treadmill they would be walking out of prison – by each additional cut of the spade they would be cutting a way to return to society."

The Auburn system called for the prisoners to labour in common during the day; this was what Canadian officials wanted for Kingston Penitentiary, not the least because it would be more cost-effective than idleness.

In 1873 Rev. Hannibal Mulkins, chaplain at Kingston Penitentiary, sums up the achievement of a penitentiary in this quasi-biblical way, revealing his commitment to the Protestant work ethic:

> If they come here naked, they are clothed
> if hungry and thirsty, their wants are supplied
> if sad and sorrowful, they are ministered unto
> if sick, they are visited
> if untaught, they are sent to school
> if lazy, they are compelled to work.

The chaplain at St. Vincent de Paul Penitentiary, Fr. Leclerc, saw work and discipline as prevention to ward off the evils inherent in prison life. In 1875 he concluded: "Idleness is, in a penitentiary . . . the source of many vices. . . . Constant work distributed intelligently according to the capacity, the antecedents, and even, as far as possible the tastes of each individual, and with a special view to the future career of the convicts . . . this is another means of reform. . . ."

The system, of course, would not meet everybody's expectations; certainly not every chaplain's. In his 1883 report, Fr. P.A. Twohey, chaplain at Kingston penitentiary, reflected on the difficulty: "Others tell us the maintenance of the penitentiary is a great burden to the country, and should be made self-supporting. How are people to be satisfied? The moment any work is done inside the prison wall, a cry is raised that bad men are learning trades at the expense of the country, and are competing in the market with honest labour. Yet all expect to have their lives and property protected, and, as far as possible, to have the number of criminals lessened. How is this to be done?"

The work ethic exercised a powerful influence on those in authority. Some supported it by citing its biblical origins in Paul's second letter to the Thessalonians

[3:10]. Among these were the two Inspectors of Penitentiaries in 1904, Douglas Stewart and G.W. Dawson: "The inculcation of the 'gospel of labour' as expressed in the Pauline injunction, if any would not work, neither shall he eat, is alike the essential foundation of good citizenship and of individual reform."

## *Contract Labour*

For the first 15 years, inmates were largely engaged in the building of the institution. By 1849 the penitentiary was operating with the labour system in place. Over 200 convicts were on contract to Kingston shoemakers, tailors and blacksmiths. Some chaplains found this fact of prison life counter-productive. Kingston's first Roman Catholic chaplain, Fr. Angus MacDonell, insisted that the primary object of the institution not be lost sight of in the desire of the officials to make the institution cost efficient through the contracting of inmate labour. In 1855, he protested: "There are certain individuals, too much absorbed in material objects, who never carry their thoughts beyond the contracted ideas of their own limited conceptions, begrudge the convicts the time necessary for the fulfillment of their religious duties, thinking that the whole aim of a reformatory institution ought to consist in screwing out of the convicts the greatest amount of labour possible. To put a check upon the grasping disposition of such persons, and to prevent, in future any misunderstanding, it would be necessary that, in all contracts for the labour of the convicts, a clause be inserted, depriving the contractors of any expectation to be remunerated for any reasonable time lost by the convicts whilst fulfilling their religious duties."

In his 1856 report, Rev. Mulkins outlines some concrete objections to the situation of the contracted labourers: "In some shops, it is a great trial to their health; it fails, in numerous instances, to secure to the Convict a trade, so that frequently, after three years' labour, or more, they are discharged, as dependent as ever for subsistence on precarious daily employment. It deprives the ignorant and younger Convicts from receiving the instruction which otherwise they might obtain. . . the division of labour in the shop must deprive the wretched Convict from even obtaining a trade, and leave him absolutely nothing gained, but much lost, for all his toil and suffering. . . .

"Is it not possible that the Convicts could be instructed in trades under some system which would rather tend to enlighten and exalt their minds, than to deprave them?"

Eleven years later, Rev. Mulkins is no better satisfied with the labour situation and still trying to get his message across to the authorities. In 1867 he continues to plead on behalf of the reformation of the inmates: ". . . there are many obstructions here in the way of the reformation of convicts, and I name specially the system of discipline and contract labour: the former is not based on good conduct, affords no encouragement to the convicts, and is too much subordinated, in my opinion, to

the latter; and the system of contract labour, while corrupting and depraving to the convicts themselves, is fatal to any proper discipline. Both of these systems require either large modification or entire revolution, if the higher purposes of this Institution, as a place of penitence and reformation, are ever to be realized. I have been protesting against this iniquity for many years. Successive years have come and gone and left no change. The system has grown worse and worse. Many convicts are corrupted when they might be reformed. I leave, therefore, as the last words in this report – and, perhaps my last words in any report – my protest against what I conceive to be the iniquitous system of contract labour here, and against the want of more christian elements in the discipline of the Institution."

Chaplains were not to interfere with inmates while working at contract jobs. The Chaplains' Duties of 1870 declared that: "It being desirable, that the labor and discipline of the Prison should be as little interfered with as possible, it shall be the duty of each Chaplain to see and instruct those convicts particularly, whose labour is hired to a Contractor, at other times than during working hours."

If Kingston chaplain Fr. MacDonell was opposed to the convicts' work situation, his successor, Fr. James Vincent Neville, was presumably not. He – and his successors for almost a century – held the joint charges of chaplain of Kingston Penitentiary and Pastor of the Church of the Good Thief. Laid in July 1892, the cornerstone together with all the building stone for his church was quarried on penitentiary property by inmate labour and transported to the building site where the handsome church still stands, just down the road and up the hill past the institution. Archbishop Cleary had entered into a contract with the Government which provided the payment of 25 cents per day per convict employed on the project. This was the going rate paid by other contractors. The money, of course, did not go to the inmates, but helped defray the cost of running the institution.

Fr. Leclerc at St. Vincent de Paul advocated that inmates be given work with a rehabilitative value. In his 1876 report, he says: "Together with silence, let the rule as regards work be thoroughly carried out. Idleness is, in a penitentiary perhaps more than elsewhere, the source of many vices. Now, it is certain that our convicts have not always been sufficiently employed.

"Constant work distributed intelligently according to the capacity, the antecedents, and even, as far as possible the tastes of each individual, and with a special view to the future career of the convicts and to render it easy for them, on leaving the institution, to work at a trade which will enable them to earn a living – this is another means of reform necessary to insure good order in the Penitentiary and to provide for the well-being and future preservation of the convicts."

Fr. Leclerc was to return to the theme in later reports. In 1878 he refers to experts who addressed the 1872 Penal Congress in London in support of constructive labour and draws his own conclusion: "It is, in truth, evident that if you wish to

prevent relapse, you must as far a possible, give the convict the means of honestly earning a livelihood after his exit from prison. You must overcome his laziness and render him active and industrious. It is, I admit, a difficult task; success does not always follow even the most intelligent efforts. . . ."

Chaplains were not opposed to the men working if that work were productive, but it could also benefit them directly. In his 1891 report, Rev. Cartwright at Kingston Penitentiary offered a suggestion which was a century ahead of its time – and presumably ignored by the authorities, for such a change was not forthcoming. "The remedy I propose is this, that every convict should be paid what his work is actually worth; that the expenses of the institution should be charged against this at a just per capita rate. This ought to give every man a personal interest in preventing waste either of food or material; that every wife, child, mother or other person dependent on any convict should have a lien on the surplus earnings of that convict remaining after such deduction of expenses, amount of lien to be determined by circumstances in each case; that any further surplus should be divided equally between the Government and the convict himself."

## *Bison, Chickens and Stones*

Working for contractors was not the only occupation of prisoners. The records show that Warden Samuel Bedson provided some unusual work opportunities for prisoners at Stony Mountain. They were engaged on the game farm he established which preserved some of the last of the prairie bison. They also maintained the golf course he created on the penitentiary lands. In addition to labouring in and for the prison, prisoners could occasionally be encountered in some unlikely workplaces. Lady Dufferin, wife of the Governor General, on a visit to British Columbia recorded on September 15, 1878 in her published diary, *My Canadian Journal 1872-1878*: "Fred Ward, who is 'housekeeper,' has ordered up the prisoners from the Penitentiary to pluck chickens for the ball; it is the custom here, and this morning when we walked into the ballroom, we found six prisoners, with chains to their legs and an armed man standing over them, polishing the floor."

For many years, inmates at Stony Mountain and Kingston Penitentiaries were most commonly engaged in the body-and-soul-destroying occupation of breaking rock from the institutions' quarries. In his 1914 chaplaincy report, Stony Mountain chaplain, Rev. S.W.L. Stewart, protests: "I must deplore the moral effects of the stone shed; the utter lack of mental employment in stone breaking tends to cause mental degeneracy and moral corruption, and I long for the day when the stone shed will be for disciplinary purposes only."

Five years later, Superintendent of Penitentiaries, W.S. Hughes, gave qualified support to the continuance of this mindless work: ". . . work on the 'stone pile' [is]

most undesirable, but if the alternative is idleness, the breaking of stone is preferable."

John Howard had said: "Render men industrious and you will render them better." His conclusion was to be found too simplistic in the realities of early Canadian prison industry.

## *The Bitter Pill of Discipline*

Chaplains and administrators agreed that discipline was indeed necessary to restrain vice and at the same time to maintain the unnatural conditions which constitute life in the penitentiary. Prison discipline was an extension of the punishment meted out by the Courts. Coming to grips with the implications of control and punishment in a reformatory prison has always been a challenge for penologists.

Chaplains have often contributed to the debate. Fr. MacDonell at Kingston Penitentiary wrestled with one issue in an early report: "If the punishment be light, if you feed the convicts sumptuously, and clothe them comfortably, if you employ schoolmasters to give them a genteel and liberal education, if their condition be known to be far better, in every respect, than that of nine-tenths of the honest and industrious labouring class, you hold out an inducement to every poor person in the country to commit some crime that would entitle him to the blessings of a gratuitous and liberal education in that common school of morality, the Provincial Penitentiary."

But Fr. MacDonell also appreciated the need for rewards for inmates. This was in reaction to a capricious system of pardons exercised by the government, often for inexplicable reasons. He suggested: ". . . instead of the present plan, the evils of uncertainty were made contingent on the Prisoner's own good conduct, by allowing him the power of shortening the duration of his captivity by his strict adherence to the rules of the house, I believe that such a plan would have a salutary effect upon the conduct of the Convict. As disobedience is punished, I do not see why obedience should not be rewarded: and how easy it would be to give the Convicts a direct and immediate interest in conforming to the rules of the place."

Fr. W.J. Keilty, chaplain at Kingston Penitentiary, in 1871 supported a benevolent penal regime in which measures of punishment are scarcely necessary: "The mild treatment of the convicts by the Warden has had a most beneficial effect; while the rigorous system in penal institutions may be necessary to preserve order and discipline; nevertheless, he [the Chaplain] is satisfied, from close observation, that the relaxation of the rigors of prison life, by a mild but firm enforcement of the rules, strongly induces the minds of the convicts to submit themselves to religious influences, and thereby harmonize with an enlightened public opinion, which looks upon the reform of criminals as a benefit to the state and a protection to society."

Fr. Leclerc at St. Vincent de Paul addressed the matter of discipline in his 1877 report: "By discipline I understand the whole system of laws and rules in force in

the Penitentiary, which laws and rules must be so made and applied as to act on the convict, to encourage him to do well, to turn him away from evil, and thus to change a perverted and dangerous character into a useful and respectable citizen. Discipline in a Penitentiary must be directed not so much to punishing past faults as to preventing the culprit from falling into the same faults in the future. On the system of discipline enforced depends then, in great part, the reformation of the criminal subjected to the ordeal of the Penitentiary."

Judging from his 1882 chaplaincy report for the new Stony Mountain penitentiary, Fr. G. Cloutier saw discipline much in the same light as his fellow chaplains in the East: "I am convinced that benevolence and firmness are, in truth, the best means of effecting the cure of these paralyzed members of society. These unfortunates, led away by false friends, have fallen into crime; they have forgotten their duty for a moment. But I have not found one amongst them whose character is decidedly wicked and perverse. They all acknowledge their past errors and are availing themselves of their present confinement to make plans for a better future. All are working heartily to avail themselves of friendly counsel and take part in the efforts made for their future welfare. In view of this resolute effort on their part, we may hope that ere many months every one of the present convicts will become once more a good and honest citizen."

His Protestant counterpart, Rev. Frank Greene, certainly found that the benevolent regime of Stony Mountain had a salutary effect on the inmates: "I find, on visiting the prisoners in their cells, that they have no complaint to make either about the services or the way they are treated in the institution; and some of them go so far as to say that they have many things to be thankful for since placed in the penitentiary."

In 1874 Fr. Leclerc at St. Vincent de Paul pointed out that in his opinion punishment was not the way to change those who commit institutional misdemeanours: "A mere trifle irritates them and renders them intractable, and in like manner a very little thing will satisfy them. A gentle reprimand will produce more effect on some characters than the harshest punishment. More than once, to our knowledge, punishment has been avoided, and discontent appeased by a simple reprimand privately administered to those who had infringed the rules of the institution." The previous year he had made this profound observation: "So true is it that an act of kindness often produces more effect, even on the most brutal characters, than the severest kind of punishment. Punishment can at best reduce the body, while benevolence and charity win the heart. And when the heart is won, amendment becomes easy."

In 1876 Fr. Leclerc expounded on the question of equal punishment: "The regulations governing our Penitentiaries, as also the manner in which they are conducted, are, in our opinion, defective in that they render the punishment equal for all crimes. The individual who has imbued his hands in the blood of his fellowman, the thief by profession, the hardened habituated criminal, the being brutalized by vice, is to

be treated in the same manner, employed in the same work, fed at the same table, clad with the same costume, as the comparatively honest man, who for once in his life has been unfaithful to the duties of honour or conscience, who has stolen a loaf to feed his starving children, or succumbed but once to a violent temptation to which he has been involuntarily exposed."

## *Canada's First Prison Inquiry*

Bad conduct by prisoners had indeed been subject to harsh punishment in the early days of Kingston Penitentiary. A Commission was established to investigate allegations of mismanagement in 1848. It found conditions which belied the intent to have the penitentiary a place of reformation rather than punishment. In the history of Canadian penitentiaries, the Brown Commission was the first, but far from the last, Judicial, Parliamentary or Royal Commission to be horrified at prison conditions.

The Commission's report resulted in the firing of Warden Smith, but corporal punishment continued as a discipline available to wardens for more than a century. It was, however, never again used as flagrantly as in the 1840s when the Commission roundly condemned the situation: "As many as twenty, thirty, and even forty men, have been flogged in one morning, the majority of them for offences of the most trifling character; and the truth of the complaint resting solely on the word of a Guard or Keeper, subject at best to all the frailties of other men. The exasperation which such a system could only produce, must have bid defiance to all hope of reform. To see crowds of full grown men, day after day, and year after year, stripped and lashed in the presence of four or five hundred persons, because they whispered to their neighbour, or lifted their eyes to the face of a passerby, or laughed at some passing occurrence, must have obliterated from the minds of the unhappy men all perception of moral guilt, and thoroughly brutalized their feelings."

The Commission notes that the chaplains had always been opposed to such corporal punishment, but the strength of their objections is not so evident from their reports. For example, the Protestant chaplain had expressed his opinion rather gently that: "The admission of boys into our Penitentiary, to be subject to the same discipline as adults, is, the Chaplain fears, not calculated to reform, but to injure. Should not some respect be paid to the peculiarities of youth, even in a place of confinement? Would not the desired end be more effectually secured by a judicious admixture of school, labour and recreation?

"Boys and youths of a tender age are still subject to the same discipline as the more mature Convict; the chaplain would here observe on the extraordinary fact of a Convict having lately been introduced into the Penitentiary only eight years of age; and further that, at the present moment, three convicts are under twelve, and twelve under sixteen years old."

These are ineffectual protests in the light of the intolerable situation exposed by the Commission. Alexis Lafleur was 11 years old when committed in July 1842: "The Warden brings evidence to show that Lafleur is a wild character, and there can be no doubt that his conduct has been that of a troublesome bad boy . . . but the offences for which he has been punished have been generally talking, laughing, and idling, and do not betoken depravity so much as heedlessness; and it is very clear that if he was not naturally bad, such a frightful amount of punishment must assuredly have made him so. His punishment commences within three days after his arrival, showing that no mild treatment was used towards the child before the last resort was employed; and during his first committal, he was flogged 38 times with the raw-hide, and 6 times with the cats. It is horrifying to think of a child of 11 to 14 years of age, being lacerated with the lash before 500 grown men; to say nothing of the cruelty, the effect of such a scene, so often repeated, must have been to the last degree brutalizing."

The tone of the Report and the firing of the Warden make it clear that Upper Canada did intend its penal institutions to be reformative, not merely punitive. The Commissioners agreed that the missing element in most American prisons, moral training, was not to be relegated to secondary status in Kingston Penitentiary: ". . . the pecuniary interests of the Penitentiary should, in no manner, stand in the way of the reformation of the criminal; and that, desirable as economy is, it is a sad mistake to sacrifice for that consideration all the higher objects of such an Institution."

The higher objectives were to be espoused by many administrators and by chaplains throughout the years.

## *Sentencing: Long or Short?*

Chaplains were concerned about sentencing and its effects on the prisoners. In 1838 the first chaplain at Kingston Penitentiary, Rev. W.M. Herchmer, expressed his hasty conclusion about the contribution made by short sentences to the failure of the penitentiary: "The experience of the last year has satisfactorily proved that a short sentence tends only to harden the heart and produce a repetition of crime; for how can it be otherwise? The prospect of a speedy liberation alleviates the punishment, banishes reflection by bringing before the mind those scenes of riot, so gratifying to their nature and even encourages to form schemes which feed their passion, and render them when released, a far more terrible scourge to society. If the evil habit, whether it be drunkenness, theft, or idleness, be not entirely broken, no change of heart can take place. . . . The prospect of a speedy liberation naturally checks the rise of serious reflection, and engenders contentedness, indifference or apathy."

A few years later Kingston's Protestant chaplain, Rev. Cartwright, expresses his ideas about sentencing: "I sometimes think that a short sentence for the first

offence, accumulating rapidly for every repetition of the crime, would be beneficial, so far as the reformation of the criminal is concerned. If the habitual criminal knew that his sentence would be double with each conviction, he would either leave the country or be shut up out of the way of doing harm for periods which lengthened with each conviction."

Fr. Leclerc at St. Vincent de Paul was concerned for consideration of individual needs in sentencing. In his 1876 report, he says: ". . . it is a grave error to apply one and the same treatment to all criminals, whatsoever may be their degree of intelligence or of depravity. We have also said that a uniform chastisement, applied without distinction to all criminals, might be unjust. We also believe that such a system may seriously impede the work of reformation, which is the essential object of every penal institution."

Rev. Cartwright, acting for the absent Rev. Mulkins at Kingston Penitentiary in 1874, protested one of the duties laid on him by the Regulations: "In one part of the duty I am however met by a difficulty; the Chaplains are requested to try and convince the convicts of the justice of their sentences, but as a matter of fact, for an offence such as stealing, one man receives two years, another ten. The convicts are aware of this disparity, and ask us to explain it, which, as a rule, we have no means of doing. The sense of unfairness thus created in the prisoner's mind is a great bar to their reformation. They could all understand that they must expect increased severity of sentence for each additional offence, if such rule were enforced, but it is impossible to satisfy them when very similar offences are punished by widely varying sentences."

This troublesome regulation was not revised, and in 1891, Rev. Robert Jamieson at British Columbia Penitentiary identified the same problem: ". . . there is one point of a chaplain's prescribed duties which is impossible to discharge in many cases, viz: 'To endeavour to convince the convict of the justice of his sentence.' This arises from the glaring inequality of the sentences pronounced by the judges on convicted criminals."

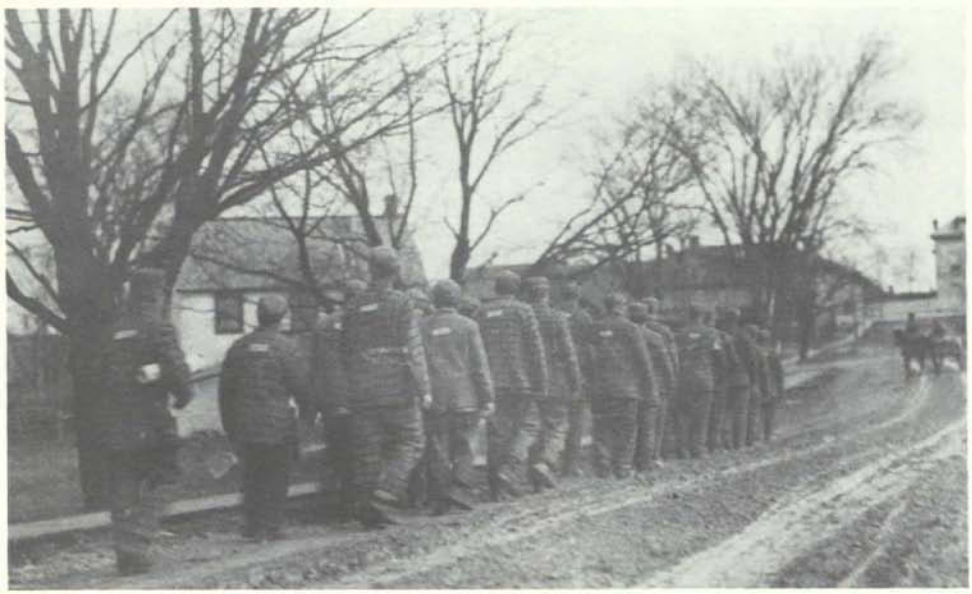
Although no longer required to do so by statute, chaplains still face the difficulty of rationalizing the equity of the justice system to those whose lives are controlled by it.

Rev. J. Roy Campbell, chaplain at Dorchester Penitentiary, was concerned about the way court-ordered corporal punishment was administered. In his 1903 report, he shows a sensitivity towards both staff and inmates as he offers his opinion: "Their Honours occasionally order that a certain number of strokes be administered as the convict is about to be discharged. I see the intention; but I submit that, if a man has behaved himself well and penitently, it becomes a very painful and ungracious duty to the officials to whip him, and would undoubtedly tend to obliterate all moral improvement effected, and to substitute therefore a settled feeling of embittered resentment."

## *"Immoral and Unjust Herding:" Towards Classification*

Fr. MacDonell at Kingston Penitentiary believed that it was a disgrace to the British Army to have soldiers condemned to the Pentientiary where they would be forced to associate with murderers and "the most degraded villains" merely for intemperance: "Such punishment cannot have any other effect than to destroy the moral character of the Army."

With children as young as eight years of age confined to penitentiary along with hardened adult criminals, it is not surprising that chaplains pressed for a basic level of classification. For twenty years, Fr. MacDonell annually raised concerns over the lack of classification of inmates, and particularly the incarceration of juveniles with adults. In his 1855 report, he said: "The character of a reformatory for juvenile offenders should be remedial, industrial and penitential. The end to be aimed at ought to be, a reform, by discipline approaching as near as possible, that followed in a Christian and well-regulated family. In the manager's discretion, cheerfulness and a habit of virtue and piety ought to be regarded as necessary qualifications. . . . the first object of the Institution ought to be to make the boys virtuous; the second, to teach them some trade or some useful branch of agriculture, by which they may be enabled to gain an honest livelihood."



*Going to work, 1911.*

In the following year, Fr. MacDonell presented this thought: "The absence of all classification of Convicts, and the association of numerous young offenders with old, skilful, and confirmed villains, cannot have a good effect. The majority, indeed nearly all of those young offenders, were guilty only of small offences – of larceny and the like; and it seems incongruous, almost an infatuation, to place them in an Institution among hardened, expert, and experienced robbers, burglars, murderers, and others, with the view of making these young Criminals good members of society. . . . A House of Reformation, therefore, is imperatively called for in the Province to reform these young offenders."

A similar concern was voiced by Fr. A.D. Cormier at Dorchester in his 1900 report: "I cannot refrain from reiterating the fact that it is a very sad necessity which compels the civil power to send a relatively large number of young boys to be incarcerated here. They can hardly be expected to be benefitted morally. The criminal atmosphere of a penitentiary will naturally foster the yet tender germs of crime in those youthful natures and soon fan them to their full development. In most cases it is an apprenticeship to a life of crime, as inoculated into them by the unavoidable contact with old and hardened criminals. Assuredly they are the ones, on account of age, who under favourable circumstances can be expected to be reformed under the benign influence of religion, and a large percentage therefore could be rescued from the destruction of rising passions, and diverted from the incipient instinct of crime."

Rev. Cartwright at Kingston recognized that not all prisoners should be treated alike. He advocates a form of classification of inmates: ". . . until some effectual separation be devised, a distinction might be made between those committed for a first time and the other convicts in some respects. In dress, the former might be spared the parti-coloured suit, and be clothed in brown, or if that were deemed not sufficiently conspicuous, in yellow; allowing the yellow and brown to mark the habitual offender. Such a change may seem trifling, but I believe it would help the man who comes here for the first time to realize that he had not sunk so low but that there was a lower depth."

Fr. Leclerc is eloquent on the topic of the need to segregate inmates, to protect first offenders and to isolate recidivists. In his 1876 report from St. Vincent de Paul, he says: "To avoid this monstrous, immoral and unjust herding together of convicts, we need a strictly-defined classification established under the regulations, and also buildings calculated to render such classification effective. Above all we would have a perfectly distinct category for relapsed criminals, who should be deprived of the remission of penalty granted by the law to ordinary convicts, and be subjected to rules increasing in severity, in proportion to the number of relapses of which they are guilty. We would also recommend a certain number of cells for the complete isolation of those who are a continual cause of disorder, and over whom it is impossible

to exercise any moral control. This mode of conducting our Penitentiaries would be not only most just, but also perfectly easy to accomplish, if in constructing our new Penitentiaries the points we here deem our duty to touch upon were borne in mind. . . . Well-regulated labour seems to us to be the necessary complement of a good classification."

The next year, he gives more specifics of his concept of classification: "Without it [classification] no real reformation is to be expected. . . .For my part I wish we could have here three great categories. First, the cellular system, in order to cause new comers to undergo a certain period of trials, and to keep the incorrigible in subjection. . . . Convicts so isolated should . . . be enabled to engage in some kind of work compatible with their isolation.

"In the second place, for the bulk of the convicts, I would have the system now in force; cells for the night, and work in common, with silence, during the day. Finally, to a third category might be allowed a common dormitory for the night, with some extraordinary privileges, such as a short conversation after the hour of work, different dress from the others, work of an easier kind, better diet, etc. . . .

"Under this method of progressive classification the fate of each convict is, so to speak, in his own hands. He can, if he chooses, render his position such that it will be but little worse than that of a prisoner on parole. On the other hand, this system would place in the hands of the authorities a power of action which they do not by any means now possess."

In his 1878 report, Fr. Leclerc continues the theme: "The law which has the right and whose duty it is to punish the criminal, has not the right to expose him by contact with others to lose the little of virtue and honorable feeling which still remain in him. . . . Now, to throw a man who has committed a fault, his first one perhaps, to throw him into the society of those who will be eventually the cause of his complete moral ruin, to expose him to be a witness by compulsion of their immorality, of their blasphemies; to be the victim of their insolent raillery, this appears to me to go beyond the power of law. . . .

"In the course of the past year, I often questioned the prisoners, good as well as bad. From what they admitted I was able to convince myself that the great delight of those old in crime is to relate to the new comers the brilliant exploits of which they were the heroes; the greater the amount of immorality their stories revealed the higher the position they occupied in the esteem of a certain number of their companions."

Classification was not to be introduced into the penitentiary system for many years. Unfortunately, we do not know what influence chaplains may have exerted at that time in the formulation of the system. We do know, however, that they sat on the classification board in recognition of the fact that they perhaps knew the inmates as well as any others working with them in the institution.

## *A Higher, Nobler Goal*

The chaplains appointed to Kingston Penitentiary and the institutions added to the system in later years generally believed in the validity of the penitentiary ideal. They recognized the commendable goals of the authorities but insisted on the addition of a higher objective. Rev. Mulkins stated it this way in his 1857 report: "The purpose of all institutions of this kind is undoubtedly two-fold, the protection of society and the reformation of the Criminal. Society is protected in expatriating the Criminal from its limits; and ultimately, by returning back the offender reclaimed, and restored to a right mind. It is the business therefore of such an Institution, to be a protector of society, first, by securing the Convict within its walls, and secondly by using every possible appliance to reform him while there."

Rev. Mulkins expanded on the theme in his 1860 annual report: ". . . society suffers a loss in every individual convict, who is not morally improved during his incarceration. The ends of justice are but half accomplished, and the ends of mercy not at all, if no moral change is effected. . . .

"Penitentiaries are not necessary for purposes of punishment. If Justice, if the State, intended to inflict only punishment for crimes, it can find instruments enough for that purpose in times and countries of barbarism. . . . Penitentiaries, therefore, are rightly understood only, when viewed as having a higher destiny and nobler aim; when devoted especially and primarily to reform the convicted criminals of the land; it is their mission, not to inflict punishment for the past, but to prevent it for the future; not to destroy men's lives, but to save them."

In an administrative reorganization, the Commissioners were replaced by an Inspector of Penitentiaries. In the Commissioners' last report of 1875, they stated their goal: "The avowed object with us is to reform the convicts and to educate them to honest occupations, as well as to see that they are adequately punished without being crushed."

In his 1881 report, the new Inspector of Penitentiaries, Inspector James Moylan, enunciated a philosophy which was clearly reformative not to say redemptive: "Experience shows that there is no greater mistake in the whole compass of prison discipline than the studied imposition of personal degradation as part and parcel of the punishment. The tendency of such degradation is to destroy every better impulse, to extinguish every worthy aspiration. No doubt the convict ought to feel the disgrace of his crime and sentence. This is a fit part of his punishment ordained by the Creator himself. Beyond this there should be no degradation of his manhood. No wanton outrage should be offered to his self-respect. But, contrariwise, on entering his prison house he should be made to feel, or at least given to understand, that he has a character to redeem, a future of virtuous, useful honorable industry to create; and every means calculated to foster this sentiment should be used, every agency exhausted which is calculated to obstruct its growth."

Rev. Mulkins in 1857 succinctly summed up the convergence of the religious goals of the chaplain and the secular goals of administration: "The mere statesman may merely contemplate the conversion of the Criminal into a good citizen of the Kingdom of God. The highest object, therefore, arrived at in such an Institution, must be the moral melioration of the inmates. It is therefore desirable to know what has been done to advance this paramount interest of the Institution."

Indeed, throughout the history of Canada's institutions we find that the secular authorities – Inspector Moylan being the most conspicuous – did far more than "merely contemplate the conversion of the Criminal." Most of them accepted religion as the primary means of effecting the reformation of the inmates, and actively supported the work of the chaplains among inmates.

We find the roots of such assumptions in the social-cultural background of Canada as a British colony. The distinctive form that religious ministry in penitentiaries was to take here in contrast to that in the long-term prisons of Great Britain or the United States would reflect the absence of an established church in Canada, but also the religious pluralism of the country. Legislators and Church leaders generally acted on the assumption that Church and State were not separate as in the U.S.A. but partners in the essential workings of society, one of them being the operation of penitentiaries. Many of the controversies, such as those that occurred in the field of public education, were avoided in the penitentiaries.

The role of religion in society and in prisons may have changed from 1835 to today, but we must explore the religious roots of the very notion of a "penitentiary" if we are to understand the role of chaplaincy today.

# 2 PENITENTIARIES: ROOTED IN RELIGION

*. . . the real sources of our entire penitentiary system for the correction of delinquents . . . must be looked for in the Church and particularly in those bodies, which regarded silence, isolation, and self-inflicted mental and physical pain as the true road to salvation.* [1]

The moral reformation of prisoners was the goal of those who envisioned the reformatory prison; it was also the goal of those who established Canada's first and succeeding penitentiaries. As these men were themselves mostly well-educated in the Christian tradition, it is not surprising that their thinking reflected the religious understanding of man as fallen sinner. Hence they logically sought to adapt for the reform of criminals the means by which the Church restores sinners to a state of grace. The influence of religion was the primary means of bringing their reformation about. They were unanimously convinced that religion could achieve the results they devoutly sought, and so they made ample provision for its impact to be felt by the inmates. Chaplains, of course, were the primary – but not the only – agents.

How did such great expectations get to be placed on the role of religion in our prisons? It is not because of any biblical precedent. Biblical prisons are not equivalent to reformatory prisons. Imprisonment in the biblical world, though traumatic and dangerous, was not employed as a punishment and certainly never as a condition for rehabilitation.

The source of the idea of the "modern" reformatory prison is to be found in the very roots of the Christian church where we discover the prototype of the penitentiary. The authorities in the 19th century took as their example the "penitentiaries" which were established in the monasteries of the fourth century. But how well did they understand their model?

## *Monastic Beginnings*

Although it would be unfair to hold him directly responsible for the evolution of the penitentiary prison, the origin of the concept can be indirectly traced to one who had himself experienced imprisonment, and been converted to Christianity while an inmate! He was Pachomius, a still-venerated saint in the Eastern Churches, who died in AD 346. As a pagan youth of twenty, he had been imprisoned in Luxor, Egypt for deserting the army into which he had been conscripted. Christians came to minister

[1] Thorsten Sellin, "Dom Jean Mabillon – A Prison Reformer of the Seventeenth Century," p. 600.

to the hunger and thirst of the prisoners. He was so influenced by their ministry to his physical needs that he was converted to their faith and on his release spent three years as a novice hermit.

Pachomius's sanctity drew others to him, and he established no less than nine monasteries for men and two for women, the first institutions of their kind. He has thus come to be recognized as the founder of "cenobitic" monasticism, a style of religious life in which Christians devote themselves to a common life governed by a Rule. Monastic communities gradually replaced the "eremitic" Christian life-style in which solitary hermits lived an unregulated life alone in the desert. It was in later monasteries that "penitentiaries" were first established. Let us find out why.

## *"Do unto others"*

In the post-Constantinian days of the church, when Christianity became the official religion of the Roman Empire, Christians who had experienced imprisonment first hand were expected to continue and extend compassion towards all offenders.

The Council of Nicea in 325 instituted the 'procuratores pauperum', priests and laity who, along with other deeds of charity, aided prisoners by distributing food and clothing, and attempting to bring about the release of the innocent. The *Apostolic Constitutions*, a collection of ecclesiastical law dating from the 4th century, exhorted church members: "It therefore behooves you . . . to encourage those who have offended, and lead them to repentance, and afford them hope. . . . Receive the penitent with alacrity, and rejoice over them, and with mercy and bowels of compassion judge the sinners."

Penance is a fundamental Christian concept. All Christians, not only those who had taken the vows of a religious community, were expected to do penance as an integral part of the sacrament which assured them of God's forgiveness for the mortal sins they confessed. This practice is found in the earliest records of the Church. Tertullian, who lived from AD 160 to 220, records such penitential acts as fasting, dressing in sack cloth and rags, using the plainest of food and drink, and the harsh treatment of the body. Later, some penitents practised additional acts of penance such as the wearing of hair shirts and the shaving of heads.

Penance has been simplistically explained as the "heavenly medicine" that heals the wounds inflicted by sin. Christians accepted penance imposed by the Church on the grounds that it is better to endure punishment in this world than in the next. It is described by St. Thomas Aquinas (1225-1274) in the technical language of scholastic theology as: ". . . the payment of the temporal punishment due on account of the offense committed against God by sins."

We find familiar terminology in some early Christian writings about penitence. St. John Climacus, who was a 7th century monk of St. Catherine's Monastery at Mount Sinai, gives this description of Step five on his *Ladder of Perfection*: "On painstaking and

true repentance which constitute the life of the holy convicts; and about the penitentiary." He is discussing not a place for punishing criminals, but for segregating members of the religious community to do the penance which they had in their contrition accepted in expiation of the sins they had confessed. Only after completing their penance were they absolved and reconciled to their brethren in the community. The Church Council of Aix-la-Chapelle in 817 recognized formally the principle of confinement in a cell as a means of encouraging the penitent to make amends, although the Rule of St. Benedict promulgated circa 525 did not mention such a practice.

How transferrable the moral concept of penitence has been in its legalistic application remains a moot question. Can convicted criminals be treated as if they were penitents seeking reconciliation with God against whom they had sinned? Are they really seeking restoration to fellowship in the community of the faithful which they had forfeited by their sin?

## *Monks and Convicts*

Those who sought to apply internal Church disciplines to all of secular society by confining its offenders for long periods in a penitentiary failed to recognize that monks, unlike convicts, entered monastic life voluntarily and willingly submitted to the penitential sanctions of their religious superiors to achieve spiritual perfection and eternal salvation. Similarly, if to a lesser extent, committed Christians who fell into public sin likewise valued the solidarity experienced in membership in the community of the Church and so accepted its discipline for the sake of continuing in the fellowship of the Church, and for the eternal salvation of their immortal souls.

Moreover, criminal prisoners do not usually share the same values as those who impose secular penance in the form of a term in the penitentiary. Most offenders are not bonded to the civil community as the Christian is to the Church, and do not necessarily submit willingly to the penance assigned in the form of a sentence by the courts. To inflict the disciplines of a Christian penitent as an integral part of the punishment for impenitent offenders is to miss the essential point of the restorative function of penance for the contrite sinner.

The traditional monastic vows of poverty, chastity and obedience are commitments which some Christians are prepared to undertake by free choice. They are a very real punishment when inflicted involuntarily on those sent to prison. Could prisons exist without some attempt to enforce poverty, chastity and obedience?

When the pseudo-monastic penitentiary appears in the 19th century we shall see that Inspectors, Commissioners and many wardens displayed admirable if paternalistic Christian motivations. Prisoners, however, almost universally reject their prison warden as a surrogate Father Superior, nor do they relate to their guards as though they were their monastic brothers. Prison buildings, though offering equally frugal amenities, are manifestly not religious monasteries, the inclusion of a chapel not-

withstanding. Above all, prisoners are involuntary members of the pseudo-monastic prison community and hence usually continue to resent rather than appreciate the good that is intended for them.

Unlike the Rule of St. Benedict governing most monastic communities, prison rules – both the official ones and the unofficial but even more binding inmate code – are devised for the preservation of the body, both individual and corporate, rather than for the salvation of the soul.

The doing of penance may have assured the community that sin could not be tolerated. Close supervision ensured that the penitent was not distracted by, and did not infect his fellows. Such treatment was taken over by the civil authorities; if it worked on sinners, it ought to work on criminals. But did the penitentiary really succeed even with sinners?

Prison reformers may well have honestly misinterpreted the Christian concept of penitence because of their own ecclesiastical backgrounds. Most of them were indeed deeply committed religious men, but members of denominations which resulted from the Reformation's repudiation of contemporary Roman Catholicism's practice of the sale of indulgences as a condition of present or future absolution. If Protestants were in reaction against abuses in the practice of the Sacrament of Penance, it is no wonder that they misapplied its principles: ". . . despite its religious justification, the reformers' model of punishment and penitence was, in fact, significantly different from that of the medieval Church. For the Church's approach to punishment and repentance, at least in theory (the Inquisition and the worst monastic prisons were the major exceptions), was based on the belief that penances (punishments) were effective only when the sinner had voluntarily repented. The power of human freedom made it impossible to compel someone to feel truly repentant for sin. Repentance must be a free act of the will; otherwise, it would not be the result of sorrow or remorse, but of fear or self-interest. Punishment was something which *followed* repentance, as a penance, a sign of purification and resolve not to sin again. The spiritual value of a penance not performed voluntarily was slight. The penitentiary model reversed this order. Punishment was to precede and lead the sinner to repentance. The sinner *must be made* to repent. What the penitential reformers failed to recognize, however, was the power of the human will, and the absurdity of trying to force offenders into true repentance by denying them liberty. Ironically, while the penitentiary denied prisoners' physical freedom, and had deleterious psychological effects, it failed to eradicate their most important freedom – freedom to resist spiritual coercion." [2]

## *Fatal Flaws*

Not only did the prison reformers misunderstand the principles, they did not seem to appreciate the failure in practice of the monastic penitentiary. The 17th century

[2] Gerald Austin McHugh, *Christian Faith and Criminal Justice*, p.43.

Benedictine monk, Dom Jean Mabillon, described the early ideal of the monastic penitentiary: "It appears that the place to which these penitents were condemned was more a retreat than a prison since there was a heated room and a workshop."

This was certainly the sort of "penitentiary" the prison reformers envisioned. But the Church had largely dispensed with religious penitentiaries by the time secular penologists "discovered" the idea in the vain hope of reforming society's criminals. Mabillon himself acknowledges that "penitentiary" practice had already deteriorated over the centuries until it had become: ". . . a frightful kind of prison, where daylight never entered . . . and since it was designed for those who should finish their lives in it received the name 'vade in pace.' "

Mabillon goes on to describe the adverse effect which the monastic prisons had on those incarcerated in them: "May no one say that it is good for them to be left alone in order to get time to think about their conscience and seriously reflect upon the sad state into which they have precipitated themselves. Far from that . . . they are usually incapable of feeling the charm of the state of grace under such conditions, nothing being more opposed thereto than the excess of sadness which overwhelms them and causes them to sigh under the burden of their past sins. . . . This is why one sees so little fruit from the prisons and penances . . . and why these poor unfortunates so often lose their mind or all sensitiveness; . . . that they become insane or hardened and desperate." What did not work for monks was no more likely to succeed with inmates in secular penitentiaries.

## *The Lesson of History*

Outside prison, we find another misconception in the public mind. Many criminals do not identify with the social contract inherent in the legal justice system, so they are not personally committed to cooperating in the name of justice. This is a lesson which history teaches but many outside, and even inside the justice system, have not fully understood.

Centuries ago, Mabillon recognized the significant difference between the secular and religious understanding of justice: "In secular justice the principal goal is to preserve and restore good order and to inspire terror in the offender. But in the religious understanding of justice the salvation of souls is the primary objective.

"In secular justice it is severity, discipline which traditionally predominates, but it is the spirit of love, of compassion, of mercy which religion seeks to bring to justice."

Especially when Christianity is blamed for the concept of the penitentiary, Christians should be able to take ownership of their history and the impact of religion on the creation, maintenance, transformation – and perhaps ultimately abolition – of society's penal institutions.

## *What Hope?*

That the "modern" prison would fail in its stated purpose of reformation was evident to some early on. In 1850, Hepworth Dixon, author of *The London Prisons*, recognized that: "In order to teach the untamed criminal to restrain the violence of his passions, [the model prison] isolates him from his fellows, and proposes to give him the power of overcoming temptation by removing him out of its reach! Of all the questionable means to effect a given end, this seems to me to be the most questionable. . . .

"We have lunatics in straightjackets, very quiet and harmless, who, if out of them, would be very violent, but is this a good argument for putting all lunatics, without exception, in straightjackets? The cell is, in fact, the criminal's straightjacket. It keeps him quiet, makes him very obedient, but the question nevertheless remains open – Does it make him a better man? What we want are sound minds, not quiet men in straightjackets, good citizens, not submissive criminals in silent cells."

In 1878 Fr. Antoine Ouellet, chaplain at St. John Penitentiary, expressed his concern with the disparity both in underlying motivation and in understanding between the prison authorities and the prisoners: "In vain shall the managers of penitentiaries enact stringent laws and regulations, and impose severe penalties upon the violators thereof, if the latter is not convinced that his obedience and submission ought to be based on nobler motives than the mere dread of the master's rod. The offender, labouring under the impression that he has been wrongfully dealt with, regards the officer over him as a declared enemy, whose vigilance he is bound to elude by all possible means. Hence, instead of reforming whilst in prison, he adds hypocrisy and deceit to his already numerous vices, and, once restored to liberty, he will most likely give himself up to all sorts of guilty excesses until he falls again under the justice."

The hope that at least some prisoners might see and accept the parallel between the voluntary penitent and the compulsory convict has remained. For those prisoners able to make the identification, the power of absolution resulting from such voluntarily assumed penance has been a powerful help in enduring the secular sentence.

The English poet Richard Lovelace (1618-1658), a Royalist imprisoned by the Long Parliament and again by Oliver Cromwell's Roundheads for his religious and political views, wrote the poem *To Althea, from Prison*. Its first two lines have frequently been quoted, to the neglect of the balance of the verse which makes the point in question:

> Stone walls do not a prison make;
> nor iron bars a cage;
> Minds innocent and quiet take
> that for an hermitage;
> If I have freedom in my love
> and in my soul am free;
> Angels alone, that soar above,
> Enjoy such liberty.

Some chaplains recognized the parallel and paradox of the religious and secular penitentiary and used this notion as a pastoral tool in ministering to long-term offenders. Some references are to be found in the reports of chaplains in Canada's penitentiaries. Fr. L.O. Harel, chaplain at St. Vincent de Paul in 1888, for example, saw that: ". . . men in a 'place of serious reflection', as some call a penitentiary, . . . consider in the right way, human life, moral order, final destinies, and means to arrive to a prosperous end, through the narrow, hard and dark paths of present existence."

Another is a priest from outside the penitentiary service who is reported to have brought this vision to inmates when he conducted a Mission at Stony Mountain Penitentiary in 1927. The warden of the day reported that Fr. Handley: ". . . marvelled at the parallel between a properly conducted prison and a monastery. This I have impressed on the men in my talks, begging them to behave themselves as good monks, labouring cheerfully and utilizing their leisure to think of God and thank him for quiet, peace and plenty, secluded from worldly care and temptation, in which they may cultivate those spiritual qualities which alone make men free."

That this ideal was not beyond practical achievement had been demonstrated several decades before, as recounted in 1905 by Fr. Cormier at Dorchester Penitentiary: "A long-sentenced convict, who came here branded with the reputation of being a hardened criminal and who assuredly proved to be very obdurate for years, was at last softened by God's grace and has since become truly converted. So serious was his conversion that leaving, with due permission, he has entered into a very strict monastery where henceforth he can lead a secluded and penitential life."

## *Convict to Convert*

Instances of notable conversions have occurred throughout the history of Canadian penitentiaries, though not all have sought to continue the monastic life begun in penitentiary. The prison systems of Canada now frequently welcome back a number of their ex-inmates turned evangelists. Some have had wide influence not only on the prison community, but on the wider community, and principally on the seemingly indifferent churches.

Chaplains, of course, can be expected to believe in their work, although they may seldom see the results of their labours. Fr. Ouellet at St. John Penitentiary was one of many chaplains who expressed his conviction of the reformatory power of religion. In his 1877 report, he affirms: "No one unless he be closely connected with prison discipline, can form an adequate idea of the wonderful influence which religion commands, even over the most uncultivated and biased minds. It is not unusual, indeed, to see criminals, on amending whom corporal punishments are utterly ineffectual, yield at length to the empire of Divine grace. Solicited, compelled as it were, to have recourse with confidence to the infinite mercy of a bountiful God, they cannot fail to obtain the necessary strength to break off, sooner or later, with evil habits, and return to more christian pursuits."

## *Religion for the Imprisoned*

The Canadian Commissioners responsible in the 1830s for recommending the structure and program (as we would now call it) of Kingston penitentiary believed that the reforming power of religion could indeed work in the penitentiary. They opted more for the British model than the American with respect to means of bringing to the prisoners the influence of religion. John Howard had been particularly impressed by the impact of religion in prisons in many European countries. In Amsterdam he had found that prayers were read morning and evening by one of the convicts, who would also say grace before and after meals. Every Sunday morning a clergyman would conduct a service, lasting 2-½ hours, consisting of singing and a sermon with lengthy catechizing. In 1777 in his book *The State of Prisons*, Howard concludes: "This . . . inspires in me the ardent wish that our prisons also, instead of echoing with profanities and blasphemy, might hereafter resound with the offices of religious worship; and prove like these the happy means of awakening men to a sense of their duty to God and man."

## *The American Way*

Initially, prison systems in the United States did not provide for staff chaplains due to the principle of the separation of Church and State which was so important to the revolutionaries that it is spelled out in the Constitution. Nor did the Americans experience pressure from the churches, as there was no "established church" such as existed in law in England and in practice in Canada at the time.

That is not to say that religious influences were lacking in American institutions. In the 18th century before independence, the Quakers in the colony of Pennsylvania had a definite commitment to the power of religion to change lives. Silent meditation was their "forte," hence their support for the silent and solitary regimes of penitentiaries. What worked for the spiritual well-being of good people ought to work as well for the reformation of the bad, they devoutly believed. They advocated: ". . . rigorous and continued isolation to excite to repentance and lead the culprit to a better life."

In time, the Quakers were ousted from the management of prisons. By 1776, recognizing that these places which they had operated to bring about penitence were not succeeding as intended and that something must be done about the situation, they formed the "Philadelphia Society for the Alleviation of the Miseries of Public Prisons." In the present century, Quakers have come full circle, becoming leaders in the movement for total prison abolition!

After 1776, in the penitentiaries in the States of New York and Pennsylvania, there was no official provision for religious services. This omission was supported by the assumption of penal reformers like Thomas Eddy that the conversion of the criminal would be undertaken by the churches as a missionary venture on a voluntary

basis. The Quakers and the Missionary Societies of the early 19th century did indeed commission clergy and laity to evangelize the prisons. They attempted to do so, however, over the objections of some jailers who found religious influence disruptive to good discipline.

European observers of American customs and institutions in the early 19th century frequently remarked on the "eminently religious" nature of the American people and saw clear evidence of religious influence in the prisons. Two notable French visitors, Beaumont and Tocqueville, ascribed whatever success they found in the penitentiary system to the influence of that religious spirit which motivated the reformers, inspired and encouraged their non-religious colleagues and infused the penitentiaries with a "religious atmosphere" prisoners were bound to absorb. Religion alone, claimed the Frenchmen, was responsible for the moral and spiritual regeneration of the convicts and even played a major role in "reformations less thorough."

Beaumont and Tocqueville waxed ecstatic about the voluntary nature of religious associations in America and marvelled particularly at the spiritual ardor of the laity. Indeed, according to them, so pervasive was religious influence in the penitentiaries that not only clergy and lay Christians who spent time visiting the prisons and instructing their inmates but even the guards and officers became instruments of ministry: "They (the guards) never utter a word which is not in harmony with the sermons of the chaplain."

Whether we find this observation as credible, we will discover both administrators and chaplains in Canada wishing for such harmony here!

## *The Canadian Course*

The Canadian Commissioners of 1831 expressed their commitment to the reformative power of religion in their proposed penitentiary. Optimistically, they stated: ". . . there can be no limits to the sacred influence of religious impressions upon the hearts of even the most guilty."

The press even endorsed the proposition: "Surely, if there is joy among the angels of God for one sinner that repenteth there will be joy among men in the reformation of hundreds of their fellow sinners in the penitentiary."

Adopting the view of William Crawford, a British Commissioner who had recently toured American prisons, the Commissioners in Upper Canada quoted his contention: ". . . as personal reformation to be permanent must be founded on Christian principles, so no system of prison discipline can be effectual in which religious instruction does not form a prominent part."

Before they even appointed a chaplain for Kingston Penitentiary, the Inspectors insisted on daily religious observances, led by staff. The Warden's Journal shows that he read prayers every evening to the convicts, and on Sundays he led – more accurately, said, as the inmates were not allowed to participate audibly – morning and evening

prayers, as well as "reading a sermon." The Deputy Warden read morning prayers and a chapter of the Bible after breakfast, just before the convicts went to their places of work.

Twenty years after Kingston Penitentiary was founded, the same high ideals were still upheld by government officials. The *Report of a Select Committee of the Legislative Council on Returns from the Provincial Penitentiary, 1858* reaffirmed this optimistic hope: "The religious and moral instruction of the convicts form a most important branch of the Penitentiary system, and, although undertaken under every disadvantage arising as well from the hardened nature of aggravated and long continued courses of crime in a large proportion of the male convicts above a certain age, and the apparently almost hopeless task of having to deal with numerous cases of profound ignorance and habitual depravity in every form, still the patient, laborious, and self-denying efforts of these Christian missionaries may, it is to be hoped, under Divine guidance, produce eventual reformation and the salvation of many souls, whose condition, when entrusted to their care, appeared to preclude the possibility of their recovery. . . .

"Although it would be imprudent to form an immediate opinion as to the actual success of such efforts, and that the greatest caution is necessary before reliance can be placed on actual reformation, even with outward appearances or protestations of reform, still it is to be hoped that no relaxation may ever ensue in those most laudable and Christian attempts, leaving the issue in the hands of an Almighty and Merciful Providence who, in His own good time, will bless and prosper a work undertaken solely for His glory. . . ."

## *Crime and Sin*

Analyzing the evolution of chaplaincy in the early years of Canada's penitentiaries, James Andrew Kerr in a 1979 study commissioned by the Ontario Region of the Correctional Service entitled *The Canadian Penitentiary Chaplaincy – An Historical Review (1834 – 1899)* reflected on the relationship of the secular and theological understanding of the criminal in that day and concluded: "The synonymous use of the concepts of crime and sin on one hand and good citizenship and morality on the other was an unchallenged assumption among Upper Canadians that largely explains this identification of reformation with religious conversion. This identification was in turn further compacted by the penitentiary promoters' view of the secular role of the church in Upper Canadian society. The church was widely recognized as the guardian of moral order and stability of the society and the corollary of this view was that the church would have an important role to play in the treatment of those who threatened to upset this moral order and stability."

Rev. Robert Rogers, in his 1844 report for Kingston Penitentiary, saw his mission in ministering to convicts as one of battling sin: ". . . if there is a place on earth where

a Minister of the Lord Jesus Christ may contend with sin, it is in a great prison; and it is apparent from facts, that he may not only find sin to contend with, but he may contend with it successfully."

Rev. Rogers' successor, the Rev. Mulkins, clearly saw the inter-relationship of correctional and moral treatment, and seemed remarkably realistic – while still optimistic – about the possibility of success on both accounts. In his 1856 report, he commented on the inmates discharged that year: "They have for years been restrained from all crime, and most vices; they have had time in their lonely hours for reflection and repentance; they have mostly learned useful trades; nearly all of them can write, and all can read the Word of God. Most of them have read over all the Bible; some have gone through it over and over again; and all of them studiously, chapter by chapter, have read over the New Testament. All received Catechetical instruction, committed to memory the Ten Commandments, and a comprehensive summary of the Christian Faith.

"Their general conduct here was good, and at the religious service they behaved in an exemplary manner. Some of them, at their own solicitation, were admitted to Christian Baptism, and all professed to have believed with the heart unto righteousness. Some of them declared that their imprisonment had been a blessing, and fourteen out of fifteen, on being discharged, stated that they were better men in a moral and religious sense. Judged by their good conduct here, favourable hopes are entertained of their future life; that all of them will be good citizens; that some of them will be sincere Christians; and that society has no just cause of apprehension from their liberation."

Some of the theology espoused in support of the penitentiary system was challenged by chaplains. Rev. C.E. Cartwright, in his 1890-91 report from Kingston, showed compassion for the wives and children of prisoners. He refused to accept an argument from Scripture to support their fate: "I am aware that in some respects it is desirable that the sins of the fathers should be visited on the children; but I deem they will be visited sufficiently by the law of heredity, etc., and in spite of anything we can do to the contrary; therefore, I feel that society should do what it could to alleviate such distress."

Chaplains did not dispute that Church and State legitimately walked hand in hand in the reform of the criminal. Fr. P.A. Twohey, chaplain at Kingston Penitentiary, quotes with obvious approval, but with the addition of his own revealing commentary, some of the remarks of Bishop Cleary at the blessing of the institution's Roman Catholic chapel in 1881: "'. . . in our day the wise and good men who administer justice vindicate, to be sure, every injury inflicted upon outraged society, but in such manner as to treat the guilty with consideration and mercy. So in our prisons we behold Christian men using the criminal as a fellow-being, feeding him, clothing him, caring for his bodily health and in all things exercising his power over the victim of man's justice,

*Rev. Conway Cartwright, Kingston (Courtesy: Diocese of Ontario Archives).*

humanely and with a due sense of his own responsibility to a God of infinite mercy.' In such terms did the Bishop address the convicts and prepare their minds to undergo the punishment dealt out to them with patient submission."

That chaplains made this identification of sin and crime, and hence of legal and moral guilt, is evident in some of their reports. Rev. George Schofield, chaplain at St. John Penitentiary in 1871, said this: "My earnest endeavour is so to appeal to their consciences and hearts as to convince them that sin is foolish as well as criminal; and that obedience to the law, divine and human, is the only way to happiness and honor."

## *The Moral World of the Prison*

Among the early wardens, we presume most supported the philosophy of the Inspectors and others in authority. We find some who articulated their philosophy in decidedly Christian terms. One such was Colonel Samuel Bedson, the builder and first Warden of Stony Mountain Penitentiary in Manitoba, who also served for a time as acting Warden of St. Vincent de Paul Penitentiary in Quebec. Bedson, in his 1885 report as Inspector of Gaols for the Province of Manitoba, made this rather profound and certainly articulate analysis of the human condition, worth quoting in full in spite of its length: "You cannot fight violence with violence in a moral world. You cannot wash out stains in the cruel selfishness of self-protecting principles unalloyed. A prisoner is a criminal indeed, but in supposing that he is wholly criminal the goodness of the great Creator himself is doubted. It is a mistake to imagine anything of the kind. He is more than a criminal, and if you are to treat him in the interests of society you cannot do so except primarily with reference to his own direct good. He must be considered, he must be educated, he must be trained and disciplined precisely as any other member of society, to induce him, if possible, to give out spontaneously from his own nature that which is right; to lift him up by the aid of his own powers, his own will, his own efforts, so much so that he will loathe any approach of the baser appetites and passions which have brought him to this humiliating position.

"You must redeem the prisoner by sympathy and not by extinguishing in him that which is the strongest inspiration of humanity, that which springs eternal in every man's breast except the prisoner's: Hope. Reformation depends entirely upon the amount of this principle you can inspire the prisoner with.

"... There is a tender spot in every prisoner's heart, be he foul as he may. Society, likely enough, has never put its hand upon it. Reach that spot, use every influence, strain every effort to get there, there you will find at least a fragmentary remnant of the delicacy and refinement of innocence, bring to bear upon the dying embers the power of sympathy and interest, the influence of a worthy officer setting before him the example of manliness, of sincere unflinching integrity of purpose

and zealous care in the discharge of his own duty, lift him above himself; by such means alone can you unbar the gates of his unenlightened soul and admit the light and sympathy of society. Conquer violence by gentleness; attempt the reverse and you convert our gaols and prisons into high seminaries for the cultivation of scientific crime; society meanwhile looking on complacently, not knowing that by so confining and segregating her criminals coupled with unnatural treatment, she is making them more injurious than ever if she had kept them in her bosom."

More succinctly, but no less profoundly, English theologian William Temple, Archbishop of Canterbury, in a 1934 lecture entitled "The Ethics of Penal Action," made the same point: "Seeing in them what they had it in them to become – the potentiality which was the greater part of their actual being . . . according to Christianity every man truly is that which God's eternal knowledge apprehends and this includes the effects upon him of all works of Grace. We are not what we appear, but what we are becoming; and if that is what we truly are, no penal system is fully just which treats us as anything else."

*An historic picture: Prisoners and staff after the Riel Rebellion, 1886. Standing from left: Fr. A. Lacombe, former chaplain Manitoba Penitentiary; Chief Big Bear; warden Samuel Bedson, Fr. G. Cloutier. Sitting: unidentified priest and Chief Poundmaker (Courtesy: Glenbow Museum).*

## *The Origins of Crime*

Moylan, Bedson, and all those who believed in the benevolent influence of religion, probably also subscribed to the belief that a lack of religion was a major cause of criminality. In 1838, Rev. William Herchmer, first chaplain at Kingston Penitentiary identified the following as the major causes of criminality: want, "the desire to gratify libidinous passion," disappointment in love, idleness, and especially intemperance. However, he concluded that the chief cause of crime was: ". . . to be assigned to the want of religious instruction in childhood; in very many instances, evil habits have been strengthened by the immoral conduct of parents and guardians; some have been thrown upon the world without friends or counsel, and have unfortunately fallen into bad company, the very hot bed of sin."

Thirty years later, Rev. Mulkins has a similar analysis, introducing statistics of which he was very fond, to illustrate: "Almost all the prisoners are persons of strong passions, self-willed and selfish, with little respect for law, intent chiefly on present gratification, and of varying and uncertain mental condition. Many have lived in self-indulgence for years, others in gross and sensual habits . . . 226 were intemperate, 267 committed crimes under the influence of liquor; 121 were brought up irreligiously; 236 had been left in orphanages. A large number are persons of weak intellect, most of them had fallen into immoral habits of one kind or another, and but few had the advantage of even a good common education.

". . . They have come to a place where everything ought to have a moral tendency, and moral influences should impress on every side. They ought to see law, order, justice and goodness, mercy and compassion everywhere and in everything. Such persons are more impressed with what they see than with what they hear. Their eyes are sharper than their ears.

". . . The external seems so much more real than the internal, this world seems to surround and impress us so much more manifestly than the spiritual and future, that society forgets that the intention of institutions of this kind, is to cultivate the moral nature of its inmates, to bring light into the darkness of their interior being, and lead them to Him who having made them in His image at first can restore them to His image again."

Chaplains, due to their close and confidential relationships with inmates, had good cause to have opinions about the causes of crime. In his 1910 report, Rev. John Rollit at St. Vincent de Paul notes a trend which was to continue to the present day: "The increase is, I fear, largely due to the 'drug habit' which is alarmingly on the increase amongst the younger men and boys. . . . Now, it is a common occurrence to be told by the youthful criminals that not liquor, but morphine, cocaine, etc. caused their downfall. . . . The evils of the liquor habit are, indeed, deplorable, but those consequent upon the use of these drugs, are mentally, morally and physically more appalling. . . . It is my melancholy duty to report the death of one of those under my care, which was directly caused by the 'drug habit.'"

His colleague, Fr. Harel, saw things more simply in moralistic terms, as he said in his 1901 report: "Weakness or carelessness of the parents, slothful selfishness and early emancipation drying up every religious and moral principle in the children, and, in all, boundless sighing after whatever success and enjoyment, are ever the chief ways leading to the penitentiary."

Fr. Leclerc identified the causes of criminality more in sociological factors. In his 1876 report, he notes: "This increase of criminals is, in our opinion, attributable to several causes, amongst which must be set down the stagnation in trade, the well-nigh complete ruin of our industries, and the want of employment for our working population. It being impossible for him to earn his bread, the labourer or tradesman is more easily induced to have recourse to dishonest speculations, fraud or theft, which in the end bring him to the Penitentiary." He also sees immigrants suffering from Canada's crisis: "Finding nothing but poverty where they expected to secure a fortune, they very soon go to swell the numbers of the population of our gaols."

Rev. C.E. Cartwright at Kingston Penitentiary also identifies the causes of crime in non-moralistic factors, commenting in a full-page discourse on criminology in his 1899 report: "Besides the insane and the homeless there remain two classes [of criminal], the accidental criminal and the professional.

"Although believing that the bulk of our criminals are rendered such by causes over which they have little control, such as heredity and the environment of their childhood, I recognize that the criminal must be subject to restraint. The question to be decided is the nature of the restraint and its duration."

## *Canadian Chaplains Investigate*

In 1945, G.L. Sauvant, Acting Superintendent of Penitentiaries, requested the 14 chaplains of Canada's seven penitentiaries to: ". . . analyze, as much as it was possible to do, the various factors or causes which have led three classifications of convicts to the penitentiaries: the young convicts (under 21); the first offenders over 21, and the recidivists."

The chaplains studied 42 inmates in each category by means of private interviews plus a review of their records. In their report, the chaplains quote, in support of their conclusion that lack of religion is at the root of criminality, the English Prison Commissioners who had expressed the opinion in 1932 that: "Religion touches the deepest springs of human conduct for it can furnish to the weak and unstable the highest ideals and the sternest inhibitions. It should, therefore, be awarded the first place among all forms of character training. . . ." They further quote Arthur Donald at the International Penal Congress, Washington, 1910: ". . . crime not caused principally by lack of education or laziness or intemperance, although such factors contribute to its commission. The origin of crime rests in the moral weakness which hinges, of course, on the lack of religious training and lack of character."

However much the study may have lacked scientific objectivity, it seems to have satisfied the Acting Superintendent who concludes his report to the Minister of Justice with this affirmation of the chaplains as well as the conclusions of their study: "That there is a growing laxity in moral values the world over, there is too much proof. The variety of moral disorders is almost as wide as that of physical disorders and in an endeavour to cope with this chaplains require great wisdom, keen perception, unbounded sympathy and wide experience."

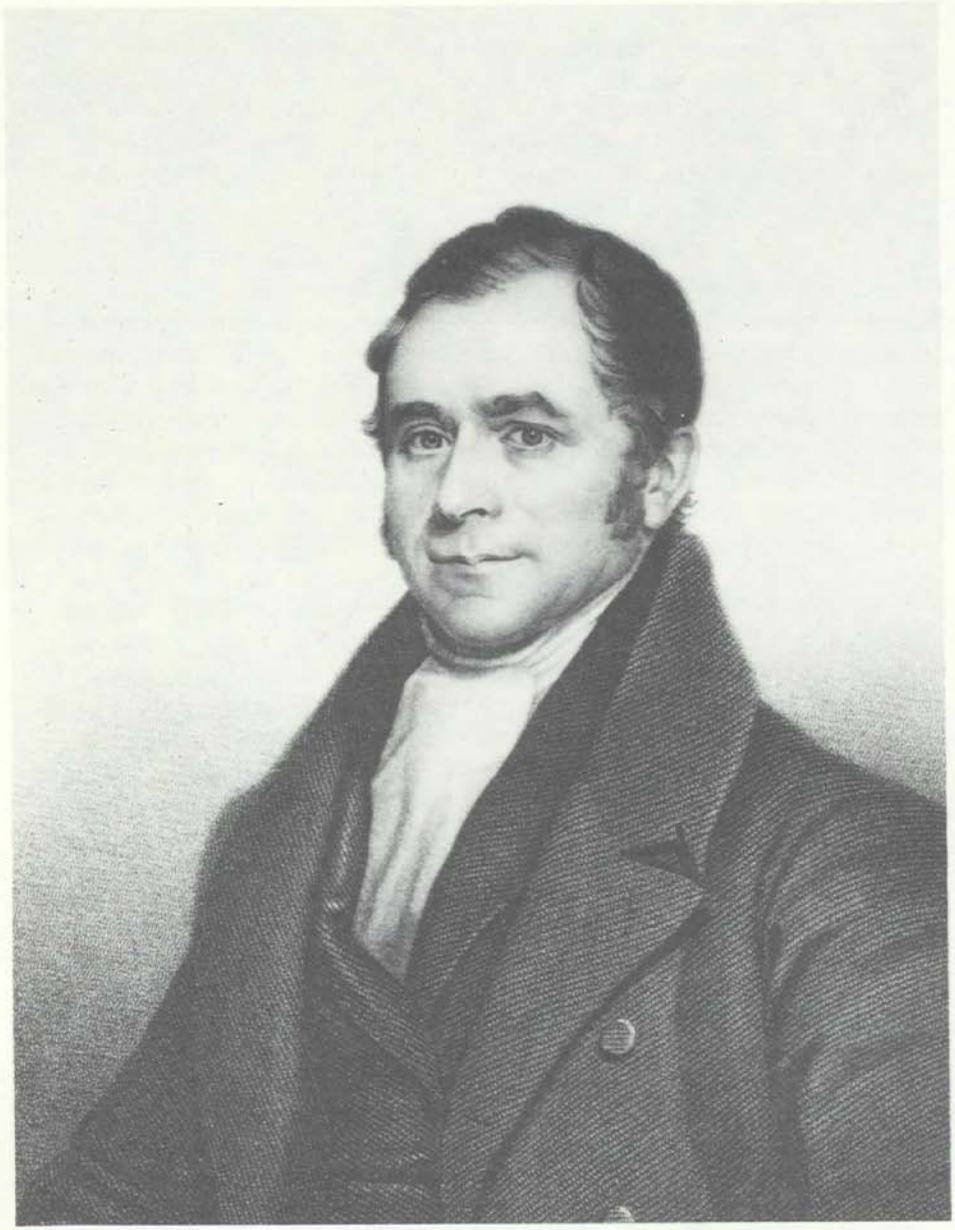
## *Is There a Cure for Crime?*

Chaplains from the earliest years were generally committed to the belief that the courts were acting for the spiritual well-being of the criminals in sending them to prison. Rev. Henry Pope, chaplain at Halifax Penitentiary in 1869, put his belief this way: "It being the great and noble object of the Government in sending criminals to the Penitentiary, not only to inflict on them condign punishment for their infraction of the laws of the country, but also to produce in them genuine sorrow for past misconduct, and thus prepare them for a life of sobriety and usefulness. . . . I have considered it of vital importance to follow our blessed Saviour's rule, which is to 'make the tree good that the fruit may be good.'"

A great exponent of the power of religion, and so supporter of chaplaincy, was Inspector Moylan, who served in this post from 1875 to 1894. In his 1881 report he wrote: ". . . of all other reformatory agencies religion is first in importance and most potent in its action upon the human heart and life. It is the only power that is able to resist the irritation that saps the moral forces of these men of powerful impulses, whose neglect of its teachings has been the occasion of their being immured within prison walls." In 1887 he reiterated the proposition: "Religion alone is capable of reconciling them to themselves, to society and to God. It alone can restore hope to the criminal, the loss of which has been the chief cause of his continuance in a course of crime. Religious influences are, therefore, an essential agency in the moral improvement of prisoners."

Successors to Inspector Moylan, Inspectors Douglas Stewart and G.W. Dawson, were not quite so committed to the exclusive influence of religion. In their 1904 report to the Minister of Justice, they state: "Imprisonment should be accompanied by all reasonable facilities for moral reformation. These are, however, merely incidental. All that the state requires – all that it has a right to exact – is that society shall be protected against the delinquent until he shall have given satisfactory evidence that he will comply with the legal requirements of the state and respect the rights of his fellow citizens. . . . The causes of criminality lie outside the prison. The prison merely deals with the results."

When W.S. Hughes became Superintendent of Penitentiaries, as the old Inspector position was now styled, once again there was a strong supporter of chaplaincy in



*Rev. Henry Pope, Sr., Halifax (Courtesy: Archives of the United Church of Canada, Victoria University, Toronto).*

the top position of authority. Hughes showed his theologically-oriented view of human nature in his 1921 report: ". . . it never does any good to treat a man as a machine, but in the past there has been a tendency to do so in the name of discipline. . . . the more punishment is inflicted on inmates in a prison, the stronger the probability the place is poorly managed. . . . seldom is conversion to virtue obtained through punishment. . . . physical force can check or temporarily restrain various forms of evil, but usually at the cost of rendering them still more intense and permanent. It is more often the force of persuasion, patience, gentleness and true religious influence which can successfully convert those possessing wicked feelings and ugly dispositions. This is, however, a much more difficult task and one for which few officers are fitted."

## *Prison Missions: 40 Years of Fuelling the Faith*

Under Superintendent Hughes in the 1920s, wardens again seemed more positively disposed towards actively promoting the influence of religion in their institutions. This burst of support was exemplified and justified by the success of Missions. So much did the Superintendent support the Mission experiment that he made provision for it each year. The Penitentiary Service wrote the holding of an annual Mission into the directives of the Service. For almost 40 years, each chapel was expected to have one. The minutes of a Wardens' Conference in 1957 noted that "plans for annual missions must be made sufficiently far in advance to avoid last minute requests for authority."

The practice of conducting Missions started in 1920. The Superintendent explains to the Minister of Justice in his 1923 Report: "For the past three years missions have been held at St. Vincent de Paul Penitentiary during the Lenten season with wonderful results, and in the year just closed at Manitoba and Dorchester penitentiaries also. At these missions the chaplains have been assisted by talented clergymen. The results have been far-reaching, surpassing even our fondest hopes and expectations. The clergymen who assisted at these missions gave their services gratis; needless to say they were appreciated by both officers and inmates."

Hughes goes on to quote the Warden of Stony Mountain Penitentiary who, not the chaplains, had taken the initiative to propose a Mission: "When first I suggested the mission to the chaplains I advised them that it would be well to choose missionaries of the calm, convincing type, rather than those who would appeal to the emotions only.

"As the mission approached, I sensed, among the men, a somewhat antagonistic feeling towards the same. I therefore addressed them at the close of a moving-picture show . . . and explained the programme with a view to creating a more cordial atmosphere towards the mission. I believe this address produced the results intended. . . . I identified myself as much as possible with both missions, affording the missionaries every facility.

". . . At the close of the voluntary communion service . . . I again addressed the men. . . . A cordial reference to the missionaries met with hearty approval from the men and the assembly closed with the singing of the Doxology.

"The mission has proved to be a great success in many ways; to the men it had brought satisfaction of their greatest need, namely, assurance of hope for the future, provided they started afresh and in earnest. When I paid my evening visits to the prison I found many men praying in their cells. While no emotional appeal was made I believe that a number are determined to live a Christian life, and still others are trying to commence a better life. The tone of the institution has been raised; the number of those seeking material benefits has been much lower than one would anticipate.

"The mission also produced a good effect upon the officers, the complimentary remarks of the visitors to the institution created a feeling of pride in the penitentiary and its work, while many clearly recognized for the first time the end to which our efforts are directed. I am sure the majority of the officers did all possible by their sympathetic attitude to make the mission beneficial.

"Upon the missioners themselves, there was a marked effect. . . . In the outside world much was accomplished by the mission, which helped to dissipate the erroneous opinions held by the public, due to the press articles from ex-inmates. . . . The Winnipeg Presbytery as a result of the mission have offered to co-operate with me in finding employment for inmates upon their release, if recommended by me. This will prove a much needed alternative to the Salvation Army, whose resources are usually greatly strained, although willingness is beyond question.

"I feel that a great step forward has been taken; some of the impressions left upon the inmates cannot but be permanent, and in the future we may rely upon a larger measure of sympathetic co-operation from the public than has been the case in the past."

The Superintendent quotes the report of one of the Missioners, Rev. Dr. J.E. Aikins, Young Methodist Church, Winnipeg: "Viewed from the standpoint of a preacher of the gospel the visible results were beyond any other mission that I have ever held. The deep interest manifested by the men, their penitence for wrongdoing and their sincere determination to seek Divine help in leading a new life were to me a gratifying revelation of the fact that the Saviour of Mankind is now as He was in the days of His flesh, 'The Friend of Sinners.'

"Judging by my interviews that I conducted the great majority of the men were sincere in what they did when seeking evidence of real change. I received such replies as the following: 'I am a changed man because I am contented and happy.' 'If staying here will atone for the past I am willing to stay.' 'I feel in my heart that my sins are forgiven.' 'I have failed many times but I am going to make one more big try.' 'I have quit swearing and cigarette smoking.' 'I am not concerned so much about myself as those dependent on me on the outside.'

". . . I preached the gospel of loving-kindness and tender mercy. No one stands outside the compassion of the Saviour and their hearts opened out in response, as the flowers to the sunlight. They are not monsters of iniquity but men with strong natures who somehow missed God and got on the wrong path. The same ground that grows rank weeds can grow good wheat and I believe they will become good men.

"To have 88 men receive the Sacrament out of a possible 123 was surely an indication that Divine favour rested on the effort. Of course the circumstances were favourable owing to the fact that the chaplain had prepared the ground and that you [Warden] did all that any man in your position could do to make the mission a success. Personally, I am thankful for the experience; it was the greatest week in my life."

The Superintendent quoted the flattering report of Fr. Handley, the Roman Catholic Missioner, to the Warden of Stony Mountain: "Permit me to thank you for the inspiration and stimulation of the mission at Manitoba Penitentiary. . . . It has been one of the most delightful experiences of my whole life. I wistfully regret its ending. . . . This is the first prison mission I ever gave and only the second I ever heard of having been given on this continent.

"Among the prisons I have visited, your institution is a bright, particular star. It is so sunny, dean and orderly, so simple, frugal, wholesome, so correct in its snappy military observance, so varied and interesting in its vocations, so quietly and smoothly efficient in its operation, that I have not once been able to feel that I was in a prison; all the old, dismal associations of the word are wanting. I have caught myself referring to it by the slip of the tongue, as the university. . . .

"The heartiness of their response to this appeal has been most gratifying. Surely many of them will persevere. Surely society will one day acknowledge its great debt to this prison for returning these men to civil life well grounded in the best and sturdiest qualities of good citizenship.

"Ninety percent of the Catholics in prison approached the Sacraments, most of them three times during the week. This is far above the average of parish missions. Many had not been reconciled to God since childhood. Surely the Redeemer who died for them will richly bless all who made possible those consoling results."

The Protestant Chaplain tells us more about the process of organizing the mission: "As we have many denominations represented in the prison, we decided to try and interest as many as possible by inviting a representative from each to be with us on certain days and co-operate in the Mission. [Presbyterian, Baptist, Congregational, Anglican, Methodist, Salvation Army]

"[I was impressed by], Dr. Aikins' splendid judgement in his approach to the men. It was totally devoid of all censoriousness on the one hand and any condescending or patronizing spirit on the other. . . . All the meetings were calm, quiet and dignified. No means were used to snatch a verdict, or even to commit the men save the workings of the Holy Spirit in the hearts of the men.

". . . Let me thank you for the suggestion . . . and for your hearty cooperation throughout the entire mission. It would not have been at all necessary to have blocked us to have killed all effort. All you would have needed to do would be to have sat back and perhaps carelessly let your foot touch the brake, and nothing could have been accomplished. You put your influence and personality into it, and because we were all united good has resulted."

Missions continued through the 1960s, but little information is given on them in the Commissioner's Reports. In 1968, he reports that there were 23 Missions of one to five days in length. In the following decade, Rev. John Nickels, former chaplain at Kingston Penitentiary who had been brought to National Headquarters in Ottawa as Chief of Social Education and Chaplaincy instituted "Chapel Week," an annual program of religious emphasis which succeeded the old Missions. For the 1972 Week, Chaplaincy Services commissioned a study booklet for inmates entitled *The Lord Looseth Men Out Of Prison*. The author, Archdeacon W.F. Payton, Regional Chaplain (Prairies) and Chaplain at Saskatchewan Penitentiary, Prince Albert, expounded the various biblical passages relating to imprisonment.

The practice of holding such religious emphasis weeks later died out.

## *Not Chaplains Alone*

Fr. Joseph Leclerc summed up his belief in the role of religion, and in the responsibility of the whole penitentiary community to enforce it, in his 1877 report: "It [religion] is the element that must prevail in the application of any sound system of penitentiary discipline. . . . it is useless to strive to reform criminals without the influence of religion. It is the want of religious and moral education that produces criminals; it is by giving them that education they are to be brought back to the ways of virtue. . . .

"But it must be borne in mind that in order to make the convict accept religion, it is not enough that the Minister of Religion alone should teach and practice religion. If the convicts perceive that those whose duty it is to guide them act after the manner of the Pharisees, teaching them to do what they say but not what they themselves do; if they never see in church those whose duty it is to show them the way to it; if they hear uttered by those who are to give them good example, language calculated to rob them of any remnant of faith they may have in their hearts, – it would be well to give up the idea of reforming criminals."

By no means did the early penologists of Canada expect the chaplains to do it all. The tone of a fully-Christian institution had been set by John Howard, who had written in 1777: "If a chapter of the New Testament were read daily by one of the prisoners to the rest, or by the gaoler, before the distribution of prison allowance [food], the time would not be misspent. . . . the gaoler should not, as some do, hinder any prisoner from attending divine service. He ought to remove every hindrance. . . .

The gaoler should be constant at chapel with his prisoners and set a good example for them to follow."

Among the 20 items of mismanagement for which Warden Smith was fired from Kingston Penitentiary following the 1848 enquiry was that he had not attended religious services on more than six occasions in four years; this was found inexcusable by the Commission. He was also held responsible for the discontinuance of morning and evening prayers, grace at meals, and the Sabbath School. The Commission recommended that the Inspectors draw up forms of Grace and Thanksgiving to be offered up by the Warden, Deputy Warden, or Clerk of the Kitchen at the commencement and close of every meal.

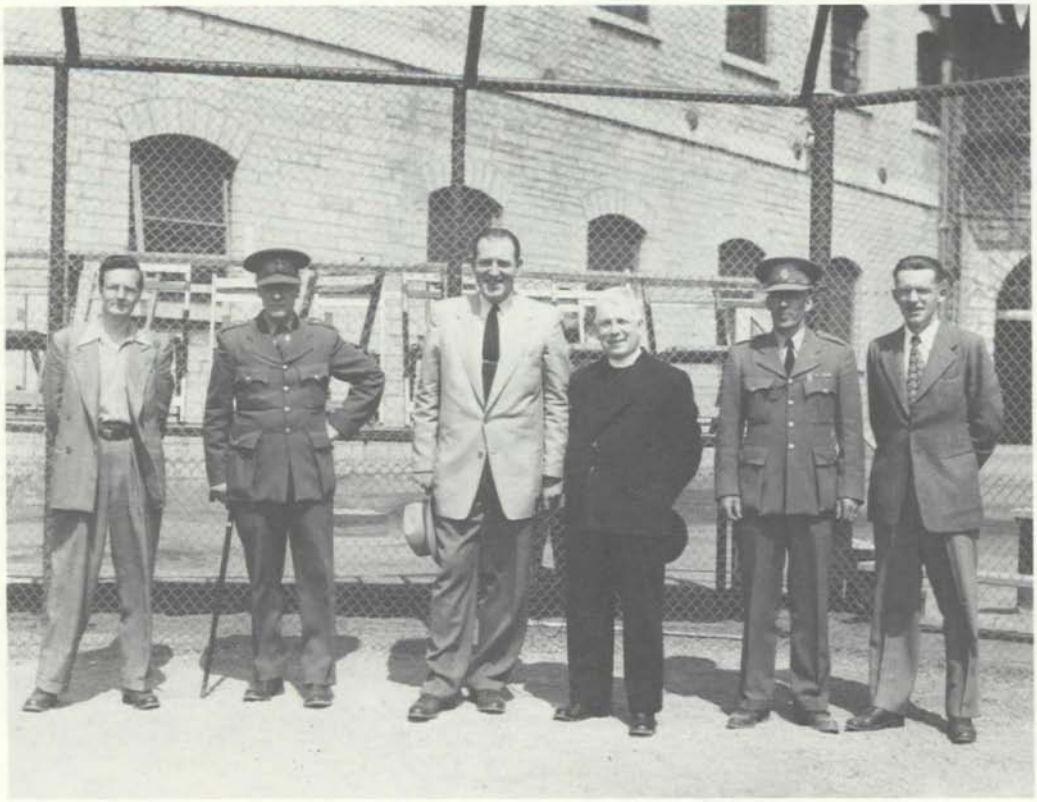
Chaplains were not held responsible, and did not see themselves by any means as being the only ones responsible, for the religious and reformative atmosphere in the penitentiary. The theme that prison officers must be of upstanding character and example reappears frequently in penitentiary reports.

In 1919, Superintendent of Penitentiaries, W.S. Hughes, had this to say: "There should be in each institution a . . . school teacher of good moral character with pure and lofty ideals . . . who would be a true example of what a real manly, God-fearing man is. The object lesson is the best teacher and the example of a good Christian man has more real saving effect on men in prison than all the preaching possible." In the report for 1921, we find him reiterating the same thesis: "It has been truthfully stated: 'The soul of all human improvement is the improvement of the soul.' Evils, whether social or moral can be overcome only by good influences. Carefully selected, well-trained, God-fearing officers are therefore essential to the successful management and reformation of the criminal. . . ."

But much earlier, chaplains had frequently discussed the importance of the influence of staff. In 1841, Kingston Penitentiary's first chaplain, Rev. W.H. Herchmer, introduced the "medical model" which was to come back into vogue a century later. He wrote: "The sympathy of an Hospital should pervade the Penitentiary, and every Officer should be like a tender nurse, so far as is compatible with the good of the individual and the institution."

Fr. Leclerc made use of similar imagery several decades later when, in his report for 1882, he said: "A Penitentiary is an infirmary for the treatment of moral diseases. To treat such diseases, it is necessary to have men who understand their profession. All men are not qualified to treat moral diseases; there is a science and a fitness necessary which is not the privilege of every one to possess."

In 1844, Rev. Rogers trod delicate ground stressing: ". . . the vast importance of the character of all the Officers of the Institution. They should be temperate men, men of unceasing vigilance, of pure conversation, possessing great benevolence, men who fear God. Less than this they ought not to be, who are to enforce by their example those lessons in morals and religion which it is the Chaplain's office to give. Less



*Working with the treatment team at Collins Bay Institution (from the left): Bill Carabine, Classification; Sid Davidson, Deputy Warden; Joe McCulley, Deputy Commissioner; Fr. M.J. Brady; Dave Reason, Principal Keeper; Frank Miller, Classification.*

than this, and the Penitentiary will continue to be a prison, it is true, but not a School of Reform."

Things had not improved in Kingston Penitentiary by the time of Rev. Mulkins, who in 1867 alludes to: ". . . officers who take an interest in the moral improvement of men and who might aid most materially in their improvement. . . . In this respect there is a defect in this Prison."

Rev. Rogers' colleague, Fr. MacDonell, was concerned about denominational balance in the staff: ". . . there ought to be a sufficient number of guards of each denomination to obviate the above objection [that some guards were compelled to attend Divine Service with the convicts of a different religious persuasion than their own] in future. Were one of the female guards a Catholic, it would, I am sure, prevent a great deal of bickering and discontent among the female convicts."

Religion, staff, and work – these are the three most important factors in an institution, opines Fr. Twohey in his 1883 report from Kingston: "Religion, of course, must have the first place; then comes the work of intelligent and capable officers preventing certain men from having intercourse with one another, and preventing the dissemination of bad books and pamphlets which are apt to find their way into a penitentiary no matter how strict the rules and careful the supervision of the Warden; and finally the convicts must have the means of acquiring a taste for work."

Fr. Twohey was a strong advocate of the employment of good men as guards, well paid for their work: "In the prison the guards received a mere pittance, certainly not enough to pay for the work expected of them. We have all heard it said their pay was better than that received by labourers who have harder work to do. I would answer this objection by saying that a prison official should not be ranked as an ordinary labourer. He should be a man of intelligence and at least of some education, that convicts may not look on him as their inferior. That men of this class may be procured, or to retain those already employed, a liberal salary must be given them.

"As to the work done, I believe people not acquainted with penitentiary matters to have a very erroneous opinion. If those who think the life of a guard an easy one, do his work for one month in any season, but particularly in winter, I am convinced the long hours, the Sunday occupation, the frequent night duty, the constant anxiety, and the danger of assault from vicious men, and the partially insane with which prisons of this kind abound will, at the end of this term, admit that the life of a guard is not the easy one their fancy had painted it."

## *A Commitment to Quality Staff*

The greatest – if eloquence and volume of written record are a criteria – exponent of the importance of the penitentiary staff was Fr. Leclerc. His commitment to quality staff is said to be one of the reasons the Government in 1961 named a penitentiary after him. He saw their work as complementary to his, the moral and spiritual reform of the convicts being the purpose of the penitentiary. His conviction appears in most of his annual reports, but is most succinctly expressed in his 1876 report: "The work of a Penitentiary Chaplain is a work in which all must help according to their special functions. The united efforts and abilities of all will be none too many to carry out successfully the difficult task of restoring to the path of virtue those who have utterly strayed from it."

In 1875 Fr. Leclerc had written: "I am at this moment more than ever convinced that success in the moral reformation of the convicts depends in a great part on the selection of the individuals constituting the administrative staff of the Penitentiary. On this selection depends – more perhaps than on any other condition – the success or failure of the system in force in our penitentiaries. It is absolutely necessary to

insist that the employees shall exhibit proofs of morality, intelligence, zeal and humanity, qualities which unfortunately are not common.

"To be a good Penitentiary officer needs, as it were, a special call. We require men who understand that they have duties to fulfill, not so much towards the management by whom they are paid, as to the conscience by which they are directed; men capable of combining the spirit of charity with the spirit of justice.

"The teachings of the altar, the pulpit, the confessional, must be completed in the workshop, in the cells, everywhere, and that by the persons to whom society has entrusted the keeping as well as the improvement of the criminals. All the employees of a penitentiary must be in a greater or less degree Apostles, if not by word of mouth at least by example. They must be models of every virtue for those whom it is their task to reform."

But often the staff did not meet Fr. Leclerc's expectations; in 1875 he complained: "We must here state how grieved we have been to see certain officials quite careless in enforcing morality, both as to language and conduct, amongst the convicts. What reformation can we expect amongst the convicts when those whose task it is to reform them are the first to laugh at their dissolute language or to give them the example of a morality more than lax?"

In 1877, Fr. Leclerc reminded the Inspector of how he could deal with guards who were not up to standard: "The rules require that the Penitentiary official shall fulfil his duty, and shall be a man without reproach, not only when on duty, but also honourable and without reproach in his private life. He shall be dismissed from the service, say the Rules, if he frequents taverns, if he keeps company with persons of doubtful reputation, or if he does anything whatsoever unworthy of an official of the Institution. This one rule, if carried out, would have a far more salutary effect on the government of the Institution than the observance of certain rules of detail of far less consequence."

By 1882, Fr. Leclerc recognized that the men of the calibre he demanded could only be obtained for a price: "The greatest obstacle to the improvement of the personnel of our Penitentiaries is, as I have heretofore remarked, the insufficient salary. At the present time, particularly, when salaries are increasing everywhere, on account of the abundance of labour, it is impossible to secure the services of a man; no matter how small his capacity, for the salary given at the Penitentiary.... a learned, sober and intelligent man will never consent to come and bury himself, I might say, in a penitentiary, and pass his time in the midst of criminals – to expose his life and labour incessantly from six o'clock in the morning to six o'clock at night – Sunday not even excepted – for a salary of $450. Some twenty or thirty years ago such a salary was sufficient, but today such a thing is unheard of." In 1875 he had recognized that: "... an incapable officer is always overpaid, while a skilful and intelligent man will render service which can never be too highly remunerated."

Other chaplains took up some of the officers' problems. In his 1880 report, Fr. Edward Horris at British Columbia Penitentiary calls the Inspector's attention to the fact that after two years there is still no wall or fence surrounding the institution, and considers it unfair that officers are being blamed for allowing escapes.

One of the personal problems of some officers, which was – and still is – a concern of chaplains, is revealed in Fr. Leclerc's 1875 Report, when telling of an Episcopal visit to St. Vincent de Paul: "Another happy result of the Bishop's visit, was the enrolment of a good number of the officers of the Penitentiary in the Temperance Society. . . . My desire would be to see all strictly temperate, without as well as within the walls . . . . Excesses which may sometimes be committed outside the establishment, almost always in the end become known to the convicts. And then, as we have already said and desire to reiterate, the moral improvement of the convicts depends in a great measure on the officials themselves, whose duty it is to inculcate virtue by their own examples, still more than by word of mouth." If the Bishop so influenced the guards, one wonders what effect he had on the inmates.

Successors of Fr. Leclerc reiterated his emphasis on staff. Fr. L.O. Harel in 1890 says: "In order to obtain a lasting improvement, and reform the greatest possible number of convicts, all the officers should be men of conscience and heart, thoroughly practical Christians. Otherwise, very little good can be done. The examples of the officers would render useless for a great number of prisoners all the efforts of heaven and earth."

For several years in the 1920s, the annual reports of the Superintendent of Penitentiaries gave a table showing the "creed" of each officer by name in each institution – a strange fact to be entered into the public record. Not surprisingly, every officer is identified as a member of some Christian denomination.

Chaplains were not above admonishing Wardens on their principles and duties. In welcoming J.C. Ponsford as Warden of Stony Mountain Penitentiary in April 1913, Chaplain S.W.L. Stewart reminded him: "While the punitive side towards the criminal and the protection side towards society have their proper places and bearings, yet surely as a Christian people we must give first consideration to the reformation of the individual."

## *The Chapel and the Chaplain*

Of all the many sources of religious influence on prisoners, the attention always shifted back to the chapel and the chaplain. As Fr. Leclerc's immediate successor, Fr. J.O. Godin, wrote in his 1884 report: "The civil power, I consider, in consigning criminals to the penitentiary, does not aim so much at punishing as at morally improving them, elevating them, making them men and Christians, fitting them to be hereafter useful to society instead of being its bane. But where is the education to be imparted? Where

is that great change to be brought about? In the shop? In the work yard? In the cell? No, evidently not. It must be in the church. It is by religious exercises that we shall succeed in reclaiming and elevating them. With this unfortunate class we must act on the senses, in order to reach the heart. We must make them love the church; and there, by means of beautiful religious functions, banish the dullness to which they are prey, the despondency which sometimes renders them intractable, and then inspire them with sentiments of honor and love of virtue."

As the Inspectors insisted in 1836, commenting on the delay in appointing the first chaplain to Kingston Penitentiary, despite the Warden and his deputy doing all within their power to "awaken moral feelings" in the convicts, such efforts will have no lasting impression: "A Chaplain only can duly attend to this part of the discipline."

And so it is more directly to the work of the chaplains that we now turn our attention.

# 3 "BUT WHAT ARE CHAPLAINS?"

*Bishops or Presbyters we know, and Deacons we know,*
*but what are Chaplains?*

English poet, John Milton, asks this question in his 1649 work entitled *Eikonoklastes*. "Chaplain" is a common term today, but Milton's question deserves a renewed explanation for those who may be unfamiliar with the various specialized ministries of the church.

The person formally charged with supplying the religious influence so sincerely desired for so many years by the founders and managers of the penitentiary system is known as "Chaplain" in English, "Aumônier" in French. These two words are not exact equivalents. Each carries a specific connotation which is complementary to, but far from identical with, the other. Chaplains or *aumôniers* are those who serve in a variety of non-parochial ministries, not just in prisons.

The French term refers to one who is responsible for the distribution of the "alms" given by the faithful for the relief of the poor. As prisoners were a distinct group of poor, dependent on the generosity of their families and friends (if they had any) or otherwise dependent on the alms of the Church for food and clothing, the *Aumônier* was the cleric or lay brother assigned to the duty of visiting the prisoners for the distribution of this charity.

The English word "chaplain" probably derives from the word "capella" which meant "covering" and was used to describe the tent-like structure used to cover a military field altar – a portable "chapel." Although many churches have chapels, a chapel was originally a separate building erected to meet the needs of those who could not attend the parish church. In contemporary usage, chaplain is the term for a cleric assigned to minister to a specific group of people such as those in an institution which has a chapel. Thus chaplains in hospitals, military establishments and prisons extend the ministry of the parish church to its members who are separated by circumstance from the worshipping community and from the pastoral care of the clergy of the parish church.

To find the origins of chaplaincy in Canada's penitentiaries, we must trace the roots of such ministry in Britain. We must remember that chaplaincy was just being established in Britain in the decades preceding the building of Kingston Penitentiary.

At the time the penitentiary at Kingston was being planned, the authorities in Upper Canada were firm believers in the establishment of religion as it was in England. The Anglican Church, known at that time formally as the "United Church of England and Ireland", was the *de facto* Established Church in Canada, as it was in law in England. Many of the Anglican Bishops and other clergy in Ontario were Englishmen or Irishmen, British educated, and hence could be expected to reproduce in Canada the English models of ministry. Clergy, including those first serving as penitentiary chaplains, if they knew anything of prison chaplaincy would know it as it was practised in English prisons.

The British law integrated the chaplain's duties into the overall work of the prison. The chaplain was to be responsible for basic education as well as for religious instruction. Canada followed that model. Since public education at the time was provided by church-run schools, it does not seem extraordinary to find the chaplain made responsible for the school in the penitentiary.

Britain's 1823 *Gaol Act* influenced Canadian penal practice in the pre-Confederation years and set the pattern for the *Statutes of Upper Canada* and for Canada's *Prison Act* following Confederation in 1867.

## *Staff Chaplains*

The need for a salaried clergyman in prison had been felt in England before the creation of the "modern" long-term prison, even before the word "chaplain" had entered the ecclesiastical vocabulary. In the mid-16th century, using the term "curate" which meant the person having the "cure of souls" (that is, the pastoral care of the people of the parish), Bishop Hugh Latimer (1485-1555), who himself experienced imprisonment and ultimately martyrdom, challenged the clergy: "Oh, I would ye would resort to the prisons – a commendable thing in a Christian realm. I would there were curates of prisons, that we might say 'The Curate of Newgate', 'The Curate of Fleet'; and I would have them waged for their labour." When such extended care of souls was provided to those in a prison within the borders of the parish, the parish curate with that special responsibility became known as the chaplain.

The principal reason why paid chaplains had not previously been engaged by the prisons was that the spiritual needs of inmates was not financially profitable to the free-enterprise jailers. Some parish clergy did see it as part of their ministry to care for the inmates of prisons located in their parishes; many didn't. If any ministry had been provided in such institutions, it was by clergy who were motivated by a real pastoral concern for the inmates, and who had the courage to face the appalling health and other hazards of prison conditions. Often seen as interfering, clergy were not always welcomed by the jailers. Most prisoners did not miss chaplaincy; their souls' health was not their priority while struggling for bare survival under miserable physical conditions.

John Howard's passionate campaign to humanize the atrocious penal system of 18th century England included a plea for the provision of ministry by staff chaplains. This was finally mandated in the new penal reform laws. From his visits to the prisons of most European countries, Howard had witnessed the reformative potential of ministry to prisoners.

*Chapel of Leclerc Institution.*

Howard believed that chaplains should be carefully selected and officially appointed, rather than relying on the voluntary services of local clergy. They should be adequately paid, but he was critical of those who were overly concerned about remuneration. He hoped that clergymen might be found who would act from a nobler motive than mere financial gain – namely, a regard for the most important interest of their fellow creatures. He called attention to the example of a chaplain in Bristol, who for twenty years had carried out his duties without a salary. His vision significantly influenced the church to take seriously its responsibility for the spiritual care of prisoners.

## *The Good with the Bad*

In his great work, *The State of the Prisons*, published in 1777 only four years after the abolition of the contract prison system in 1773, Howard was able to say of his survey

of English prisons: "I had the pleasure to find a chaplain appointed to most county gaols." The Church had responded quite quickly once reform laws opened prison doors to chaplains and provided funding to support their ministry. Howard, however, was not always pleased with what he saw of established chaplaincy: "In some prisons where there is a Chaplain appointed, no worship is fixed for Sunday; in some where that day is fixed, the Chaplain choosing his hours comes, sometimes too soon in the morning, sometimes between morning and evening service [in his own church] at the prisoners' dinner time. In some there is no fixed day at all; consequently (as I have too often found) the service is totally omitted."

Howard had been obviously little impressed by some of the chaplains he had encountered and offer pointed advice for magistrates' guidance in making their appointments: "When the office [of chaplain] is vacant, it behoves magistrates not to take the first clergyman who offers his service, without regarding his real character. They should choose one who is in principle a *Christian*; who will not content himself with officiating in public; but will converse with the prisoners; admonish the profligate; exhort the thoughtless; comfort the sick and make known to the condemned, that mercy which is revealed in the gospel."

There were indeed some bad chaplains. The chaplain at Newgate Prison, for example, testified to a Parliamentary Committee that he did not visit the prisoners in private and did not visit the sick, but did bury the dead. And he complained about a volunteer chaplain – probably Silas Told, a notable Methodist of whom we will hear later – who was frequenting the prison and cramming the prisoners with prayers and preaching!

But there were also good ones. One was John Clay who served at Preston Gaol for 36 years in the early 1800s, refusing a higher salaried position because it was in a jail with a gallows and he found execution repugnant. He has been called the "patron saint of prison chaplains" for his development of the role of chaplain in the face of much ill will from the authorities. Clay refused to allow stall boxes to separate the prisoners from one another in chapel. He even had a screen removed which separated male from female worshippers, because he saw it as a token of mistrust and suspicion.

## *Beyond the Call of Duty*

Howard was convinced that chaplains should be required to undertake extensive work in the prison, more than just the statutory duties outlined in the 1774 Act which had been passed providing for the appointment of chaplains. It required only that: ". . . he shall read morning and evening prayers each Sunday, Good Friday and Christmas. . . . preach two sermons each Sunday . . . all offenders shall attend." The Chaplain also was to visit: ". . . any of the offenders, either sick or in health, that

may desire or stand in need of his spiritual advice and attendance." He was not, however, allowed to interfere with their work hours! Canadian authorities obviously knew of these standards, and we will see them reflected in the duties defined for Kingston Penitentiary's Chaplains.

Howard held the administration of the prison and not the chaplain alone responsible for the religious life of the institution. He was adamant that every prison should have a chapel: "It should have a gallery for debtors or women; for the latter should be out of sight of all other prisoners; and the rest may be separated below. Bibles and prayer-books should be chained at convenient distances on each side; those who tear or otherwise damage them should be punished."

What Howard had said of chaplaincy in the county jails was to be repeated with respect to the hulks and finally to the long-term prisons as they developed. When in 1779 chaplains were appointed to the hulks, it was with the expectation that they perform more than perfunctory duties specified in the Instructions to Hulk Captains: ". . . the Chaplain is to visit the sick in the hulks occasionally, and to show himself ready and desirous to administer to them such spiritual advice and consolation as they may stand in need of. . . ." The Captain is directed: ". . . to give him [the chaplain] timely notice of the death of any convict, so as to ensure his attendance at the funeral." It was reported that a chaplain, in a hulk aptly named the Retribution: ". . . does not think it necessary to endeavour to have personal communication with the convicts, except in cases of sickness."

The chaplain of one hulk organized a library which grew to 1,000 volumes. One wonders how many of the men could read and how they were able to do so under the conditions in which they lived. Chaplains there, as later in Canada, controlled the contents of the libraries choosing only works which would "reclaim the prisoners from habits of vice."

Chaplains of the hulks constantly pressed for improvements to the terrible conditions on board, such as the division of the hulks into cells and the separation of men and boys. One chaplain demanded a high standard of dedication and duty from the officers which eventually led to his own transfer to another ship. Prophetic ministry can lead to martyrdom!

## *The Millbank Experiment*

In his published memoirs, Chaplain Clay tells us that Millbank set a new standard for the selection of a chaplain. Care was given to finding the right man for the job. The managing committee laid down that the applicant must be an Anglican priest, must be approved by his Bishop, and must have "no other profession or duty whatsoever." Among his various duties he was to assemble the prisoners for religious instruction "in such a manner as would conduce to their reformation." No prisoner was to absent himself without leave from Divine Service or to behave in an irreverent way.

The Committee and the Bishop were well satisfied with the results. There was evidence, however, that all was not as well as it seemed, since the Governor felt the need to carry a loaded pistol in his pew, as riots had broken out in the chapel on occasion. Inmates routinely used the cover of responses to communicate with one another and sang words which were not exactly from the hymn book and psalter during those parts of the services! Once, when the Chaplain said "Let us pray," Clay tells us that the inmates responded: "No, we've had praying enough"!

For a time – from 1837 to 1843 – Millbank epitomized the integration of Church and State, of pastoral care and custody. The two positions of Governor (Warden) and Chaplain were combined with the appointment of Rev. Daniel Nihil as Chaplain-Governor. This idea was designed to provide the best means of enforcing and bringing about moral regeneration. The terrors of the law were preached in the Chapel, tracts circulated in the cells and even prison warders were used as catechists, reading scriptures and making cell-to-cell pastoral visits. They presumably carried their keys and truncheons as well as their Bibles.

Clay, writing not long after the termination of this experiment, says that the convicts took every advantage from this situation, playing the game of appearing sanctimonious by their constant Bible reading and religious fervour. Solitary confinement for long periods proved too hard for many of the convicts, who "went mad under the combined influence of solitude, malaria, and Calvinism." The collapse of the Governor-Chaplain combination was precipitated by a riot; the governor's position was taken from the priest and given to a military officer!

Happily, the Millbank experiment has never been imitated in Canada. Some chaplains have, however, changed careers within the criminal justice system. Rev. Ted Van Petegem, first chaplain at Warkworth Institution, became Head of Classification in that institution and later became Warden of the Beaver Creek Institution. Rev. Malcolm Stienburg, former chaplain at Collins Bay Institution, became a senior member of the National Parole Board. And Rev. David McCord, chaplain at Cowansville Penitentiary, was seconded from the Correctional Service to become the first Executive Director of the Church Council on Justice and Corrections.

As prison chaplains in England "staked out their turf," they sometimes resented the intrusion of outsiders. Even the now-famous Elizabeth Fry was resented by some who perceived that she came between the chaplain and his flock. She was, of course, a woman and a Quaker, which probably did not endear her to male Anglican chaplains. She and her committee criticized some chaplains for the perfunctory way in which they carried out their duties and they, like some Governors, objected to any movement for change which would increase their work. Mrs. Fry justified her own efforts on the grounds that official methods of supplying religious education and comfort to prisoners usually failed. The debate as to whether chaplains are most effective when government-employed staff or when church-employed and commissioned for the special ministry of chaplaincy still continues.

## *The Long and Short of Chaplain Reports*

English chaplains were required to write annual reports and so were Canadian chaplains, until recently. Their reports to the various Inspectors and Commissioners, and through them to the Minister of Justice in the Government of Canada were published until 1916. Many English chaplains used their reports to advocate their own theories of penology and criminology. We will find some Canadian chaplains also took advantage of their reports to make their prophetic concerns known to the secular authorities to whom they were accountable.

The chaplains' reports constitute our basic source of information about chaplaincy in Canadian penitentiaries. Some wrote very little; the briefest being the following:

> To the Warden:
> I have the honor to submit my report for 1908-09. I have nothing particular to state.
>
> I am, Sir, your humble servant, Arthur Beliveau.

Are we to infer that he was not a good chaplain because he said so little? Clearly his church authorities saw talent in him which his reports failed to reveal; his successor makes reference to him as ". . .the last chaplain, now Bishop Beliveau"!

Can we infer that those who wrote most were the best chaplains? Rev. Hannibal Mulkins, chaplain of Kingston Penitentiary from 1850-1874, wrote voluminous reports which are one of the best sources of information about both the inmates and the institution in those decades. Rev. Mulkins' reports also reveal that he had a very high opinion of himself. A recent doctoral thesis by Rev. Tom Wilson (University of Ottawa, 1980) has largely debunked him on the basis of examination of Prisoners' Liberation Books and Inspectors' Minutes which show that he had to be reprimanded for his less than regular attendance at the Penitentiary. Many inmates on discharge had little good to say of him, many never having spoken to him and many finding that he had little interest in their spiritual well-being.

## *Joseph Leclerc's Historic Voyage*

Fr. Joseph Leclerc got off to a great start in federal penitentiary chaplaincy in May 1873, as he tells in his first report: "I thought it would be advantageous for me to make the acquaintance of my future flock, before their arrival at the Penitentiary of St. Vincent de Paul. I therefore proceeded to Kingston in order to make the journey with the convicts from that place to St. Vincent.

"On arriving at St. Vincent, I saw that my presence amongst the convicts, during the transfer, had produced good results. One, amongst others, whose reputation was far from good, and who had lived for many years in the utter neglect of his religious duties, told me one day that he wished to change his course of life and return to

better sentiments. The reason he gave me for this determination was, that he had been deeply touched by my presence in the midst of the convicts coming from Kingston."

With that extraordinary act, Fr. Leclerc began his voyage into the history books of Canadian penology, to become probably the only chaplain ever to have had a penitentiary named after him – Leclerc Institution – standing in the shadow of the walls of the institution he served nearly a century before.

Soon, however, his lengthy reports shift dramatically, and consist almost entirely of discourses on penology. They are powerful and persuasive but they tell us little more about him as a chaplain. Inspector James Moylan certainly had a high regard for him. In his 1880 report, he says: "Without intending to be invidious, or to attribute more credit than the other Chaplains would be willing to yield him, I feel called upon to mention that the Roman Catholic Chaplain at St. Vincent de Paul, more than any other gives himself heart and soul to his work. On an average, he spends from six to seven hours every day, except when absence or illness may prevent, within the penitentiary precincts, instructing, exhorting and consoling the prisoners confided to his clerical care."

In 1876 Fr. Leclerc includes a testimonial from a released prisoner to the effects of his ministry. The man wrote Fr. Leclerc: "By your perseverance, you succeeded in bringing me to the tribunal of penitence, and from that day I experienced a degree of peace of mind which I have not felt for many years. No matter where I go, I shall always remember you with affection, and if the prayers of a sinner can ascend to the throne of the Almighty you will never be without a mark of the remembrance of one who is indebted to you for a change which he is firmly resolved to follow up to his life's end."

Many chaplains have received similar testimonies over the centuries but most would not submit them for publication in a Government report!

## *A Shining Commitment*

Apart from what their reports reveal, we do not know much about the vast majority of the hundreds of persons who have served as chaplains in our penitentiaries over the past 150 years. Some of their modest annual reports give us understated hints of dedication and godliness as they attempted to fulfil their calling. Perhaps these personal glimpses are ultimately more important than any record of the work they accomplished.

Most do not give any clue as to their sense of vocation, but the faith of others shines through their modest introspective revelations. They also show, from time, to time their humility in the face of the enormous task committed to them. One such was Fr. A.D. Cormier. In his report for 1891, he concluded: "... the longer I

remain in this field of labour, the fonder I feel of my work and of the men under my charge."

Fifteen years later he remains strong in faith, saying: "I reiterate my sense of gratification to work in this very field of labour, which I have lately chosen as my centre of occupation in ministry, discarding some work very dear to my heart and of a charitable and philanthropic order. The amount of good to be done is so great, and, at the same time, the conditions are so favourable, it is not surprising that a pastor of souls should express this satisfaction and the consolation he feels in ministering to such need.

"I have given expression to this sentiment before and I herein repeat it. The longer I remain in this field of labour the fonder I feel of my work and of the men under my spiritual charge. Of course, it would be too much of a gratification could I state that they all reform or all work in that direction; but it is very pleasant to know that some do, and effectively so. Others amend to a certain extent, a very effective step to a fuller conversion, whilst a few remain obdurate to the voice of God and rebellious to his divine grace."

Occasionally, other chaplains voice similar sentiments in their reports. Rev. George Schofield served 15 years at St. John Penitentiary before it was closed with the establishment of Dorchester Penitentiary. In 1868 he tells us: "With God's blessing I trust that such good principles will be implanted within them and such good emotions and habits, cherished, as will render their temporary detention in the institution a permanent blessing to them." In 1875 he concludes: "I feel it to be a very serious responsibility to attempt the reform and salvation of these men, and were it not for the abounding mercy of God, I should feel the task to be hopeless. But, relying on His grace, I do not despair of any man; and at times there is indeed much cause for gratitude."

After serving 14 years as chaplain, Rev. Schofield was still able to affirm his commitment: "It is my duty to care for these men, and if possible to train them to become good citizens and good Christians. To many clergymen this would be an irksome task; it is not so to me, and if I may but succeed in imbuing them with Christian principles and train them up in Christian habits, so that when they go out again to the duties and perils of freedom, they shall go forth in the grace of God and watchful against temptation in their daily lives under the control of conscience, regulated by divine truth, and so become useful members of society, I shall have good cause to rejoice that I have not laboured in vain."

And a year later Rev. Schofield said: ". . . the results of my ministry are not ascertainable, as in other forms of service; yet they are equally real, and in every way as precious. Not only has the voice of praise and prayer regularly ascended like the holy incense before the throne of the Most High, but religious instruction has also been imparted to my hearers on the duties they owe to God and to men. And

I am persuaded that in many hearts convictions of sin have been produced, holy resolutions have been cherished and aspirations after a purer and more religious life have been fostered."

## *A Labour of Love*

Rev. Henry Pope, who had served 11 years under the provincial government before Confederation when the federal authorities took over responsibility for the Nova Scotia Penitentiary in Halifax, was another whose faith in God sustained him when results were difficult to foresee. In 1875 he summed up his year thus: "During the flight of the year that has now gone, some of the convicts who were under my pastoral instruction when it commenced, have been restored to their wonted liberty. What amount of spiritual benefit may have resulted (or may ultimately result) from the advantage which the Government has kindly provided for them, I do not know and am incompetent to predict. A coming day will declare it. Our late Warden, who often attended our Services, has repeatedly said the sermons and addresses which the convicts heard must prove beneficial sooner or later. Be that as it may, I have endeavoured to do my duty, and leave future events, which are not under my control, to the God of all grace."

Similarly, in 1868, he reflected: "Within the last six months the serious attention of the convicts, while listening to the word of life, has afforded me great satisfaction, and produced a hope that, by the blessing of God, lasting moral and spiritual benefits will, in due time, be the result. Several of the men have told me of the spiritual good which they have been made partakers of. . . . There are others who are really benefitted, but are not so free, as some others, to speak of it openly. By those instances of visible good I am well assured my humble labours have not been in vain in the Lord." In 1876, he concluded: "I am very thankful to the Blessed Author of all good for the gracious sanction which He is pleased to give to our religious services."

Like Rev. Pope, Fr. Joseph Leclerc also served in a provincial institution. In his 1882 report, his second last, Fr. Leclerc is willing to boast, as St. Paul was, of his accomplishments: "A few more changes, and I remain alone of all those who, before Confederation, had the charge and guidance of the old Reform Prison.

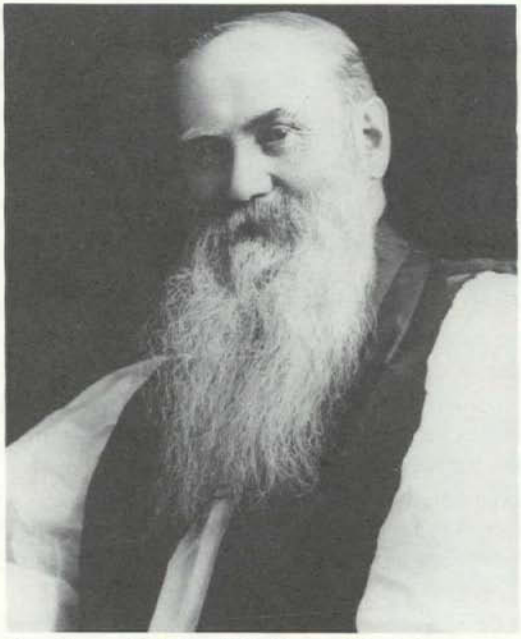
"It is pleasing to me after all, to sometimes recall the past, for if during the long period of time of which I have already spoken, I have encountered many trials and difficulties, yet at the same time, I must say that I have met with some success, so that I can flatter myself by saying that my ministry here has not been altogether fruitless. I am very confident that in the discharge of my several duties that I did not please every one at all times; however, the well-meaning portion of the community will admit that I have always laboured for the progress and well-doing of the Institution, in the service of which I have been engaged for nearly twenty years."

### *By Their Presence Alone*

Chaplains have often been described as the only staff member the inmates can ever trust. Recognizing that, Rev. John Allan at St. Vincent de Paul in 1876 has this to say: "As a rule, their confidence in me as their minister and adviser, entitle me to regard them with feelings the nearest approach to paternal; and I cannot but think, from appearances, that, notwithstanding many counteracting influences, the efforts made for their reformation and everlasting interests have not been altogether without effect."

Some, like Fr. Antoine Ouellet at St. John Penitentiary in 1877, express themselves in theological terms: "It proves a great consolation for a pastor of souls when he sees that the Lord blesses his humble efforts in rescuing sinners from the abyss of perdition."

Rev. Samuel P. Matheson, chaplain at Stony Mountain in 1879, was well aware of the perils of prison conversions: "I rejoice to state that some at least have professed to have experienced a change for the better in the state of their minds, and we can only trust and pray that God will bless our feeble efforts and do a *real* work among them."



*Rev. Samuel Pritchard Matheson, Manitoba*
*(Courtesy: Archives, Anglican Church of Canada).*

The very presence of a man of God in the midst of those confined in a seemingly god-forsaken institution could be reassuring, as Fr. J.B. Baudin found at Stony Mountain and mentioned in his 1882 report: "Many a time I have remarked with great pleasure the joy and consolation which those poor unfortunates felt when I was amongst them. I could see on their faces that they know how to appreciate the benefit of a chaplain and spiritual advisor."

## *A Journey of Faith*

Chaplains like Rev. Thomas Scouler at British Columbia in 1903 recognized, with St. Paul, that "we journey by faith, not by sight": "Ours is pre-eminently a work of faith. We have to go on without seeing much of the fruit of our labour."

His successor, Rev. A.E. Vert, in 1905 put it this way: "I would like to speak of results, but I do not think that is possible. Time alone will show into what hearts the Holy Spirit of God has gained an entrance." He expands on his feelings in 1906: "The cynic may attach very little importance to work of this nature among convicts, but we cannot afford to forget that each devotional act in which men take part is the seed of a good habit, which in turn develops character and shapes destiny.

"It might be possible to say that there are some individuals into whose hearts and lives the Spirit of the living God has come, but I am not sure that it is desirable to do this, however much one may feel that to be the case. It seems to me more fitting to allow the future to tell its own story, as after all it is by their fruit that they shall be known. However, it is beyond the realm of the peradventure to say that under God there are some men at least who have left this institution better fitted for citizenship and better men in every respect than when they entered it." Rev. Vert's faithfulness and compassion are later shown in the 1907 report: "My work among the men is largely of a routine character, filled with discouragement, it is true, and yet brightened by the manifest presence of him 'who maketh the dead to live.'

"Only those who have come into closest touch with the men who have fallen by the wayside, can dream of the pathos and tragedy that enters into many of these lives. When one considers all the circumstances and environments that in many cases have to be faced, the marvel is not so much that the men have fallen as that they have not fallen lower. Oftimes one wonders what might have been under happier conditions, and the sadness of it all calls forth a depth of pity and compassion that, after all, may woo them from sin and win them for Christ."

Five years later, in 1912, Rev. Vert continues: "My work as chaplain varies but little from year to year; preaching the word, visiting the sick, exhorting and counselling the well, all the time giving out sympathy and kindness, and in a firm but gentle manner striving to be of some real assistance to the men. In the light and shadow, the encouragement and disappointment that are ever blending in this work, which is pre-eminently one of faith, one cannot help speculating 'What shall the harvest be.'"

Rev. A.W. Cooke at Kingston Penitentiary in his 1906 report acknowledges the encouragement the work sometimes brings: "In regard to my particular duties, I desire to say that, in spite of much indifference, real or seeming, of hardness of heart, and contempt of God's Word and Commandments among such a variety of characters, one meets continually with much encouragement. It is an inspiration to perseverance in one's efforts for the good of men to be tendered thanks for instruction received, for thoughts suggested by sermons and lectures, and to hear from personal interviews with men acknowledging to the effect that they have in prison really first begun to learn and think about God and the Christian religion, the duty and nature of prayer and of public worship and have been disposed to think seriously of life and its responsibilities."

Reporting for the last time in 1905, after a career of over 20 years, Dorchester's Protestant Chaplain Rev. J. Roy Campbell, summed up his ministry thus: "In presenting this report my feelings are of no common order for it is the last of a long series of twenty-two which represent all the activities in the service during an equal number of years.

"I need hardly say that it is a sore day in the history of any man's life in which he is made to realize that his work is done.

"On the other hand there are consolations arising out of the consciousness that amid much that was human and imperfect I tried to throw my conscience into my work.

"During that considerable period of time I have had under my charge nearly 1,200 prisoners, with whom to deal earnestly and faithfully, and yet humanely, has constantly called into requisition whatever powers it had pleased God to give me.

"Whilst it is quite true that with a large proportion the chaplain's work appears to be love's labour lost; yet on the other hand I well know of no small proportion of those who have been under my care, who have ceased to do evil and have learned to do well.

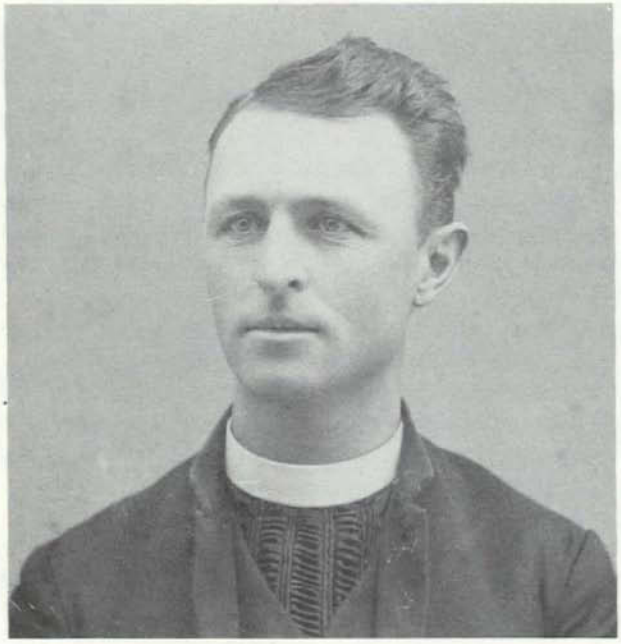
"As for the department it has been pleased on various occasions to refer in a gratifying manner to the quality of my work; and this in the coming days will be to me no small source of comfort."

## *A Mission Statement*

Some chaplain reports are in the form of a modern "mission statement." Such is Fr. Emile Pascal's, as he begins chaplaincy at Saskatchewan Penitentiary in 1912: "To bring these poor inmates nearer to God, by the observance of the divine commandments and submission to the rules of our dear country; in a word, striving to alleviate the misery of man, and to lighten the burden of his infirmities, whether this misery and these infirmities are hereditary or whether they are the result of his own wrongdoing, such is my ambition as a minister of the gospel."

In his final published report for 1916, Fr. Pascal makes powerful points in a profoundly Scriptural way: "I am trying to put into practice the words of the divine Master, 'I will not the death of the sinner, but that he may live and have eternal life', by instilling into the minds and hearts of these unfortunates the necessity of not remaining buried in this deplorable condition, but to prepare to enter, upon their release, a useful and honourable life.

"Today, as in the time of Our Lord, people enjoying the benefits of sweet liberty, seem to reproach Our Lord for his too generous sentiments in favour of great sinners, and his unchangeable answer was, that He had come to save sinners and not those without blame. 'I did not come for the just, but for the sinners.'"



*Fr. M. McDonald, Kingston (Courtesy: Good Thief Parish, Kingston).*

The indispensability of the chaplain is clear to Fr. M. McDonald of Kingston Penitentiary when he says in his 1916 report, one of the last such to be printed by the Government: "The older I am growing as a prison chaplain, the more strongly I am impressed and convinced, from day to day, of the indispensable need of a chaplain's presence and influence to serve as a beacon light to those erring mortals. He must understand his men, must be filled with a missionary spirit. He should prepare

his instructions as carefully for his prison congregation as for any other audience. He should show himself a pastor at all times. A chaplain who faithfully preaches the gospel and conscientiously discharges his pastoral duties is, to my mind, the highest disciplinary force in the prison, notwithstanding to the contrary that some prison officials have no use for chaplains, and perforce simply tolerate religious services and look upon them as a species of quasi-entertainments."

Perhaps the last word on this topic should go to Rev. Byron Thomas of Dorchester who in 1909 sums up the impossibility of reporting on the success of chaplains: "It is difficult to trace and measure the growth and expansion of any special work, by resorting to the formation of columns of figures, and the compilation of facts. Eternity alone will reveal the measure of faithfulness put into the religious activities of the prison year, included in this report."

With no direct reports from the chaplains available after 1916, we can only trust that subsequent chaplains have been as dedicated to their faith and committed to their ministry.

## *Prophetic Voices*

The perception of chaplains as gentle, godly men does not reveal everything about them. Their reports frequently show them as strong-minded and outspoken about matters which are in the normal course of events outside the realm of chaplaincy. Churches expect their clergy to exercise a prophetic ministry which, when necessary, confronts the accepted attitudes and actions of the secular world. Such challenge is not always a welcome complement to the comforting and more conventional sacramental and pastoral presence which the chaplain is welcome to provide.

In the reports of early chaplains, we sometimes see indications of passion as the chaplains became embroiled in controversy, occasionally with one another, frequently with perceived injustices in the system itself. They were often quite bold in the exercise of their prophetic role, speaking out on behalf of those they served.

A prophet is one who more often "forthtells" than "foretells." As "seers" predicting the future, some chaplains were prophetic indeed. As far back as 1841, Rev. R.V. Rogers at Kingston Penitentiary foresaw the halfway house, which he described as a "subsidiary institution" wherein an ex-prisoner might earn a living and at the same time remove one of the biggest causes of crime in the former convict's life – lack of money and means of livelihood. He suggested that such a place of refuge might be devised by the joint action of the "benevolent, the Christian, and the wise of the community," a great description of the private sector which was yet to get involved in corrections.

Fr. Leclerc's lengthy reports frequently pointed out the many inherent and counterproductive features of the penal system. He was quite sure that his opinions were correct, and at times was almost arrogant in his assertions, for example, in his

eight-page 1882 report: "All intelligent men in a position to know the administration of Penitentiaries think as I do on these questions. They may have their motives not to be so explicit in the expression of their opinion as I am myself. . . ."

Occasionally Fr. Leclerc evinced support for his views, as when in his 1880 report he referred the Inspector to the Report of the Penitentiary Congress held in Stockholm in August 1878: "I could not help being struck at seeing . . . the same doctrines I have myself advocated in my official and private reports.

"I mention this fact, not as a tribute to my vanity, but in order to show that a deep study and experience of Penitentiary questions cannot fail to bring all minds to an agreement as to the great principles which must form the basis of every sound system of Penitentiary management." His self-assurance continues. After a entire page advocating the cell system, he concludes: "In several of my reports . . . I have put forward the same arguments I have just quoted. I have always considered these arguments unanswerable, and am now more than ever convinced of their perfect soundness."

In a full page of his report, Fr. Leclerc who served in a provincial institution before the construction of St. Vincent de Paul, advocated all levels of prison being under the same level of government to ensure quality of staffing, a proposition which has been raised frequently over the intervening century at various federal-provincial discussions. He certainly had nothing good to say about the local jails: ". . . so long as the common gaols of our large cities continue to be schools of vice instead of schools of morality, one can hardly expect anything else than to see the criminal class increase."

If the penitentiary were bad for some criminals, the common gaols were a worse alternative. Rev. J. Roy Campbell at Dorchester pointed this out in his 1889 report from Dorchester: "But what is more unsatisfactory and unpromising for the country is the once more increasing ratio of boy-convicts. . . . This is simply appalling. Two comparative infants – brothers – of the tender years of 12 and 10, sent to a penitentiary! . . . I admit that these little ones are probably in less danger of further contamination in this institution than they would be in most of the county gaols. . . ."

The strength of the federal penitentiaries is in their discipline which ought to restrain vice and inculcate virtue, he believes. In 1874, Fr. Leclerc in his five-page report, identified and criticized an inherent condition which has plagued and always will plague penitentiaries: "The most elementary laws of morals point out the danger of perversion which must of necessity result from this crowding together of men, for many of whom the words of virtue and vice have lost their meaning."

In 1875 Fr. Leclerc picks up the theme: "The same occasions of perversion which are met with outside, do not exist in a penitentiary where none but men are confined. But for certain perverted natures, the vice against Nature would soon take the place

of their former vices, if most strict and intelligent vigilance were not continually exercised. . . . The priest may preach, but his efforts will be of little or no avail, unless you close up every outward issue to this hideous and infectious passion."

Chaplains ought to be realistic about the results of imprisonment. Rev. Cartwright at Kingston Penitentiary in 1875 had this to say: "Of the moral improvement of the convicts it is hard to speak positively, because we can keep track of only but a few after they leave, my belief is, that as a check upon their downward progress, the means used are very efficient, that as a means of doing positive good they are moderately successful if we do not form too high expectations, and are content with the fact that many go out with their minds made up for a struggle with evil although they often prove weak when temptation overtakes them."

## *Progressive Counsel*

Rev. Cartwright, like his contemporary Fr. Leclerc, was bold to make sweeping recommendations for the improvement of the penitentiaries. In his 1879 report, he makes these progressive proposals: "I would respectfully suggest that, until some effectual separation of the more hardened and habitual criminals from the others be devised, a distinction might be made between those committed for the first time and the other convicts in some respects. . . .

"I would also suggest increased remission in the case of first offences. At present all the advantage is on the side of the old offender, from his superior knowledge of the rules and discipline of the institution. Such distinctions would tend to diminish that association of the novice and the 'habitué' which often send the former out a worse man than he entered."

At other times, Rev. Cartwright's recommendations seem rather draconian, as this one in 1883: "If some way could be devised by which . . . all under age should receive from three to six months solitary confinement, I think it would be more efficient in reforming the criminal and deterring others, than the same number of years in an associated prison."

Fr. Leclerc expressed his opinion on the transfer of inmates from one institution to another in 1875: "The removals to Kingston gave rise, in some instances, to scenes of disorder. Moreover, the certainty the convicts had in advance that they were here only by the way, prevented them from adopting at once a line of conduct such as would entitle them to share in the favours granted by the law or left to the discretion of the authorities. We trust, therefore, that this transfer of our convicts to Kingston will not be renewed, and that steps will be taken to provide us with buildings sufficient for the accommodation of all our criminals."

The following year, Fr. Leclerc took up the cause again: "These changes from one Penitentiary to another are far from being favourable to the moral amendment

of the prisoners. Removed to other scenes, under the control of officers who do not know them, the work of their moralization has to be recommenced. Whereas, if all those criminals passed the whole time of their detention in the same Penitentiary under the care of officers who come to know them, constantly subjected to the same control and discipline, and receiving the same religious instruction, there would be a much greater chance of success than in the migratory system which has been followed at St. Vincent de Paul since the opening of the Penitentiary.

"Only a few weeks ago the last departures for Kingston took place, and already the Penitentiary is filled with new arrivals. Already, consequently, the worst characters, calculating on the probability of a further removal, take very little pains to acquire, by wise and laborious conduct, the goodwill of those from whose control they will be removed in a few months. From this condition of things arises the difficulty of achieving anything really effective as regards the moralization of the prisoners."

Oddly, Fr. Leclerc seemed to have favoured the process after it had been discontinued: "In the manner of discipline I should remark that since we have discontinued sending to Kingston our most unmanageable prisoners, it is becoming harder to keep up the same discipline as formerly. In certain connections these migrations, which took place once or twice in each year, were of great assistance to us, in that they enabled us to free ourselves of the most difficult cases to deal with."

In 1893, Fr. Harel at St. Vincent de Paul records, without comment but perhaps reflecting the form of selection criteria used, the transfer of two inmates to Kingston Penitentiary: "... one a passionate lunatic, the other a weakling."

## *A Call for Reform*

Chaplains recognized that their work came far too late for many inmates. Some pressed for society to act much sooner. Rev. Cartwright, in his 1876 report from Kingston Penitentiary, expounded the virtues of an efficient rural police force, modelled after the Irish Constabulary. The same year, Fr. Leclerc, in his seven-page report, makes the still-familiar observation: "We are convinced that in many cases the common gaol is the apprenticeship to the crimes which lead to penitentiary. It is, therefore, in the common gaol we must commence the reform of our penal system."

The counter-productive effects of long imprisonment were obvious to the sensitive, such as Rev. Cartwright, who in 1887 observed: "Very often a feeling of regret and sense of shame apparent in the convicts during their earlier months of imprisonment, gradually passes into a fierce or sullen bitterness."

Chaplains frequently were concerned with the provision of aftercare for men being discharged. Chaplain W.H. Herchmer advocated retaining earnings to be paid out at release. From the foundation of Kingston Penitentiary, some provision was made by the authorities. At the time of discharge, each man was given one pound

sterling, as well as clothing "not to exceed three pounds in value." This money was expected to pay for transportation home. Many decided not to return home, if they indeed had one, and so lingered in Kingston. Some hung around the penitentiary to see their old friends being taken out to work on the farm or in the quarries.

Rev. Rogers was not just a theorizer; he was a doer. In his concern to help inmates retain ties with the outside, he wrote letters for the illiterate – and was chastised by the Inspectors in 1845 for so doing when he asked for money for the postage. Almost a century later, the Archambault Commission in 1938 refers to the rule that: "They [chaplains] . . . must not write letters for the prisoners, except with the leave of the warden."

Denied the public forum for their concerns which published reports had ensured until 1916, chaplains nonetheless have continued to exercise their prophetic ministry.

## *Chaplain Teams: A Harmony of Faiths*

The secular authorities responsible for engaging penitentiary chaplains have acceded to the religious world's fragmentation. Hence, they have been prepared to accept that an institution must have more than one chaplain to meet the spiritual needs of inmates. This concession is, in itself, an admission that the State alone cannot determine the parameters of chaplaincy, but must come to terms with the realities of the different faith communities. Recognition of the three major categories – Protestant, Catholic and Jew – has sufficed until the recent concern to support Canadian Native Spirituality as a distinct religious manifestation, and to meet the needs of inmates of other world religions now practiced by new Canadians.

Fr. Leclerc found that in St. Vincent de Paul Penitentiary differences of religion did not create a problem. In 1876 he reports: "We are gratified to state that differences of nationality or of religion have never given rise to the slightest discord. In relation to this mutual good feeling amongst its officials, there is, in our opinion, little to complain of at St. Vincent de Paul. This harmony is an essential condition of success which we have endeavoured to promote everywhere amongst the officials and amongst the convicts."

This happy situation was possible because the penitentiaries recognized the need for two chaplains, given the major Protestant–Catholic division of Christendom, and because the chaplains selected were not threatened by one another's ministry. The fact that the religious groups in Quebec were already divided linguistically may also have made for less friction between the two chaplains than elsewhere in Canada.

With two chaplains in each institution, and with the competitive and at times antagonistic atmosphere which existed until recent times between the various factions of Christianity, it is not to be wondered that there was occasionally friction between the chaplains. What is more remarkable is the degree of respect and cooperation usually manifested between them.

Throughout the records of chaplaincy, we do not have much information about the relationship between the two chaplains, Protestant and Roman Catholic; they seldom refer to their counterparts in their reports. The good news is that when they occasionally did, it is with fraternal respect. Rev. J. Roy Campbell of Dorchester Penitentiary, for instance, in 1894 is able to state: "My relations with my brother Chaplain, Fr. Cormier, continue to be most cordial."

The chaplains in that institution seemed to have worked together particularly well. When Fr. Cormier left Dorchester in 1914, Rev. Campbell's successor as Protestant Chaplain, Rev. B.H. Thomas, recorded his sincere appreciation of his former colleague: "We miss the genial presence of our colleague, the Roman Catholic Chaplain, Rev. A.D. Cormier, who resigned after a term of service extending over a period of 29 years. He was a good man, and displayed much zeal in the labours of the sacred office." It is not surprising that he was as gracious the following year in welcoming his new colleague: "We are delighted to record that we are enjoying to a marked degree, the cordial and fraternal qualities of the newly appointed Roman Catholic chaplain, Rev. Father Dismas LeBlanc."

Dorchester Penitentiary had a shared chapel a century before that practice became the norm in penitentiaries. This is an extraordinary occurrence in an age when the sharing of anything – let alone facilities – between Christian denominations was unheard of. In various reports, the Roman Catholic Chaplain Fr. Cormier refers to "our common chapel"; in 1901, Protestant Chaplain Rev. J. Roy Campbell gives an example of shared resources: "In common with my brother chaplain, we are debtors to the department for a new pipe organ."

One example of cooperative action is given in the 1884 report of Fr. Godin at St. Vincent de Paul. Respecting the school, for which both chaplains shared the responsibility, he reports: "In the presence of Mr. Allan, Protestant Chaplain, in the month of February, I examined the convicts who are learning French, and witnessed the examination of the English-speaking convicts by Mr. Allan."

## *A House Divided*

But there were problems in chaplaincy as a result of factional rivalry. Inter-chaplain problems were not limited always to the expected competition between Protestant denominations and the Roman Catholics. The first chaplain appointed to British Columbia Penitentiary in 1878 was an Anglican, Rev. C.R. Bashett. He was dismissed, so reported directly to the Minister of Justice the following year: "My report as acting Chaplain of the British Columbia Penitentiary extends from the time it was first opened till Good Friday 1879 when I was so unceremoniously dismissed." The dismissal seems to be explained later in the report: "Of the prisoners on the Protestant side of the Penitentiary all who have been confined but four are Episcopalians; of these one,

a Jew, is now discharged; one says he is nothing in particular and two are Presbyterians, making with the Warden, who has lately left the Church, three Presbyterians . . . one . . . said he was perfectly content with my ministrations . . . when I ceased to be Chaplain."

The Warden appointed his own Presbyterian minister, Rev. R. Jamieson, as chaplain. The Anglicans, however, did not give up what they considered their duty – or did they think it their right? In 1890, Rev. Jamieson reports without comment that: "Anglican Bishop Sillitoe of New Westminster lives less than ¼ mile from the penitentiary and visits once a month. . . ." But in 1890 he complains: ". . . this reduction . . . by withdrawal of the Church of England convicts from my care by order of the Minister of Justice. . . . special services provided for them in the Warden's office by ministers of the Church of England at the same hours as the regular services on Sunday and Wednesday . . . the only reason given for this separation was that the Church of England Bishop requested it. I never heard of any complaints of my services on the grounds of denominationalism." Neither had his Anglican predecessor; both men seem to be the victims of other's prejudices, and one wonders whether the prisoners benefited or suffered from this inter-denominational Christian rivalry.

## *The Warm Wave of Ecumenism*

The willingness of chaplains to work together has increased over the years as the climate of ecumenism has warmed throughout the Christian world. The Commissioner in 1952 reports: ". . . conference of chaplains held May 30 – June 6. Fourteen chaplains, 7 Protestant, 7 Roman Catholic. . . . While initial arrangements had been made for a number of separate sessions for the chaplains of the two major faiths, it was discovered early in the conference that there were no problems which could not be discussed fully and frankly together and all meetings were, therefore, held jointly. As far as is known, this is the first time that the chaplains of the federal penitentiaries have had an opportunity to discuss together their common problems."

A study of the growth of the team spirit among chaplains, conducted in 1984 by Rev. Dr. V. Bruce Pellegrin and Sister Leone Valois, concluded that the chaplaincy teams could work together even more closely if they kept as their goal the World Council of Churches' "Lund Principle" – that Christians should always work together unless they in conscience must act separately.

## *"In Confidence Shall be Your Strength"*

Chaplains clearly felt secure in the position they held in the institution. They knew their responsibility, and they were willing to do it, even when it required them to stand up and speak out. It is not to be wondered that, to this day, some administrators

refer to chaplains as "the conscience of the institution," even though they, like the rest of us, do not always enjoy having their consciences pricked, but appreciate the fact that there is someone who is prepared to do so when necessary.

Apart from the wardens, the early penitentiary reports show no other officer but the chaplains challenging the system, speaking out so frankly on issues, making sweeping recommendations for improving the system. If they saw fit to do so in writing annually to the Inspectors and Commissioners, we can only assume that equally, on a day-to-day basis, they were making their voice heard within their institutions.

The strength of their faith and the confidence in their role clearly indicates that chaplains did not suffer undue stress from the dual accountability which they owed to the State which employed them and to the Church which provided their pastoral mandate. These two dimensions of loyalty, however, at times need to be differentiated. The State's demands and the Church's expectations are worth examining separately, especially as the distinction between them becomes clearer in later years.

# 4 OFFICERS OF THE INSTITUTION

*. . . the Officers of the said Penitentiary shall be as follows:*
*one Warden or Principal Superintendent . . . ; one Clerk;*
*one Chaplain; one Physician and Surgeon;*
*one Deputy Warden. . . .* [1]

When Kingston Penitentiary was founded, the role of the chaplain (later two chaplains) and the other senior officers was formally defined. In the first job description and in subsequent revisions, the chaplain's duties more often than not reflected the concerns of management, with little if any reference to the chaplain's pastoral responsibilities towards the inmates.

## *The Chaplain's Duties*

In 1836 the original job description for the chaplain of Kingston Penitentiary was promulgated as follows:

The Chaplain's Duties

1. The Chaplain, in all cases, and under all circumstances, shall strictly conform to the rules and regulations of the prison.
2. He shall furnish convicts with no intelligence other than what his profession requires.
3. He shall give them no hope or promise of aid in procuring pardons.
4. He shall be allowed free access to the convicts at all times, for the purpose of imparting religious instruction and consolation.
5. He shall endeavour to convince the prisoners of the justice of their sentence, and explain to them the advantages of amendment, and enjoin upon them strict obedience to the rules and regulations of the Penitentiary.
6. He shall freely exercise his own discretion in imparting spiritual advice, in such manner, and at such times, as he may deem most proper.
7. He shall report annually, at the same time with the Warden and Physician, for the information of the Inspectors; giving as concise [sic] and perspicuous an account of the progress and state of religion amongst the convicts as may be ascertained by facts upon actual observation.

[1] *Statutes of Upper Canada (1834)*, Chapter 37.

In 1844, 1845, and 1847, the Chaplain's Duties were expanded to 14 in number. Most of the new rules were negative injunctions, probably reflecting conflicts between chaplain and warden and between the two chaplains. In some respects, the additional rules imply that the chaplains may have been excessively diligent in doing their duty; in others, negligent. For example:

. . . on no account are they to impart to them a knowledge of any circumstance which may have occurred beyond the precincts of the Prison . . .

They shall not carry out from nor bring into the Prison any letter or communication from or to any of the Convicts, nor shall they write any letter on behalf of a Convict without the permission of the Warden.

They shall confine their religious instructions to such Convicts only whose names are included in their respective lists furnished to them by direction of the Board, including in one, those of the Roman Catholic religion and in the other the remainder of the Convicts, which latter alone are to be under the spiritual guidance of the [Protestant] Chaplain.

No attempt shall be made by either of the Clergymen directly or indirectly to obtain Convicts to their respective Congregations, and no change shall be allowed in this respect without the special direction of the Board.

During the time of Divine Service, no audible response shall be allowed by the Convicts, nor shall any singing or chanting be allowed on their part.

Whenever either of the Clergymen wish to be absent for any time not exceeding twenty four hours they will notify the Warden thereof and for any further period they will apply to the Board through the Warden for leave of absence.

No controversial work or Book tending to bring into disrepute or contempt either the Protestant or Roman Catholic religion is to be brought into the Establishment.

The Rules and Regulations of the Nova Scotia Provincial Penitentiary, established in 1844 and taken over as a Federal institution at Confederation in 1867, although more concisely stated are not dissimilar to those set for Kingston's chaplains:

The Chaplain shall conform to the rules and regulations of the prison, and in no manner interfere with the discipline. He is expected to preach, every Sunday morning, a discourse free from sectarian prejudice and doctrinal discussion, and suited to the peculiar wants and conditions of the convicts. He may visit them when in their cells at any time before 9 o'clock at night, for the purpose of privately impressing them with a conviction of their offences, the unfailing penalties of crime, and the necessity of amendment. If requested, the Governor or Commissioners shall send for a clergyman of any convict's particular sect, and afford to him every proper facility, of religious intercourse with the convict, and on all occasions visiting clergymen must cautiously avoid conversation of a secular nature with the convict.

In 1851 the duties of the chaplains at Kingston Penitentiary were again modified, with little reduction in the requirements, but adding yet more detail to the expectations of the institution with regard to its chaplains.

1. To devote his whole time and attention to the religious instruction and moral improvement of the prisoners.

2. To maintain public religious services morning and evening with the convicts under his charge, at the opening and closing of the Prison, and at other times as the rules of the prison may direct; to celebrate Divine Service twice every Sunday; and to have the care and management of a Sabbath School for the religious instruction of the convicts.

3. To see that every convict under his charge is furnished with a Bible; . . .

4. To be diligent in seeing and conversing with the convicts at all reasonable times in the cells, or in his private room, or in the Hospital, and in administering to them such instruction and exhortations as may be calculated to promote their spiritual welfare, moral reformation and due subordination; and for this purpose he shall have access at all times, subject to the rules of the Prison to be made to that end, to the convicts under his charge.

5. To guard carefully against encouraging the complaints of convicts as to their Officers or treatment in the Penitentiary, . . .

6. To take charge of the Library for the use of the convicts under his care; to select the new books purchased from time to time, and to take especial care that no book of any improper character be circulated among the convicts.

7. To visit the sick among the convicts under his charge daily.

8. To report annually to the Inspectors . . . relative to the religious and moral conduct of the convicts, the routine of duty he has followed throughout the year, and the fruits of his labour; with any information or returns which the said Inspectors may desire.

As with the earlier regulations, experience and time called for the modification and expansion of the 1851 Rules. In 1870 and 1889, there were changes; for example, the daily service was required in the morning only, and could be conducted:

> . . . either by the Chaplain or by an Officer appointed for this purpose by the Warden with the approval of the Chaplain. The time of the Sunday services for the Protestants is defined in the Regulations, but for the Roman Catholic, it is to be set by the Bishop of the Diocese.

Other new regulations stipulated:

> It being desirable, that the labor and discipline of the Prison should be as little interfered with as possible, it shall be the duty of each Chaplain to see and instruct those convicts particularly, whose labor is hired to a Contractor, at other times than during working hours.

They shall communicate to the Warden any abuse, misconduct, impropriety, or irregularity, which may at any time come to their knowledge in relation to the prison, or to any officer or convict therein.

Some chaplains were willing to do this, judging from the report of Inspector James Moylan to the Minister of Justice in 1890 with respect to St. Vincent de Paul penitentiary: "It is painful for me to refer to information given me by the Catholic chaplain to the effect that there are some few officers so perverted in mind and base and wicked in disposition as to scoff and gibe at convicts who attend punctually to their religious duties and try to do well. I requested the Chaplain and the Warden to use every effort to find out these men. They should be summarily dismissed, if proved guilty, as unfit for the position they hold."

There is no doubt from these job descriptions that the Chaplain is conceived by the government authorities to be "the institution's officer." The extent to which he is the Church's representative is defined only by his ecclesiastical status as clergyman. Only much later do we find the churches exerting any specific ownership for his ministry as a correctional chaplain. There was no doubt, however, that as clergyman he was the agent of his denomination.

## *To Discipline and Reform*

It is not surprising that the institution which employed the chaplain would expect him to serve their ends. This co-option is illustrated in a letter to the Commissioner of the Provincial Penitentiary at St. John, New Brunswick – after 1867 a federal institution – from the Secretary to the Lieutenant Governor, dated November 26, 1847: "In cases when prisoners are refractory or indolent, His Excellency considers that it would not only be just to the others but really salutary to the offenders themselves that they should be confined in solitude with the reduced diet of bread and water, and he thinks that if the discipline were carried out with strictness and followed up by timely admonition from the chaplain, that the most hardened of them might be brought to some sense of their misconduct and the seeds of reformation be thus sown.

"It would be of much importance if the Commissioners, the Chaplain, and the Jailer were to have reference to the crimes and offences of the prisoners to enable them to form that estimate of their characters which would guide them in enforcing the regulations in such manner as would be most likely to produce a salutary effect."

Inspector Moylan, a strong advocate of chaplains, clearly saw chaplains as integrated into the total regime of the penitentiary. In his 1880 report, he made the linkage between the chaplains and institutional discipline, while at the same time stressing their unique reformative role: "The Chaplains can and do effect great good in improving prison discipline and reforming the convicts. When prisoners are visited by men of

mind and virtuous lives; when they are looked upon with kindly eyes by those who have their welfare at heart; who can study their character, who can trace back the course of their lives, who can find out the secret sources of their errors and their crimes, who can, by their teachings and counsels, rescue them from the evils of vice and destruction, the result must be salutary, unless amongst the most hardened." As he saw it in 1887: "In any improved plan, therefore, of prison discipline that may be adopted, the Chaplains, it is evident, must bear a prominent part."

More than half a century later, in the mid-1940s, G.L. Sauvant, Inspector of Penitentiaries and Acting Superintendent, expressed his support of chaplaincy that was akin to that of Inspector Moylan and Superintendent Hughes, two of his predecessors in office: "The chaplains are whole-heartedly devoted to their duties and they endeavour to inculcate in the minds of the convicts that since they have been sent to the penitentiary as a punishment for their misdeeds, their incarceration is the most appropriate time for them to amend themselves. Notwithstanding many setbacks and failures, our chaplains tackle their task with a stout heart, courage, enthusiasm and faith. Hope is never extinguished. Spiritual influence and religious instruction are the chief factors in remaking the character and state of a man."

In fact, chaplains were co-opted into the censorship system even in recent years. In 1940, the Commissioner reports that chaplains at St. Vincent de Paul, among other more estimable accomplishments, were responsible for the censure of 825 copy books, and had censored 1200 newspaper clippings. In 1946 both Stony Mountain Penitentiary chaplains are reported to be members of the Radio Board which selected all programs for convicts.

## *A Full-Time Job*

For the chaplains to be fully effective, it was apparent from the earliest years that they must serve full-time without other Church responsibilities. The Board of Inspectors for the Kingston Penitentiary, in their report for 1836, before the appointment of the first chaplain, wanted any chaplain under their jurisdiction to be: ". . . allowed a salary liberal enough for the support of himself and his family, and for ensuring the undivided application of his mental energies to the moral improvement of the criminals committed to his spiritual care."

Although this has remained the ideal, it has not been universally implemented, especially when the number of inmates in the institution did not warrant it. The ideal was expressed in many early reports. One of the earliest and most eloquent, expressing the chaplain's sense of the importance of his role was that of Rev. W. Cogswell, chaplain to the Provincial Penitentiary in Halifax dated March 10, 1845: "I cannot but repeat to you the expression of my regret, which I mentioned when first honored with a tender of this appointment, that it would be quite out of my

power, in consequence of my other engagements, to do anything like justice to the duties which ought to be connected with it. In every well ordered Institution of this kind the moral care and instruction of the inmates should form fully as important a part of the attention bestowed on them as the supply of their temporal wants. The establishment of a Provincial penitentiary, in which persons convicted of different shades and characters of crime may be assembled from all parts of the country, would be a curse to the Province and not a blessing, if there be not some adequate provision made for the moral and spiritual instruction of the persons thus brought together, and some effort used to send them back to their families and their neighbourhoods, at the expiration of their sentence, better instructed, better principled, in every respect, better men than they were when they were brought within its walls.

"No system, it appears to me, can give a reasonable hope of effecting this improvement, under the blessing of God, in the principles and habits of the convicts confined from time to time in the Penitentiary, but one which will bring them *daily* under some measure of religious instruction, and supply them, not merely with a stated *weekly* opportunity of worshipping God, but with the *constant* counsel and advice of all who shall be specially charged to watch for the good of their souls.

"Such care and instruction as this is quite impossible for any Minister of Christ to bestow upon the Institution who is engaged in the various duties connected with an extensive parochial charge. I should not for my own part have for one moment entertained the idea of accepting the spiritual care of the Establishment, had it not been from the belief that there was no other Minister in town of any denomination, who had more leisure than myself to give, and for the hope that some provision might be made in time, which would ensure the services of some one, who could give a much larger measure of his time to its duties."

Forty years later, Inspector Moylan was strongly in favour of having full-time chaplaincy positions. In his 1880 report, he extols Fr. Leclerc at St. Vincent de Paul where the chaplains both were engaged full-time: "The chaplains have no other clerical duties to engage their attention than those they perform in the penitentiary; therefore, they can devote their whole time to the improvement and advantage of the prisoners placed under their spiritual care. The advantage of thus inculcating religious feelings will not be contested by anybody, and, notwithstanding the doubts which have been created by injudicious exaggerations of the result of these influences, and by misconception of the true position of and the functions fulfilled by the chaplains of penal institutions, it is certain that these advantages are much valued by the prisoners, and that the exertions of the minister of religion bear, perhaps, as much fruit as in the world outside."

The Minister of Justice seems to have paid no attention to Moylan's implied recommendation that chaplains be employed full-time. Nine years later in his 1889 report, he re-introduces the theme and provides extensive justification: "All the convicts in isolation should be frequently visited by the respective Chaplains, in the event

of arrangements being made to enable these Reverend gentlemen to devote all their time to the discharge of these duties which are absolutely needed to bring about the reformation of those in their spiritual charge. The amount of good which it is expected and which it is desirable that the Chaplains should do cannot be accomplished under existing arrangements. It is out of the question. Is it reasonable to suppose that the results of the Chaplains' ministrations, for a couple of hours on Sunday, and a half hour or so, on Wednesday, can be as efficacious and beneficial as if they were daily and hourly among the prisoners giving them advice, encouragement and instruction? Assuredly not. Such being the case, would it not be well, as an essential means of reform, to require the Chaplains to give their whole time, to the exclusion of all other outside work, to the labour to which they can so constantly and profitably devote themselves within the walls of a penitentiary?

"This would necessarily entail some more expenditure, as the present salaries would not be adequate. The total additional expense would not exceed $3,000 – a trifling sum when the advantages which it would secure are taken into account."

In the same year, Rev. Cartwright at Kingston penitentiary gives the Inspector an absurdly detailed, although fascinating, calculation which supported full-time chaplaincy. "Owing to each patient being in a separate cell, our hospital visiting affords an example of what the Chaplain's duties would be under such a system. I have found that suiting the length of the visit in the best of my judgement to the condition of the patient, the average duration of the visit would be twelve minutes and a-half. This calculation was based on an accurate record kept for two or three years, and may be relied on. This would indicate that twenty-two hours and a-half would be required to enable the chaplains to visit the 108 cells now building, i.e., fourteen hours for the Protestant and seven and a-half for the Catholic Chaplain, if the present proportion should prevail.

"Of course, there will be sullen and sulky men and indifferent men, who will not respond or will even pretend to be asleep, with whom a shorter visit will be all that is desirable, but others will be responsive, and the visit will often, in such cases, exceed the average.

"For the sixteen years I have done duty in this prison, I have spent about eighteen hours a week within the walls. During most of this time I am in contact with the convicts in the hospital, the classes or in private interviews. And if you add the time spent in going to and from the prison, in preparing for the generally three sermons or lectures every week, in writing letters – the Warden prefers that the convicts who cannot write should ask me to do so, instead of one of their fellow convicts – thirty-five hours a week will not be an excessive amount to put down as draft on the Chaplain's time."

Moylan's message still had not been heeded by the Government by 1892; so, again in that year's report, he pleaded with the Minister of Justice: "Being convinced that beneficial results would follow from the daily intercourse and ministrations of

the Chaplains, among the convicts, permit me to renew my recommendation that provision be made as to salary and quarters – where the latter may be needed – to this end. As you felt disposed to take the same view of this important matter it may not be opportune now to place it before you for further consideration, the benefit to be derived by the convicts from closer and more frequent association with their spiritual advisors, as experienced in the penal prisons of Great Britain and Ireland."

## *Onerous Duties, Small Salaries*

Inspector Moylan felt that "the labourer is worthy of his hire" and so pressed for good salaries for chaplains. He raised the issue in 1879 with respect to the two western penitentiaries: "And here I would beg, in special manner, to call your attention to the exceedingly small salaries paid to the Chaplains at British Columbia and Manitoba Penitentiaries. It would hardly pay horse hire and the wear and tear of their clothes in the Government service, and yet their duties are quite as onerous, equally responsible, and occupies as much of their time as those performed by the Chaplains of the two other smaller Penitentiaries at St. John and Halifax. In connection with the salaries of the chaplains at Manitoba and British Columbia it must be borne in mind that clergymen are not so numerous, comparatively, as they are in the older Provinces, that their duties are more of a missionary character, and their services are accordingly enhanced in value over those performed where clergymen abound, and where they have a fixed and limited mission."

In that year, the chaplains at St. Vincent de Paul and Kingston Penitentiaries each received $1,200 per annum, while the Wardens received $2,600 and the guards a mere $500. At Stony Mountain and British Columbia Penitentiaries, the chaplains received $200 – the Wardens receiving $1,400 and the guards $480.

Until the 1970s, many of the "full-time" chaplains were in addition to their institutional responsibilities in charge of congregations in the adjacent communities. The occasional chaplain also held other part-time appointments, such as military or hospital chaplaincy. The Penitentiary Service in that decade recognized that some chaplains had other positions; there were two categories of full-time chaplain: without a parish, and with a parish. The latter received a salary about 25 percent less than the former. In 1972 the Service introduced new categories – full-time chaplain; part-time chaplain (20 hours per week) at the equivalent hourly rate to the full-time salary; and visiting chaplain, who provided two visits per week, one of them for the conduct of a service.

Because of the relatively remote location of some of institutions, access to the penitentiary was not always easy for chaplains. Moylan notes in 1880 with respect to Stony Mountain: "The attendance of both Chaplains, for the great part of the year, has been, hitherto, accompanied with much hardship and difficulty. The opening of the railway has, in a great measure, removed those drawbacks."

*Rev. Thomas Scouler, B.C. (Courtesy: Archives of the United Church of Canada, Victoria University, Toronto).*

To offset travel difficulties, housing was often provided for wardens and other senior staff, including chaplains. The Inspector seems to have encountered some reluctance on the part of one of the chaplains to take advantage of such housing on the grounds of Stony Mountain, as he reports in 1890: "It would be desirable and advantageous if the Chaplain would reside at the Penitentiary now that a house has been provided for him at his request."

## *Cooperative, but not Controlled*

Chaplains might not exactly "bite the hand that feeds them," but some chaplains have always resisted institutional control over their work. In recent years, this has been shown by refusal to "punch the clock" when timeclocks were instituted for staff, more recently by concern about mail being opened, telephones being tapped, and offices electronically monitored. In 1938, the Archambault Report was concerned about the status of chaplains and the regulations governing them: "They should not

be regarded as prison officers, nor be hampered by a multitude of petty regulations, but should be left free to meet and talk with prisoners at their will and to render kindly service without the necessity of securing permission to do so."

In 1847 Rev. Rogers was uncompromising in his opposition to being controlled by the Warden of Kingston Penitentiary: "The Chaplain cannot suppose that the law contemplated the inconsistency of making him [the Chaplain] as independent, in his appointment, as the Board itself and the Warden; and yet so dependant, in the manner of discharging that office, as the objectionable rules contemplate; interfering with a conscientious and enlightened discharge of his office, by a system of supervision unknown in any other institution; and to which no clergyman, who is sensible of what is due to him as an Ordained Minister, and no Chaplain, who knows what his duties are, can submit to, without an injury which neither one nor the other ought to receive; and which, if imposed, by the last resort, in case of appeal, his duty both to his God and his country, would compel him to resign.

"The Chaplain is so convinced of the necessity, to the well-being of the Institution, for the independence of his office, of all interference in the manner of its discharge, that he would in further proof shew, that the placing him, as these rules would, in a state of dependance, must so far degrade him in the eyes of the convicts as that they would no longer confide in him as their friend, and the only check to what is but too common, the petty tyranny of inferior officers. If compelled to be guided by such rules, he is, at once, placed on a level with the humblest officer, a condition equally opposed to the letter and spirit of the Penitentiary system."

Rev. Rogers' protests were to no avail. Rules and regulations proliferated – and however objectionable he may have found them to be, Rev. Rogers did not resign.

Rev. Rogers' contemporary, Fr. MacDonell, also had strong objections to one expectation in particular. In his report for 1856, he asserts the integrity and independence of the chaplain: "As the Penitentiary Bill must be reengaged during the ensuing Session of the Legislature, I take the liberty of calling your attention to that part of the oath, by which all Officers of the Institution are bound to report to the Warden every infraction of the Rules which will come to their knowledge, which the Chaplains cannot take without exposing themselves to lose all influence over the Convicts, and to be considered by them not as their spiritual guides, but as so many paid spies over their conduct. I think that the Government should place sufficient confidence in the Chaplains to believe them incapable of concealing any serious infraction of which they might become cognizant, without binding them to do so under the obligation of an oath."

Fr. Leclerc, in his first report in 1873, also reiterated the belief in the necessity of the chaplain's independence: "It is my opinion that, in the minds of the convicts, the chaplain would lose his influence. and would cease to retain their confidence, if they came to consider him an instrument in the hands of any person whomsoever.

I have, therefore, always striven to avoid with the greatest care giving grounds for suspicion of that kind, as also for any remarks which, though made lightly and without reflection, may still lead to disastrous results. I have endeavoured at all times to remain strictly within the bounds laid down for me by the rules and by the law, using freely, nevertheless, the liberty of action inherent in the duties of my post.

"If every one is entitled to be jealous and sensitive as regards his authority, the Chaplain has also the right, and is in duty bound, to see that no one meddle with things exclusively within his sphere, and by so doing impede the good work entrusted to him. . . ."

Fr. Leclerc was willing to be cooperative, but not controlled. The chaplain and the administration and officers must work together, for the good of both. As he expressed it in 1880: "I understand that the co-operation of the Chaplain is necessary to the authorities, and that cooperation they have the right to require. I understand also that without the assistance of the officers the work of the Chaplain would produce no result. It is, therefore, necessary that there should be good will and good understanding amongst all."

On the other hand, in 1883 he had acknowledged problems: "I am aware that on some points my views on the administration of a penitentiary do not in all coincide with the views of those in authority. Hence, I believe the advisability for me of remaining silent on matters which time and experience alone could remedy."

Inspector Moylan greatly respected Fr. Leclerc who seems to have reported his observations of the state of the institution more frequently than just his written annual report. In 1882 Moylan makes this extraordinary suggestion for involving the chaplain in institutional management: ". . . a meeting of the Wardens, Chaplains, and Inspectors annually, or even once in two years, for the purpose of improving and making uniform the system of administration followed in each penitentiary."

Fr. Leclerc was so concerned with management matters well beyond the scope of his chaplaincy responsibilities that he ran into conflict with some authorities. Although the Inspector does not chose to give the details but only alludes to the problem, Leclerc chose to expose it all. Defensively, in his 1882 report he tells the story: "For a long time it appears to have been an admitted fact both in the Penitentiary and outside of it, that the Catholic Chaplain is the chief 'par excellence' here, both in temporal matters as well as spiritual. Certain parties, for motives known to themselves alone, have endeavored to spread the report, that I have tried to usurp rights which do not belong to me. Tired of hearing these reports dinned into my ears by men who should have known better, I availed myself of the visit of the Deputy Minister of Justice and the Inspector of Penitentiaries . . . to ask the Warden to sign the declaration which is annexed to this Report. . . . Since I have been Chaplain of the Penitentiary, I have always found that I had enough to do to attend to my own duties, without desiring those of others. . . ."

"Extract from Inspector's Minute Book: The Roman Catholic Chaplain . . . called upon me and stated: 'It is currently reported that he interferes constantly with the affairs and administration of the Penitentiary, that he controls all appointments and dismissals of officers, in a word that he runs the concern.' . . . The Warden . . . was asked what he had to say . . . He replied that there is not the slightest foundation for the report; that Father Leclerc had never interfered with nor usurped his prerogatives or duties as Warden; that he had not, or does not exercise any undue influence over the officers or convicts; that he does not meddle with the appointment or dismissal of officers; that he (Warden) sometimes takes occasion to ask the advice of and consult the Chaplain . . . ; that he feels himself at perfect liberty to adopt or reject the Chaplain's counsels . . .; and that the Chaplain regularly and zealously attends to his own duties alone without interfering or meddling with those devolving upon any officer of the staff. . . ."

As requested by Fr. Leclerc, the warden, Godf. Laviolette, certified the exactitude of this extract!

Judging by the scarcity of such complaints in their reports, other chaplains were much less inclined to bring problems with staff to the attention of the Inspector. One who did do so, if diffidently, was Fr. A. Lacombe at Stony Mountain in 1880: "The Roman Catholic convicts have on several occasions complained of the harsh treatment they receive at the hands of one of the officers; you would do well to make enquiries into the matter. For my part, I merely mention the complaint without comment."

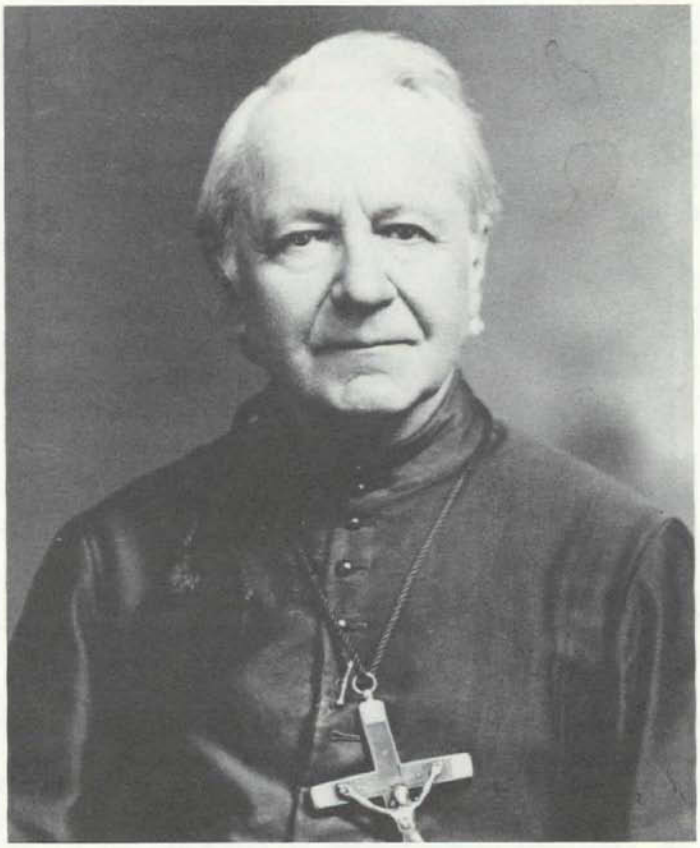
One new paragraph indicated a positive commitment on the part of the authorities to support chaplaincy: "All Books or other articles necessary and proper for carrying on their respective duties will be provided by the Warden upon the requisitions made by them."

This commitment was not always lived up to. In 1874, Rev. Henry Pope rather timidly reminds the Inspector: "We need a dozen hymn books, as, owing to some oversight we received none when we applied last year."

For more than a century, chaplain records show minutely detailed lists of articles held in the chapels, for some years using the Military "Scale of Issue" as the standard for what equipment and furnishings the chaplain and chapel should have. The system has never invested great sums in providing for the needs of chaplains. In 1867, of a total institutional budget of $166,591.48, expenditures for the Roman Catholic chapel were $18.00 and for the Protestant, $44.08. The operating and maintenance budget of many chaplaincies was proportionally less in succeeding years.

## *Hannibal Mulkins: An Exhaustive Chronicler*

The most exhaustive reports on record are those of Rev. Hannibal Mulkins, running some years to dozens of pages. He dutifully reported on the moral condition of the



*Fr. Albert Lacombe, Manitoba (Courtesy: Archives Deschâtelets).*

convicts, having, as the good penologist he was, grouped them into several categories: "Removals by Death," "Removals by Pardon," and "Removals by Expiration of Sentence." His 1856 report on one such group ends appropriately with a challenging question: "The great proportion of these Convicts when they came to this Prison, were almost wholly without instruction – intellectually and morally. Two had been brought up in the demoralization of American Slavery; and one in the darkness and vice of Paganism. Five could write; nine could read; the remainder could neither read nor write. Seven had never been baptised; nine had never learned the Ten Commandments, and to a large extent they were all ignorant of the Law and the Gospel.

"Six had never been in a school; and nine had never attended a Sunday-school. All had been habituated to vice; all were demoralized; all were stained with crime.

Such is an imperfect account of the fifteen Convicts when first imprisoned, and which this year have been discharged by Pardon. They have gone out again into the world to mix with society at large. The question will occur to every one: Are they wiser? are they better? In fine, are they reformed?"

The 1851 Chaplain's Duties included this requirement: "To keep a register containing, under separate heads, the history, so far as he can learn it, of each convict under his charge, the extent of each convict's education, his habits and disposition, the crime of which he was convicted; and he shall add thereto, from time to time, remarks as to the conversations he had with such convict, and his progress, morally and intellectually. And he shall also keep such records as will enable him to report annually the number of convicts received who could or could not read, and who could or could not write; also the number partially educated, classically educated, temperate or intemperate, married or unmarried, and such other points of useful statistical information as shall be suggested him by the Inspectors."

One wonders whether Rev. Mulkins had a hand in writing this requirement. Rev. Mulkins' report for 1856, for example, runs to 13 pages, followed by an Appendix of an additional 13 pages containing no less than 39 statistical tables. These contain such interesting data as the Native Country of the Convict – 2 were actually born at sea!; the crimes of the convicts by their denominational affiliation; the crimes of the convicts by their nationality; the crimes of the convicts by their occupation, e.g. "Crimes of Convicts who were Shoemakers," and also "Crimes of Sixteen Convicts – Clerks, Engineers, Teachers and others Tolerably Educated." Rev. Mulkins also has a table "Shewing the comparative Criminality of the different Denominations of Christians in Canada" based on the sample in Kingston Penitentiary!

Rev. Mulkins may have bitten off more than he later cared to chew, for he complained in 1867 that: ". . . there is an immense amount of writing, lists of letters received, lists of letters written, lists of all the convicts each month for private conversation, lists of communicants, tabular returns, quarterly reports, and various others, including the annual report. It is true that much of the writing alluded to above, does not properly belong to the Chaplain; but even with this admission, there is too much clerical work imposed upon him."

These are the questions Rev. Mulkins asked inmates on their discharge in the year 1855:

1. Did your father die when you were young?
2. At what age did you lose your mother?
3. Were you left an orphan, and at what age?
4. Were you thus left without means of support?
5. Did you leave home when you were young?
6. Had you a trade before your imprisonment?
7. Are you learning a trade in prison?

8. Had you been to school before your commitment?
9. Could you read?
10. Could you write?
11. Could you cypher?
12. Were you partially educated?
13. Were you well educated?
14. Have you learned to read in prison?
15. Have you learned to write?
16. Have you learned to cypher?
17. Have you improved in general knowledge?
18. Did you know the Ten Commandments before your imprisonment?
19. Did you ever attend a Sunday school before you came here?
20. Did you attend church occasionally?
21. Did you regularly?
22. Did you observe Sunday in a religious way?
23. Were you in the habit of using profane language?
24. Did you belong to any church?
25. Were you in the habit of gambling?
26. Did you use tobacco?
27. Had you a rash or hasty temper?
28. Did you drink intoxicating liquors moderately?
29. Did you drink intemperately?
30. Were you occasionally drunken?
31. Were you frequently?
32. Were you totally abstaining?
33. Had you been drinking when you committed the offence?
34. Were you ever baptized?
35. Were you ever married?
36. Have you any children?
37. Did you ever separate from your wife?
38. Had you two wives?
39. Did you ever live in unlawful marriage?
40. Were you born in a state of slavery?
41. Are you guilty of the crime of which you were convicted?
42. Are you innocent?
43. Do you think you have been benefitted morally during imprisonment?

Since the content of this questionnaire, together with the circumstances under which it was conducted undoubtedly did not contribute to its objectivity, it is not surprising to find Rev. Mulkins reporting, in 1873, for instance, that 99 had been discharged reporting that they were leaving "much better reformed," and only two admitted

leaving "not reformed." Rev. Mulkins had a rationalization to support the validity of his information. In his report for 1856 he explains: "There are many reasons for distrusting the professions which Convicts make in Prison. It is their interest to make the impression that they are reformed. The only true criterion to judge of improvement in their minds, is supplied in their conduct. 'The tree is known by its fruits.' While within the Prison, there may be powerful motives for practicing deceptions. But when a Convict is discharged, then, there can no longer exist such a motive for deception."

Rev. Mulkins took his duties as a statistician very seriously and, for the information he has supplied, he has been recognized by contemporary penologists as one of Canada's pioneer criminologists.

Exhaustive questionnaires such as those devised by the zealous Rev. Mulkins did not long survive him, but until the 1950s, chaplains were required – or at least expected – to maintain a "log book" giving information on the inmates in their respective congregations.

## *A Surprising New Duty*

The founding of the Dominion of Canada on July 1, 1867 passed unnoticed in the reports of the prisons, but on that date the three provincial penitentiaries – Kingston in Ontario, St. John in New Brunswick and Halifax in Nova Scotia – came under the authority of the Minister of Justice of Canada. The duty of making any report came as a surprise to the chaplains in St. John and Halifax Penitentiaries. Rev. George Schofield, Protestant chaplain at St. John in his first official report stated: "Prior to December 1st 1868, my whole day may be said to have been discharged when I had conducted divine service each Sunday, and visited such protestant prisoners as were sick . . . I am thankful, however, that the new regulations . . . provide scope for more usefulness. Since that date, . . . I have regularly conducted a religious service each Wednesday. I have also organized a day school, and, on two or three days in each week, have taught the most advanced class in reading, spelling, writing on slates, and the elements of arithmetic. I have also formed a library. . . ."

Similarly, at Halifax Penitentiary Chaplain Henry Pope reports: "I learn that it is the duty of the Chaplains of Penitentiaries to send to the Board of Directors of Penitentiaries, an Annual Report of the moral, religious and educational condition and progress of the prisoners placed under their moral and spiritual care.

"As it is only within a few days past that I have been apprized of the Chaplain's duty, as above stated, I am, of course, entirely unprepared to forward any Report to the Honorable Board for the year 1868. It is a deplorable fact that, until your visit in October 1867, almost every thing was done at random, it was like old chaos, without form and void."

## *Your Earnest Reporter*

Another chaplain who took reporting very seriously was Fr. Leclerc. Most years, his reports are of greater length than those of the Warden. He reveals the goal of reports, as he understands it, in his 1877 report as follows: "My opinion as to the tenor of the reports which the Government requires us to make is, that they should be directed, not so much to setting forth what is done in our Penitentiaries, but also, and chiefly to suggesting the means we deem best calculated to promote the best possible government of our penal institutions. With a view to discharging that duty, I take the liberty of presenting my views on the few points following." He then proceed in an eight-page report to cover his views on Discipline, Observance of the Law and of the Rules, Labour, Classification, Buildings, the School, Protection of Discharged Convicts, the Library. He devotes less than a page to Religion and the Chapel.

The following year, 1878, Fr. Leclerc continues, showing some frustration that his advice has not been heeded: "In my report for last year I took the liberty of drawing your attention to certain defects which appeared to me to stand in the way of the successful carrying on of our Penitentiary.... The defects which I pointed out in my report for 1877 I could still indicate today, inasmuch as nothing, or almost nothing, has been done to remedy them. However, the sooner they are looked after the better; for, in time, the evil diffuses its venom, and becomes more difficult to eradicate. There are a few points upon which I shall venture to offer an opinion in the present report, and they are these...." Leclerc then proceeds to expound on the following mostly non-chaplaincy topics:

- Treatment of Incurables (71 lines)
- Common Gaols (44 lines)
- Instruction of Prisoners (47 lines)
- Superintendents (28 lines)
- Work (70 lines)
- Relapsing Criminals (75 lines)
- Library (2 lines)
- Chapel (1-1/2 lines)

"I have pointed out what I deemed to be defective in the government of the penitentiary.... Let the defects be remedied, but allow whatever is good to remain."

The next year, Leclerc's 1879 report is a mere single page in length; it would seem that the futility – or perhaps the redundance – of his reports affected him: "I conclude here the remarks I had to make, knowing that the Government is in possession of reports which will probably furnish in a fuller and clearer manner information as to the various subjects I have hitherto been in the habit of dealing with in my reports."

Leclerc's 1880 report is back to normal length – five and a half pages – but again shows his frustration, this time with the Inspector himself: "Lastly, I shall close these few remarks by expressing a wish that the visits of the Inspector may be more frequent . . . I blame no one. I state a fact. I have already stated in my former reports that two visits a year were not enough. What shall I say when there is no visit at all."

## *Keeper of the Books*

In 1851 Kingston Penitentiary's chaplains were given a duty which would not be part of a clergyman's experience in parish ministry; they were placed in charge of the prison library. Responsibility for the library – or more accurately the libraries as separate Protestant and Roman Catholic ones were maintained with books selected by the respective chaplains – was one which chaplains took seriously for many decades.

This additional duty might seem to contradict the previously stressed first duty of the chaplain – to devote his whole time to religious and moral improvement of convicts; the library was, however, seen as integral to the achievement of this goal, since the only books permitted were ones of religious and moral value in the eyes of the chaplain.

Inspector Moylan in his 1880 report specified the three spheres of responsibility which by then had been laid on chaplaincy – the chapel, the school, and the library – as the most important elements of reform in the penitentiary, thus placing an almost unreasonable expectation on the chaplain: "In reference to the reformatory agencies it may be briefly said that the chapel, school and well selected library, in a Penitentiary, are among the most important things connected with it. They not only aid the convict in improving his life and habits and in gaining useful knowledge which will prove a benefit to him when discharged; but materially assist the officers in maintaining that discipline without which a prison life would prove intolerable, and all of its influences, instead of tending to reform, would be wholly demoralizing, making the bad worse and the extremely vicious still more vile. . . .

"As a still further encouragement to the moral and mental improvement, libraries are provided. The books are selected by the Chaplains with care. . . . I look upon this as a very valuable means of reform. Much time is thus spent in the useful study of solid literature which would otherwise be passed in brooding over fancied injuries or meditating upon schemes of illegitimate import."

Rev. Hannibal Mulkins had this to say about the Kingston Penitentiary Library in his 1856 report: "There is not a sufficient number of good books. Certainly there ought to be as many books as Convicts, that each one might have a book to read. Including every book in the Prison, there is not above one to every two Convicts; even these books, in many cases, are too much worn to read, and a considerable proportion of them are merely pamphlets and primers. . . .

"Good books not only contribute to the moral improvement of the Convicts, but to their orderly behaviour, and good discipline; they have a tendency to reconcile the Prisoners to their condition, and in their solitary hours, provide for them a reviving and exalting communion with great and good men, and minds."

The availability of books was not the only problem, however. Rev. Mulkins points out some other basic hindrances to readers in the same report: "The Convicts have now but little time to read. Formerly they could read half an hour after meals, but now they have not that advantage. The days are short, and after the Prison is closed at night, it is too dark for them to see to read in their cells. The Sunday is almost wholly occupied with their meals and the religious services, so that even on that day the Convicts have scarcely time to read more than a few chapters in the Bible. . . .

"What books the Convicts now have, the want of light deprives them from reading. Were the Wings lighted up until eight o'clock in the evening there would be three hours – now spent in dreary silence and loneliness – which might be profitably employed in the moral and mental improvement of Convicts. . . . independent of its moral advantage, it would greatly aid the Teacher in his nightly labours, and the efficiency of discipline, would promote quietness, as it would make it more easy to detect the noisy and disorderly."

Due to the repeated efforts of the chaplains, the libraries grew to considerable size. In 1870 the Protestant library at Kingston Penitentiary contained 1,217 books; the Roman Catholic, 395.

Fr. Leclerc in his 1875 report speaks out in support of better libraries: "Reading is at all times a most agreeable and profitable pastime. All the convicts who are able to read get books from the library, and in the evening devote to reading the few hours they are allowed to spend in their cells before going to bed. If permission were once given us to purchase books enough to form a good library it would be a great advance made to assist in the moralization of the convicts. We therefore venture to hope that the Government will this year permit us to purchase books enough to meet the wants of the Institution."

Fr. Leclerc also had a good idea about how to save money: "Books are wanting, and many of those we have are so much deteriorated that it is impossible to read them. In order to enable us to make our books last longer, it is desirable that we should have in the Penitentiary, a small binding shop; there so soon as a book has been slightly damaged we can get it repaired before it has become completely useless." His advice was heeded, as his report on the Library in 1882 shows: "The library contains 1,253 volumes, both English and French. The books are taken care of. The convicts change their books twice a week. The change of books takes place under the immediate supervision of the teacher, assisted by one or more convicts. A register is kept in which is entered the number and name of every book leaving the library. By this

means no book can be lost or injured, and if so the name of the person who had it can be at once ascertained. We have also a book-binder attached to the library. His duty is to bind the new books, bought in pamphlet form, and repair those that may be injured or torn. Thanks to such repairs the books last far longer, and are always kept neater and cleaner. In general the convicts read a great deal, and for many of them, the reading of good books efficaciously aids in bearing up the long and monotonous days of their captivity."

The libraries constituted a source of periodic tension between the chaplains. As both religious groups carried on aggressive propaganda campaigns against one another in the society of those days, chaplains expressed legitimate concern about the types of literature circulated. As long as any censorship was practiced with respect to books in institutional libraries, one of the criteria for banning a book was that it conveyed disrespect for another religion.

Dorchester's chaplains were determined to maintain the objectivity of the library and to ensure the quality of its contents. Protestant Chaplain J. Roy Campbell reports in 1890: "The general library is in larger demand than ever. Special attention is given to this department, in order that all reasonable cause for offence may be avoided. Unfortunately, some otherwise really useful and instructive authors will occasionally spoil everything by having a purely gratuitous fling at the Pope. Whenever any such reference is brought under the notice of either chaplain, out goes the book. It would be a most serious mistake to contribute for this point of view one unnecessary iota of difficulty to the ever-delicate business of managing the religious affairs of our penitentiaries."

The library was seen by some chaplains as integral to his ministry. Fr. G. Cloutier at Stony Mountain took the library very seriously. In 1896, after complaining that two requisitions for books had been ignored, he says in his report: "Reading is a proper thing to bring back to order men who have temporarily abandoned the right path. But to obtain this result, I believe the reading only of serious and religious books can contribute. . . ." He then makes a highly questionable claim about reading habits as an indicator of recidivism: "Convicts who only read works of a frivolous character whilst they are here have never remained very long at liberty without being recaptured and being sent here for a second term. On the other hand, those who have fortified themselves by reading serious works during their incarceration have never had the occasion to undergo a second term."

In 1898, Fr. Cloutier again reiterates his conviction about the library: "Now, when a man has forgotten his duty and when he is in one of these institutions where he is expected to be reformed, he finds the oral teaching by the ministers of religion first, and also by the good advices of the officers. But this is not sufficient. There are lots of times the minister cannot preach and the officers have something else to attend and the convict has lots of time to himself. The oral teaching is not sufficient. It must be completed by the reading of books. And in the libraries there should

not be placed but serious books in which shall be found a moral teaching producing serious convictions and which shall lead the will to hold strongly to what is good."

With increasing numbers of immigrants, libraries needed books in languages other than English and French. Chaplains played an important role in meeting this need.

## *A New Leaf*

By the late 1880s, separate libraries were disappearing but not always with the concurrence of the chaplains. Rev. Arthur W. Goulding at Stony Mountain complained in 1888: "The Chaplain is the one man who knows fully their special needs, and the proper food for their minds, and now, as in the past, he should be permitted to promptly supply that food. The sooner the old system [of book purchase] is restored, the better for the prisoners."

In 1890 Kingston Penitentiary had a new library arrangement with one common library comprising only literary and scientific works, albeit selected by the warden and the two chaplains. Purely religious books were kept separately in the respective chapels. The responsibility for libraries was gradually and appropriately shifted to the schoolmasters. Rev. J. Roy Campbell reports from Dorchester in 1891 pleasure at the change. Having the library and school in charge of schoolmaster is "as satisfactory to my brother chaplain as to myself; . . . it is in better and smoother working condition than it has ever been."

In 1914, Fr. McDonald, Roman Catholic chaplain at Kingston did not approve of the library system. ". . . the prison library should not be any longer the dumping ground of literary rubbish, cheap in tone as well as in price. If the language is vulgar the characters of the books suggestive, the prison is providing bad company and poor ideals for the parties who are sent here for reformation. . . .

"It is surprising that detective stories figure more or less in the fiction list of our institutions, a very dubious policy indeed, for such books furnish stories of crime, which suggest ingenious plans, and point out the weak spots in the method of their execution."

Fr. McDonald continued the theme in his next report two years later: "The library . . . must benefit them in four ways. It is a means for educational improvement. It is a source of religious instruction. It contributes to the contentment and good order of the institution, and lastly, tends to their moral cultivation. . . . provided the best and purest books only are purchased for the use of our men. It should be seen to that the shelves of the prison library are stripped of all pernicious fiction and taken with works of an elevating nature. The healthiest and best literary style, the healthiest and best moral atmosphere are the two essentials of a prison library. . . ."

Rev. Goulding's Roman Catholic colleague also had opinions about books in the library. Fr. G. Cloutier complained: ". . . Also must not be shelved there, books that are colourless, purposeless, works of fiction, good only to produce dramatical

impressions and to give the reader as much pleasure as possible. . . . Let us keep away from our libraries books which can only lull to sleep the bad tendencies of human nature."

But chaplains also recognized the good influence of books. As Rev. John Rollit of St. Vincent de Paul expressed it in 1902: "the convict who has the companionship of a good book is less likely to give annoyance in his hours of solitude than one who has only his own reflections on an unsatisfactory past for entertainment."

Inspector Moylan was brought into the fray in 1888 and took the same stance as the chaplains: "I regret being obliged to call attention to the fact that the Wardens and Chaplains complain that the rule established, about two years ago, of having books required for the libraries purchased through the Stationery Branch, is attended with great inconvenience and delay, not to say loss to the several libraries. The former system, of having books bought by the respective chaplains, was most satisfactory and economical. No complaint ever reached the Department, to my knowledge, against it. The Chaplains felt it to be a pleasure as well as a duty to obtain the best terms from publishers and booksellers, and, it may be safely said, they succeeded in driving good bargains for the libraries of which they are the guardians and patrons.

"What was the necessity then for making any change? It is not possible, for a moment, to suppose that the integrity of the Chaplains could have been doubted, or that the fitness and judgement of the clergymen in the matter of buying a few hundred dollars worth of books, between them, could have been called in question. If the new 'modus agendi' were attended with any advantage or improvement one could understand the logic of it; but, as the contrary is reported by the officers already referred to, I beg leave to recommend that the Chaplains, who take so much interest in the libraries and the good results which they produce, who are so competent to fulfil the task, and who have already done so, be again entrusted with the purchase of the books."

## *School Days*

Kingston Penitentiary's chaplains since 1851 had been required to: ". . . have the care and management of a Sabbath School for the religious instruction of the convicts." Chaplains had, however, been concerned if not formally responsible for "secular education" from the earliest days. Schooling had begun after a fashion even before the appointment of the first chaplain to Kingston Penitentiary. From the date of its opening, 46 illiterate inmates were identified. The first teachers were literate inmates, under the strict supervision of the guards, as the inmates were not allowed under any pretext to communicate with one another.

The Act of 1834 stipulated that each convict who could read was to be given a Bible. Rev. William Herchmer, when he was appointed as chaplain in 1836, supple-

mented this by passing out religious tracts. Prayer books and spelling books were supplied later – as were ink stands, and pairs of spectacles.

Rev. Herchmer complained that there was only one hour a day for the school; half an hour after breakfast before the beginning of work and half an hour after dinner. School was dependent on other factors such as overcrowding which led to its cancellation in 1838, since the men were so crowded that there was fear that they would have conversations with each other!

The school appeared officially in the Statute of 1851, which provided for the addition of a school teacher to the staff, to work under the supervision of the chaplain. He was to teach those convicts whom the warden selected such topics as reading, writing and "other branches of secular knowledge."

When Rev. Rogers replaced Rev. Herchmer in 1843, the school was operating only one hour per day three days a week, for a total of three hours a week. He objected to the priority given contract work over education. By 1847 his protests had resulted in one more one-hour day being added to the school week. The 1849 Board of Enquiry upheld Rev. Herchmer's views, holding that common education was a distinct part of the moral discipline of the prison and should occupy one teacher full-time.

By Rev. Mulkins' time, the school was well established. He describes its working: "The aim is to teach the Convicts to read understandingly, to write, and, if possible, to cipher a little. A few Convicts who had means of purchasing geographies or grammars for themselves have made a little progress in these studies. . . .

"No sectarian teaching is allowed in the school; but, while avoiding this, the Chaplain has been most anxious that the cultivation of the moral feelings, the inculcation of christian morality which is common to all denominations, should not be suppressed, as teaching a youth always to act from a sense of right lies at the foundation of all good conduct."

But Rev. Mulkins could see its defects. In his 1856 report, he says: "The school, though conducted with diligence, does not offer its advantages to all that need them. There is a very large number of Convicts in the Prison under twenty years of age; such of these as are employed on contract labour have no great opportunity for school instruction. A very short time after meals is the only available period for teaching them. There is also a large number of adult Convicts sent to this Prison, who can neither read nor write, and who have less means of instruction than even the younger Convicts. The school is an important agency, and does great good, but under the circumstances, notwithstanding the best exertions of the teacher, is not available for many Convicts that need the first principles of instruction."

It was not until 1870 that the Chaplains' Duties formally spelled out their responsibility for the penitentiary's school: "It shall be the duty of the Chaplains, with the advice and consent of the Warden, to direct the operations of the Male and Female Schools, see to their proper management and efficiency, note the system of educa-

tion and its results, as shown by the progress of the convicts in learning, make report to the Warden of anything which they or any one of them may see amiss in the Schoolmaster or Schoolmistress, or in any mode of teaching, which such opinions or suggestions as they or he may think conductive to the educational interests of the convicts, or to the improvement of the Schools."

## *Ignorance: The Cause of Crime*

Chaplains undoubtedly recognized the importance of schooling for inmates, as Fr. Leclerc did in his 1877 report: "I attach great importance to the success of the school. Ignorance is the cause of many crimes. A good education is a preservative against the dangers of relapse." He likewise finds that the inmates value the privilege – and schooling is a privilege in 1877: "The opportunity of studying is appreciated more than ever by the convicts and permission to attend school is granted only to those who are anxious for instruction, and who conduct themselves in a satisfactory manner."

Fr. Leclerc's successor, Fr. J.O. Godin, encouraged his inmates to seek schooling. In his 1884 report he tells that: "I have repeatedly endeavoured to stimulate among those convicts whom I met in the school a desire they ought to have to acquire knowledge. From the pulpit I have spoken in the same sense to all the Catholic convicts who are in need of instruction. But, unfortunately those who most need to attend school are often the least convinced of the necessity of instruction. They shunned school when they were young; they have grown up deprived of all school teaching, and of nearly all education. Now that they are in the Penitentiary, they have little liking for the school. . . . If the convicts could be brought to form a taste for instruction; to shake off their natural apathy; if they could be induced to be assiduous at school and attentive to the instruction given them, it would, I think, be a great point gained."

Inspector Moylan in his 1881 report stressed the importance of the school: "Education is a vital element in the reformation of the fallen, and should be carried to the widest extent – consistent with the other purposes of a prison. It quickens intellect, gives new ideas, supplies food for thought, inspires self-respect, supports proper pride of character, excites ambition, opens new fields of exertion, ministers to social and personal improvement and affords a healthful substitution for low and vicious amusements. Wherefore, a school for secular instruction, in which reading, writing and arithmetic are taught to those who are deficient in these primary branches, is in operation in each Penitentiary. It is under the special supervision of the Chaplains. . . ."

Later chaplains were much less involved in the actual operation of the school, functioning more as "Inspectors." Fr. Leclerc mentions in 1877: "The head master, Mr. Mahar, does everything in his power to carry out the instructions given him by my colleague or by me. His assistants also give proof of goodwill."

When later chaplains include mention of the school in their reports, it is usually only to say that they have visited it occasionally and to affirm that the schoolmaster seems to be doing his job satisfactorily. They were not unaware of the inmates' low education level as Rev. Mulkins' questionnaires had revealed during his days. His successor Rev. C.E. Cartwright observed in his 1885 report: "Having, when I was first appointed, adopted the plan of making the convicts read verse about at the bi-weekly bible classes, I was forced to give up the practice after a long trial, because the greater part of the men could not read sufficiently well to be intelligible to the rest."

## *They Shall Clothe Themselves in Uniforms*

The degree to which some chaplains accepted their integration into "the system" is best typified by the number who were content to wear prison officers' uniforms, albeit usually with a clergyman's clerical collar. This was deemed a matter of concern when the Royal Commission under Mr. Justice Joseph Archambault reported in 1938. The Commission was of the opinion that: "They should not wear uniforms but, instead, be provided with a reasonable clothing allowance in lieu of the uniform at present provided."

The wearing of uniforms did not cease, and there is no record of a clothing allowance ever having been provided chaplains. During World War II, some chaplains took leave to serve in the military. After the War, other ex-military chaplains became penitentiary chaplains. It is not surprising that many chaplains felt comfortable in uniform.

The question of uniforms arose again in 1983, surprisingly at National Headquarters in Ottawa. Commissioner Donald Yeomans, who had introduced uniforms for senior administrators, was desirous that the Director of Chaplaincy, Rev. Murray Tardiff, appear in uniform on formal occasions. Fr. Tardiff, supported by the Interfaith Committee on Chaplaincy, resisted the pressure.

## *Loyal Padres of the Empire*

The influence of the military on chaplaincy was more noticeable in another tradition of identification. Formally, they were often referred to by their old military rank rather than clerical title. Many ex-service chaplains and others not of a military background who followed them encouraged the inmates and staff to refer to them by the military term "Padre." Protestant as well as Catholic chaplains used the term, although "Padre" is Spanish for "Father." A common chapel program in those years was a military style "Padre's Hour."

Chaplains were undoubtedly loyal to king and country in times of war. One who showed this in his reports was Rev. B.H. Thomas at Dorchester, who in 1916

gave this testimony to his patriotism: "As a loyal son of Empire, I desire to express great satisfaction over the spirit of optimism, which runs like a golden chord through all the channels of our active and busy national life. And we note there is ample cause for optimism, the triumphant position of our country, in these hours of national peril, the glorious achievements of army and navy, and the qualities of brain, heart, and soul, on the part of our great leaders, give assurance that all is well in our national cause."

Some chaplains were not only loyal but brave. One such was Major Rev. W.E. Kidd, who was decorated for bravery in World War I and served again as a Padre, taking leave from his chaplaincy at Kingston Penitentiary, in the Second World War. But it was between the wars that the institution experienced something of the benefits of his wartime bravery. In 1935 the Inspector tells the story in his Report to the Minister of Justice: "On the 11th & 12th May, the Warden reported that both chaplains had received information from convicts of impending trouble. The Warden anticipated that if an emeute occurred, it would be in the Protestant Chapel. Without consulting the chaplain, Major the Rev. W.E. Kidd DSO, MC, or giving him any information, the warden placed eight armed officers in that part of the Protestant Chapel formerly used by the female convicts. The first service in the Protestant Chapel and the service in the Roman Catholic Chapel were completed without any unusual occurrence, but during the opening hymn of the second service in the Protestant Chapel, it was estimated that some 25 convicts endeavoured to cause a disruption, some shouting "Let's go, boys!" this being followed by the tapping of feet. The singing of the hymn was carried through without stopping, after which, when Rev. Mr. Kidd commenced to speak, the tapping of feet was recommenced. He remained in silence for a moment, facing the congregation with a firm countenance. The noise ceased. There was no further disruption. The manner in which Major Kidd met the situation evokes the respect of the officers and convicts present."

## *Religion: An Inalienable Right*

In past years, it was safe to assume that the State would recognize and support the religious rights of penitentiary inmates. In this day and age, such an assumption might not be as easily made. The religious rights of inmates have, however, been safeguarded in legislation and enshrined in international conventions to which Canada is a signatory.

The Canadian Charter of Rights and Freedoms (1981) guarantees everyone the fundamental freedom of conscience and religion. The United Nations Charter of Rights (1945) 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 in private, to manifest his religion in teaching, practice, worship and observance."

The U.N. Standard Minimum Rules for the Treatment of Prisoners expand these principles as follows: "If the institution contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.

"A qualified representative appointed or approved . . . shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his religion at proper times.

"Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his attitude shall be fully respected.

"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."

## *Serving Two Masters*

Chaplains are the persons directly responsible for ensuring the religious and spiritual well-being of inmates, principally, but also of staff. As members of the institution's staff, chaplains are of necessity persons under dual authority, the authority of their Church and of the Correctional Service which engages them to exercise their ministry in chaplaincy. That is not to say that the chaplains' loyalty is critically divided, although periodically chaplains may experience some ambiguity at appearing to serve two masters whose demands and expectations may at times and in certain respects differ from one another.

The position of the chaplain within the penitentiary presents yet another dimension of dual responsibility. They have frequently been identified as the "man in the middle," walking the delicate line between inmates and staff in a unique fashion in the institution. The chaplains' loyalty to one side or the other is frequently challenged in the course of their work, but to lose the respect of either staff or inmates is to jeopardize their ministry to the whole institution.

## *Interfaith Committee Supports Chaplains' Role*

Fulfilment of its obligations to the spiritual well-being of inmates has not been difficult for the Correctional Service of Canada. It continues its long tradition of providing chaplaincy services in all institution. In so doing, it has been encouraged and supported by the churches and other faith communities in Canada as represented by the Interfaith Committee on Chaplaincy in the Correctional Service. This body submitted a Brief to the Parliamentary Committee on Justice and Legal Affairs in November 1973 which

summed up its position at that time about the chaplains' position in the institutional system:

BRIEF TO THE PARLIAMENTARY COMMITTEE ON JUSTICE AND LEGAL AFFAIRS
. . . the opinion of the churches that when the state confines citizens to institutions of custodial care it has the moral obligation to provide and pay for all those services, including chaplaincy, which are essential to the well-being and rehabilitation of such inmates. The churches also believe that chaplains should be enabled to participate fully in the custodial community to which they must minister.

DEFINITION OF CHAPLAIN:
A penitentiary chaplain is a person who is ordained or otherwise commissioned by his denomination, screened by the Inter-Faith Committee on Chaplaincy in the Canadian Penitentiary Service, selected by a Public Service Selection Board, according to criteria agreed upon by the churches and the Penitentiary Service, and appointed by the Commissioner of Penitentiaries to exercise in the penitentiary a ministry of the church or synagogue, and to represent the community of faith, responsible in spiritual matters through his own ecclesiastical authorities to the whole community of faith and in functional and administrative matters to the Warden and through the Warden to the Canadian Penitentiary Service, always including those chaplains who are already employed prior to the date of the establishment of this Committee in 1968.

RIGHTS OF CHAPLAIN:
In order to carry out his duties effectively we believe that the chaplain should have the right of access to any part of a penitentiary, the right to communicate with any inmate or staff member in private; the right to use facilities within a penitentiary set aside for religious and rehabilitative purposes as well as the rights currently held by chaplains in the Penitentiary Service.

CONFIDENTIALITY
We also believe that in order to be able to carry out their duties as spiritual confessors, penitentiary chaplains should be granted the right to silence regarding matters of conscience which come to their knowledge regarding any inmate or staff member in the exercise of their pastoral office as chaplains.

EXEMPTION FROM PEACE OFFICER ROLE:
We also believe that it is contrary to the basic spiritual and pastoral role of the chaplain to the whole correctional community, both staff and inmates to require that chaplains act as peace officers . . . [quote Act c.53, s.11] . . . We recommend therefore that chaplains be specifically exempted from the requirement to act as peace officers.

This response of the Interfaith Committee was formulated to defend the position of chaplains in the Public Service, lest their rights and ability to influence institutional

policy be diminished. This threat was the result of a crisis precipitated by a Member of Parliament whose concern for prisons was based on personal experience. As reported in the *Globe and Mail* on March 10, 1973: "To Frank Howard (NDP Skeena) a clergyman should not be a policeman. He introduced a bill in the Commons yesterday under which the Canadian Penitentiary Service would cease the practice of hiring prison chaplains.

"Instead chaplains would be provided by the various denominations and would have the same access to prisoners as do the chaplains now employed by the service.

"Mr. Howard said that under the Penitentiary Act chaplains on the payroll of the service are made into peace officers or policemen. They came under the authority of the Commissioner of Penitentiaries and wardens.

"Outside the Commons he said he knows of two incidents in which chaplains felt constrained to air their views because they were employees of the service. He also said that if a chaplain is called upon to give evidence he may be asked to break his priestly vows of secrecy."

The Interfaith Committee wanted to ensure that chaplains continue to have all the prerogatives of public servants; they also were concerned about chaplains' identification with their churches. The fact that the position of chaplains as public servants was beginning to be challenged openly reflects the change taking place in the role of the church in society. It opened up the whole question of the dual loyalty of chaplains – to their employer, the State, and to their ecclesiastical superiors in the denominations in which they were ordained and under whose pastoral mandate they functioned as clergymen.

The issue had not been a significant one in years past, but times were changing.

# PHOTOS

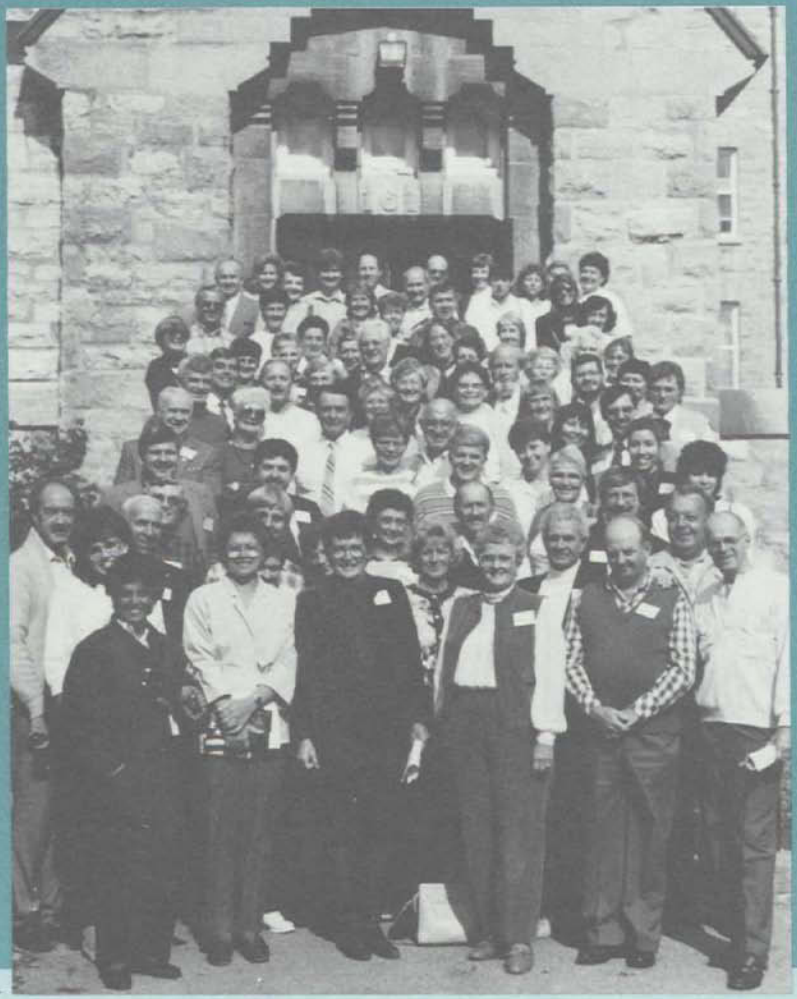
# NATIONAL

1. Founding rally of the National Chaplains' Volunteer Association, 1988.

2. National Chaplains' Conference, 1968.

3. Commissioner Ole Ingstrup addressing the National Chaplains' Conference, 1989.

4. New Chaplains' orientation, Phase II, Montreal, 1988. Chris Carr, Associate Director of Chaplaincy (front row, third from left).



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# ATLANTIC REGION

1. 1st row: Rev. Harrison, Springhill; Rev. MacLeod, Blue Mountain; Fr. E. Gallant, Dorchester; 2nd row: Fr. Caissie, Springhill; Rev. L. Baker, Dorchester; Rev. Paul Crosby, Springhill (later acting Chaplain General); Fr. Jean-Paul Régimbal, President of the Correctional Chaplains' Association of Canada, 1968.

2. A pioneering team! Rev. Pierre Allard, Sr. Gloria Boudreau, Major Wilmot Linder, all of Dorchester. Rev. Allard became Director, Chaplaincy in 1987.

3. Important volunteers: Jane Steeves, Wendell Anderson, Olive Fynney.

4. Sr. Teresa Currie, Springhill and trainer in correctional ministry.

5. Professor Rev. Charles Taylor of Acadia University, long-time trainer for correctional ministry and active volunteer.

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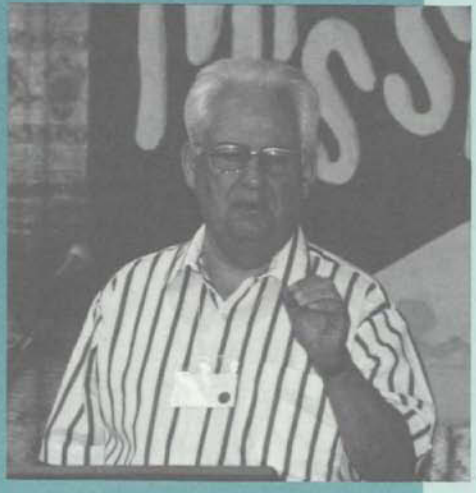

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# QUEBEC REGION

1. Some chaplains of the region: Fr. Maurice Dignard, Montée St-François; Fr. Paul Delage, Ste-Anne-des-Plaines Minimum; Fr. Maurice Fournier, High Maximum Security Ste-Anne-des-Plaines.

2. Fr. Gabriel Savignac, Archambault and Regional Chaplain.

3. Fr. Gérald Primeau, 27 years as chaplain at Leclerc.

4. Fr. Jean-Noel Laplante, Drummond (front left); Fr. Pierre Gonneville, Leclerc (centre); Rev. Tilman Martin, Archambault (rear centre).

5. A group of volunteers from the Quebec region in dialogue with Sr. Agnes Leblanc of Moncton.

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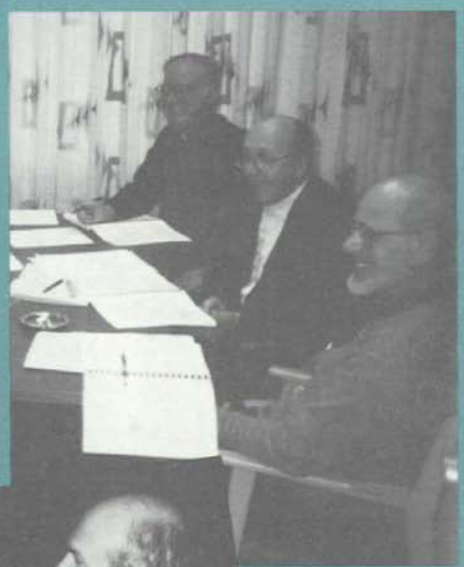

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# ONTARIO REGION

1. Rev. Ron Nash in his office at Collins Bay Institution, 1971. Rev. Nash later became Regional Chaplain, Ontario.

2. Chaplains of the region, 1988. Second from the left in the front row is Rev. Norm Barton, Regional Chaplain.

3. Rev. John Hudson and Sr. Sue Mallette inside Kingston Penitentiary.

4. Sharing of the Word of Life. Rev. Don Misener, Kingston Penitentiary and chaplain trainer, with a member of his flock.

5. Fr. W. T. Kingsley, Kingston Penitentiary, 1924-39.

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# PRAIRIE REGION

1. Fr. Franklin Andrews and Rev. Louis Pellisier of Stony Mountain.

2. Fr. Harold Bedford, Stony Mountain Institution.

3. Rev. Arno Bablitz, Regional Chaplain, Prairies, and Regional Psychiatric Centre and Rev. David Hilderman, Saskatchewan Penitentiary (later Regional Chaplain, Pacific).

4. Rev. Alf Bell, Stony Mountain, and Rev. Neil deHaan, Rockwood. (Rev. Bell later became Regional Chaplain, Atlantic).

5. Fr. Ghyslain Gaudet, Saskatchewan Penitentiary.

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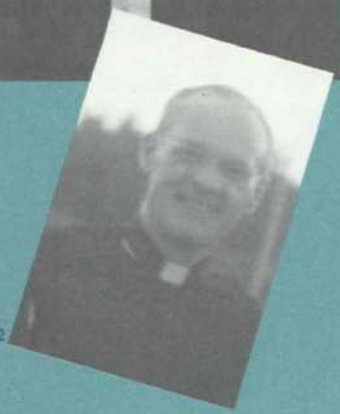

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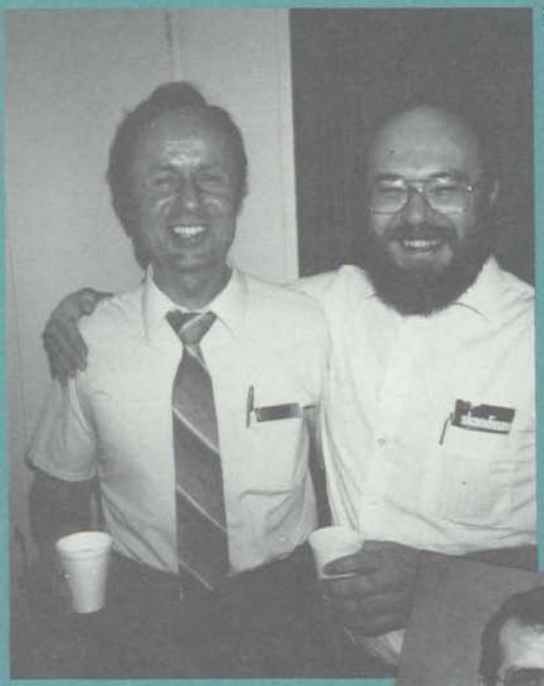

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# PACIFIC REGION

1. Fr. Agnelo Pinto, Mission Institution; Rev. Tom Speed, Regional Chaplain and Regional Psychiatric Centre; Rev. Tom Kropp, Mission Institution.

2. Rev. and Mrs. Henri Blasé, Regional Psychiatric Centre.

3. Rev. David McKenzie, Matsqui, participating in the Regional Fitness Day, 1987.

4. Fr. Paul Thompson and Rev. Arne Jensen, Kent and Mountain Institutions.

5. Fr. J. M. Barry, B.C. Penitentiary, participating in a 1954 sports day ceremony. Through a "show biz" connection, Fr. Barry lured big-name entertainers like Frankie Laine and Louis Armstrong to give special performances at the Penitentiary.

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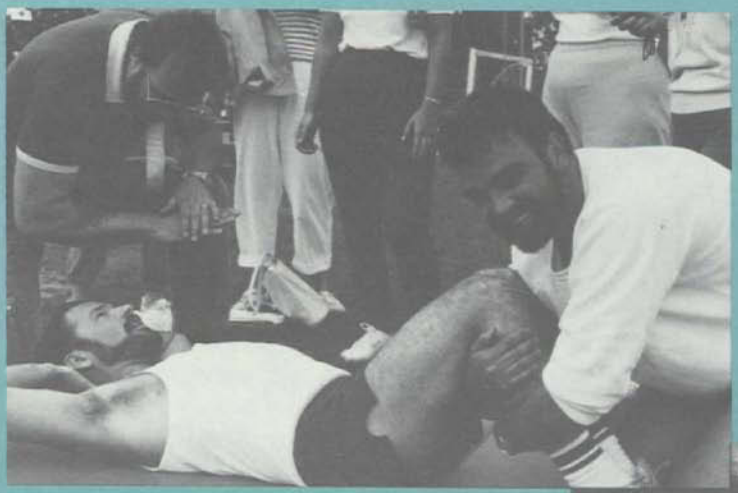

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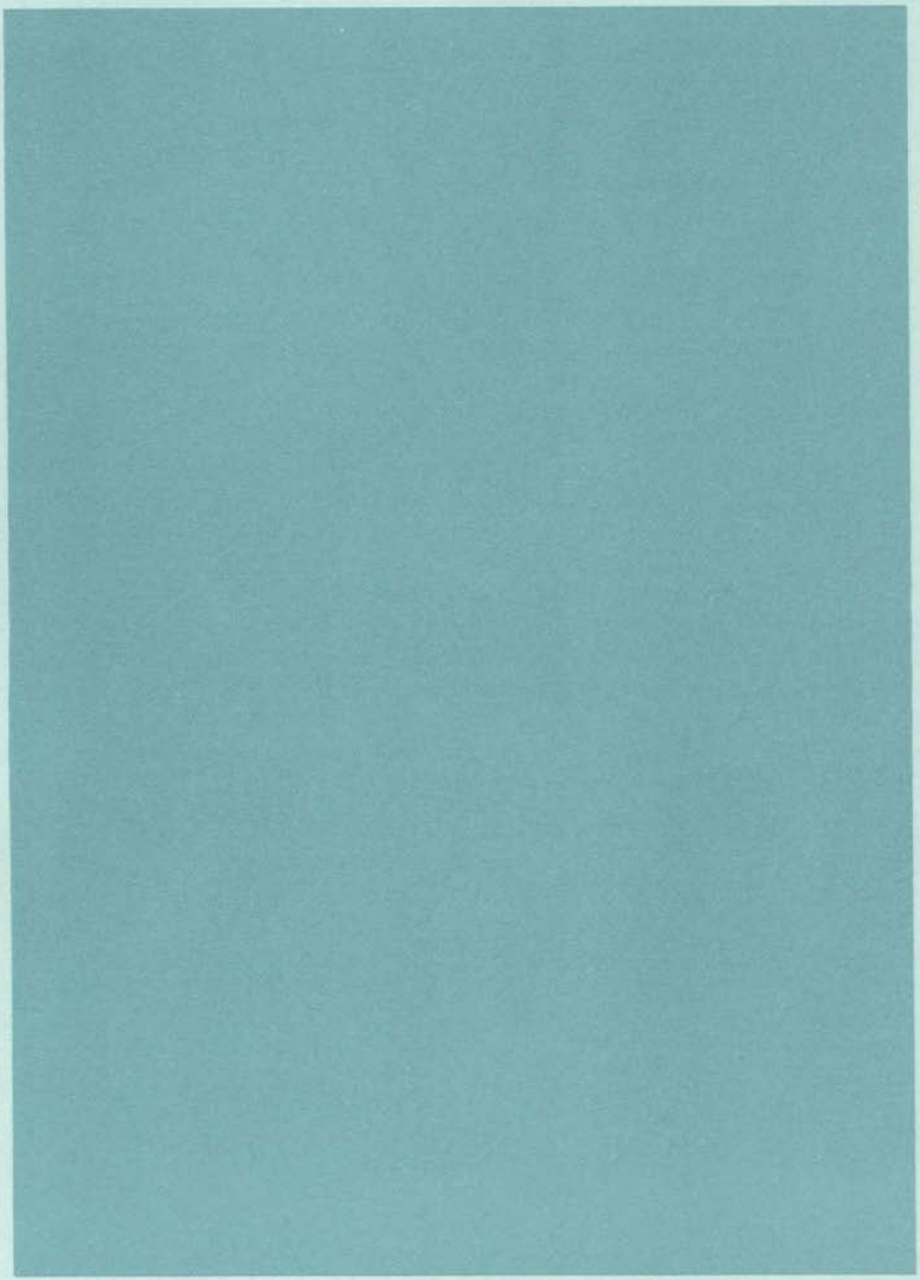


# 5 SERVANTS OF THE CHURCH

*One of the problems facing prison ministers is how to recognize but not cross the thin line of apparent ambiguity between heeding the biblical mandate of service to those who need it and yet at the same time performing their assigned tasks to the satisfaction of prison officials.* [1]

Christians accept the Scriptural proposition that they are "in the world, but not of the world." The challenges and difficulties of this dual allegiance have confronted Christians from that day to this; chaplains perhaps more than others have had to face the ambiguities of needing to be *in* but not *of* the prison in which they minister.

Sometimes, however, the chaplain appears to be isolated from his denominational brethren. While the ministry of chaplaincy is indeed different, making it difficult for some church officials to properly understand and so appropriately support it, nonetheless the chaplain should not be a "lone wolf," or even a lone shepherd. Although expressed with positive overtones, the report of the Commissioner in 1953 points out the chaplain's peculiar position in his church: "Operating as he does in comparative isolation, that is to say without the support of congregational officers and societies, he is relatively free to develop his own pattern in the areas of preaching and sacramental ministry, pastoral comfort and counsel, and religious education."

No one can seriously challenge the fact that the chaplains' ultimate authority is God, and their primary loyalty must be to the religious authorities who, through ordination or other accreditation, give them their mandate to exercise the special ministry of chaplaincy. It is because they hold that ecclesiastical status that they are engaged by the secular authority to serve as chaplains in its institutions; should they, for any reason, lose that mandate they would no longer be qualified for the position.

Governments exercise their right to set standards for chaplaincy and select the persons who meet their criteria, but they cannot create chaplains; chaplaincy is a ministry of the church or other faith group which only those it mandates can deliver. The employing authority, fulfilling its responsibility for the spiritual well-being of its inmates, engages chaplains to carry out the ministry which the churches define.

[1] Thomas O. Murton, "The Prison Chaplain: Prophet or Pretender?", p.12.

## *A Shepherd First*

In their reports, early penitentiary chaplains often found it necessary to remind their political masters of their dual loyalty. Rev. Robert Rogers, chaplain at Kingston Penitentiary, had no doubts about how his loyalties were divided. Although he concedes in his 1843 report the chaplain's obligation of "submitting to the general laws of the institution," he insists that a higher law is his ultimate authority: "The Chaplain looks, then, to the Board of Inspectors to be sustained in a fearless. upright, conscientious discharge of his duties. . . . the peculiarities of his Office will render him free from all control, save his Ordination vows and the constant anticipation of that solemn account of his stewardship, which he will have to give, when the Great Shepherd shall appear."

Rev. Henry Pope in 1868 prefixes his first report as chaplain to Halifax Penitentiary with the recognition of the dual sources of his call: ". . . having acted from a solemn sense of my responsibility to God, as well as to the Civil Government, by whose authority I now fill the office of Protestant Chaplain. . . ."

Forty-two years later, Rev. B.H. Thomas, in his 1911 report as chaplain at Dorchester Penitentiary, likewise looks to his employers for support but to his God for direction: "We record our appreciation for the courtesies constantly received from the superior officers of the institution, . . . and look to the master of eternal assemblies for direction in the difficult but important duties of the high office we are striving to fill honourably to God, and acceptable to the department."

Fr. Emile Pascal reflected on his dual loyalty at the time of his appointment in 1915: "Since my appointment to that responsible position, I have endeavoured in the discharge of my duties, not only to comply with all the requirements of the law and regulations, but to work conscientiously as a priest of God, for the moral uplift of the inmates under my charge."

Fr. Joseph Leclerc was appointed by Government letter dated May 21, 1873 as the first Chaplain of St. Vincent de Paul Penitentiary. He had, however, already been appointed to the position by his ecclesiastical superior as he acknowledges in introducing his first report: ". . . having received my letters of license from His Lordship the Bishop of Montreal some time before; knowing consequently that I was called upon to exercise the sacred ministry among convicts. . . ."

## *Thou Shalt Not Proselytize*

Chaplains at times have been preoccupied with concerns which reflect a sectarian bias in interpreting what constitute the fundamental priorities in meeting the spiritual needs of inmates. Particularly in the early years when salvation was frequently described in exclusive terms and competition between the Protestant denominations and the Roman Catholic church was more aggressive, dedication to the conversion of inmates

to the chaplain's own division of Christianity created some problems for penitentiary authorities.

The chaplains were not the only religious bigots; at Kingston Penitentiary in the 1840s Warden Smith's son was accused of maligning some convicts by calling them "damned papist rascals." Conversely, Rev. Rogers, the Protestant chaplain, complained in 1844 of a Keeper who had: ". . . used his influence to make Protestant convicts attend Divine Service in the Roman Catholic Chapel."

The Keeper was admonished for a worse offence in the eyes of the Warden, "grave dereliction of duty", because he had actually held conversations with inmates (on the subject of religion), thus breaching the Rule of Silence!

Proselytizing had to be strictly forbidden; Regulation Number Seven governing chaplains was promulgated in 1844:

No attempt shall be made by either of the Clergymen directly or indirectly to obtain Convicts to their respective Congregations, and no change shall be allowed in this respect without the special direction of the Board.

Chaplains MacDonell and Rogers at Kingston Penitentiary agreed on one thing: that any regulation barring proselytizing was intolerable interference with a duty imposed by a higher loyalty. Both were firmly convinced of their right and obligation to convert inmates of one another's congregations to their particular manifestation of the Christian faith. In his 1845 report, Fr. MacDonell protested: "I have reason to believe that, in religious matters, some of the convicts have been debarred from following the dictates of their consciences, and that others have been tampered with in order to prevail on them to swerve from their religious belief, by the dissemination among them of Books and Tracts teeming with the grossest falsehoods against the Catholic Religion."

The Inspectors later tried to use a logical argument in an effort to regulate an inmate's right to change of religion. In 1849 they passed a resolution stating their opinion that: "A real change of opinion [on the part of the convict] is altogether impossible, since the rules of the Prison, if properly enforced, will effectively prevent proselytism, directly through the clergymen themselves, or indirectly through the books they circulate. . . . We see no likelihood, therefore, that the consciences of the convicts will be wounded by their being retained during their imprisonment under the chaplain to whom they were originally assigned."

Fr. MacDonell felt that the Inspector's attempts at avoiding disputes between the chaplains over proselytizing were, as he put it in his 1849 report: ". . . a species of religious tyranny only to enslave the mind by nurturing early prejudices." For him, every law which in any way tried to interfere between man's conscience and his Creator was unjust.

In his own Diocese, the ultra-Protestant bias to Rev. Rogers' evangelical zeal was well known. He was the mover in Synod of a resolution wishing "God speed"

and prayers to persons engaged "... in the field of mission to Roman Catholics in Ireland and Canada East"! The Inspectors instructed the Warden to ensure that no books or tracts were circulated which bring into contempt or disrepute either the Protestant or Roman Catholic religion. Rev. Rogers was, understandably, reprimanded for circulating one entitled A *Gospel Lever Applied to the Over Turning of Romanism*. Rev. Rogers retaliated by protesting the circulation of the Roman Catholic Catechism as being anti-Protestant.

The problems between the chaplains led to recommendations by a Board of Inquiry in 1849 that: "... the best security against the clashing of opinions is to be found in a mutual good understanding between the clergymen of the two denominations; that neither shall encroach on the religious domain of the other.... [it will be] most desirable that the gentlemen selected for the sacred office of Chaplain should be imbued with a truly Catholic spirit, and should cordially cooperate for the reformation of the prisoners."

The Board clearly had an advanced view of proper inter-church relations, and were understandably primarily concerned with the chaplains carrying out the government's expectations of chaplains.

## *Conversions: A Two-Way Street*

As the years went on, chaplains seemed less preoccupied with persuading inmates to change their religious affiliation, but some inmates did transfer from one chapel to the other. In 1881 we have an example of the feelings generated by one conversion. It happened in Dorchester penitentiary before the more ecumenical days of Fr. Cormier. His predecessor, Fr. Edward E. Labbé, reports: "A fact worth mentioning was the transit of one convict from the Catholic to the Protestant faith. Exactly one week after having been prepared for death and receiving the last rites of the Church, he made a declaration to the Warden that he wanted to be a Protestant. His application was sent to Ottawa and his request was granted. The reason of his change, in my opinion, was brain disease caused by epileptic fits." The inmate seems not to have died immediately of the brain disease diagnosed by the chaplain; the only death in Surgeon's Report that year was an inmate who succumbed to "Consumption."

Some apparent conversions were in fact a return to a previous faith. Fr. Godin in 1884 reports from St. Vincent de Paul: "Another convict, who, from the time when he was admitted into the Penitentiary, attended the Protestant chapel, but who had been baptized by a Catholic priest and reared by a Catholic family, was brought to me one day in the month of April, by one of the officials of the institution and by order of the Warden. The convict asked me to be good enough to admit him to my chapel. After he had several times reiterated to me that he was serious in his request, and that he seriously wished to become a Catholic again, with the authorization of the Warden, I permitted him to attend the Catholic chapel and began to instruct him in Catholic doctrines."

Conversions of course went in both direction. In 1885, the Roman Catholic chaplain at St. Vincent de Paul Penitentiary reports without further comment that: "Three convicts who entered as Catholics became attendants of the Protestant chapel, while four others who attended the Protestant Chapel were admitted as attendants at the offices of the Catholic Chapel."

In 1890, Fr. Harel takes a philosophical view about prison conversions: "With regard to Protestants, they find but few occasions here of becoming Catholics, and their entry in our midst can only be permitted after serious consideration. The greatest number of such converts will either go back to their former errors and habits, or will be scandalized by bad Catholics with whom they will associate more intimately and whose conduct they will examine more closely and judge more severely in the light of their former prejudices. . . . this very week I had to afford my ministry to a convict of the Protestant chapel who, on account of his approaching death, is anxious to come back to and die in the bosom of the Catholic Church." In 1902, he reports with perhaps some implied, if not explicit, comment on the relative merits of their respective fates that: ". . . three died; two passed to the Protestant chapel; one was sent to Kingston."

In his 1890 report, Inspector James Moylan sheds some further light on the problems of such conversions at St. Vincent de Paul: "The Catholic Chaplain states that some prisoners, who had been under his spiritual charge, changed to the Protestant chapel, a short time before the death of the late Chaplain, Rev. Mr. Allan. They are a source of trouble, now, to the present chaplain, Rev. Canon Fulton, who, in common with Father Harel, is of the opinion that those changes of chapel are not grounded on serious motives, and should seldom be permitted otherwise than when there is a danger of death."

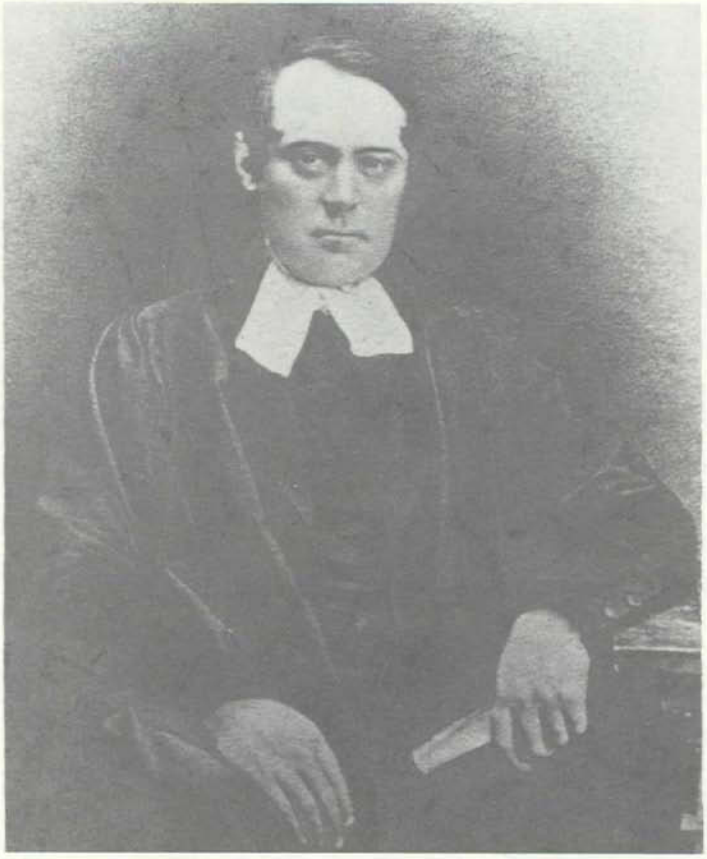
Inspector Moylan, notable for his commitment to chaplaincy, in his 1881 report, set out the procedures he followed with respect to convicts' requests for change of religion: "A convict, upon being received into a Penitentiary, is registered, at his own option, either as a Protestant or a Catholic. Every prisoner, according to the rules, is obliged to attend one or other form of worship. If a convict desires to change his religion, while undergoing sentence, he can do so under the sanction of the Inspector, who, before taking action upon his application, consults the Chaplain under whose spiritual charge he had been previously, also the Warden, and carefully examines the convict himself, in order to see that he is not actuated by caprice or unworthy motives."

## *And Then There Were Two*

Following the British model, the *Penitentiary Act of 1834* in Upper Canada called for Kingston Penitentiary to have one chaplain to be appointed by the Lieutenant Governor. As the first chaplain, Rev. W.M. Herchmer took up his duties in the last week of November 1836, at a salary of £150 per annum. Rev. Herchmer was a young man

– only 25 years of age – and totally inexperienced; he was ordained just a month before beginning as chaplain! He served officially until 1843 when he was replaced by the Rev. R.V. Rogers who had been acting chaplain since 1840.

It is no surprise that in the British colony of Upper Canada a government-appointed clergyman would be an Anglican; this was appropriate since at the time the majority of the population – including the population of the prisons – would claim membership in that Church. In 1857, for instance, Rev. Hannibal Mulkins reports that 235 of 395 inmates claimed to be Anglicans, The next largest groups were the Methodists with 67 and the Presbyterians with only 50.



*Rev. William Herchmer, Kingston (Courtesy: Diocese of Ontario Archives).*

In 1838 the question of chaplaincy to Roman Catholic inmates arose when an inmate in the penitentiary hospital requested to see his priest. He was refused by the Warden and Inspectors because the institution had a chaplain. However, later that year, when another Roman Catholic inmate was dying, the Warden wrote to the local Roman Catholic Bishop requesting a priest to administer the last rites. Bishop MacDonell followed up by asking the Lieutenant Governor for permission to minister regularly to Roman Catholics in the penitentiary.

The Board of Inspectors and the Warden stalled the matter for several years. But in 1841, the two Provinces of Upper Canada and Lower Canada united into a single province under the name of the Province of Canada and convicts from Quebec (Lower Canada) now were sent to Kingston to serve their sentences; most were Roman Catholics.

Since 1842 permission had been given for a Roman Catholic priest to visit the prison to minister to Roman Catholic inmates. The move to appoint a Roman Catholic chaplain to Kingston Penitentiary began formally in June 1843, when the new Bishop of Kingston, Rev. Rémi Gaulin, wrote to the Board of Inspectors asking for such an appointment. He was informed that there were no funds for the payment of an additional chaplain at that time. The Warden was ordered to prepare a Chapel for Roman Catholic use, and to provide prayer books for the inmates.

The 1846 Statute provided that the "Roman Catholic Officiating Priest" would be appointed by the Bishop of Kingston, not the Lieutenant Governor. Both chaplains, however, were to be paid by the government. Roman Catholic inmates were, in the same statute, granted immunity from work on any of the holy days of obligation of their Church, namely: Circumcision, Epiphany, Annunciation, Ascension, Corpus Christi, St. Peter & St. Paul, All Saints, and Conception. This exemption was extra-ordinary, since Roman Catholics were not – and still are not – granted such a religious privilege in society at large.

In 1846 the Board of Inspectors recognized the appointment by the Bishop of Fr. Angus MacDonell, the Vicar General of Kingston Diocese and nephew of the former bishop, as the "Roman Catholic Officiating Priest." Since 1844, he had been functioning under the cumbersome designation "Roman Catholic Priest in attendance for the performance of Divine Service to the Convicts of that persuasion." The Government undertook to pay him a salary of £75 per annum, but to do so, the Protestant Chaplain's salary was reduced on the not-unfamiliar grounds that the Warden had a limited budget for chaplaincy and had to make the same funds pay for the services of two men. "Robbing Peter to pay Paul" could not be expected to generate feelings of brotherhood between the two chaplains! As Rev. Rogers, the Protestant Chaplain, was openly anti-Roman Catholic, he did not welcome Fr. MacDonell, so ecumenical relations at the start of the two-chaplain team were poor.

By 1851, Section XVII of the Act stated explicitly: "There shall be two Chaplains of the Penitentiary; one to be an ordained Clergyman of any of the Religious Denominations of Protestant Christians recognized by the laws of this Province; and who shall have the spiritual charge and care of all the convicts in the said Penitentiary professing to be members or adherents of any of the said denominations; and the other to be a Priest in Holy Orders of the Church of Rome, and to have the charge and care of all the convicts professing to be members or adherents of that denomination." So, as of that date, not only was the Roman Catholic priest an official chaplain, but the non-Roman Catholic chaplaincy was opened up to all other denominations, doing away with the previously implicit Anglican monopoly. However, whether by accident or design, almost a century and a half passed before a non-Anglican was appointed as Protestant chaplain at Kingston Penitentiary!

The practice of having two chaplains appointed for each institution is accepted to this day, and will likely continue as long as the realities of the ecumenical situation are such that Roman Catholic and non-Roman Catholic denominations will not normally permit intercommunion, and hence expect separate ministry to their people. The additional practice of having chaplains from any one of the numerous non-Roman Catholic denominations generated the need for the Correctional Service to have a common means of consultation with those denominations, and with other faith groups.

## *The Interfaith Committee*

The great expansion in the number of penitentiaries – soon tripling from the seven which had existed before the 1950s – created a new situation with respect to the management of chaplaincy. On June 6, 1966, Commissioner of the Canadian Penitentiary Service (CPS), Alan J. MacLeod, wrote to the General Secretary of the Canadian Council of Churches, as follows: "Canada is in a new era in its concept of assisting inmates to prepare themselves during their period of sentence to take their rightful place in normal society on completion of that sentence. We believe that in this change there has to be a new approach to the religious program within the overall inmate program. . . . It has been represented to me that the Canadian Council of Churches through the medium of a special committee for correctional chaplains, should assume responsibility for the selection and rotation of full-time chaplains in the Penitentiary Service. The onus for co-ordinating recommendations from various churches and for the final selection could be vested in the Canadian Council of Churches."

The Council consulted with representatives of member denominations and other Christian churches over the next two years, asking the Commissioner to send similar letters to the Canadian Jewish Congress and the Canadian Catholic Conference, so that the committee to be formed would be truly representative of the religious spectrum of Canada.

The original Steering Committee in 1968 established as its terms of reference to: ". . . consider for recommendation for appointment as chaplains in federal penitentiaries candidates who have the approval of and endorsement by their respective churches to serve as chaplains in federal penitentiaries while retaining full status within the ministerial structure of their own churches."

The Committee agreed to select and recommend for appointment chaplains to the federal penitentiaries; accept some responsibility to assist chaplains to return to service in their churches or elsewhere whenever necessary; supervise and train (at a future date); and liaise with the churches in all aspects of chaplaincy in penitentiaries.

It also agreed that the participating churches be asked to recognize the committee as channel for selection, recommendation for appointment and rotation out of service of chaplain personnel in federal penitentiaries; to agree to use this channel and not to make direct nominations to the government; and to name members to the committee.

The Interfaith Committee agreed that the Penitentiary Service be requested to recognize the proposed committee as the channel for selection, recommendation for appointment and rotation out of service of chaplain personnel, and to agree to use this channel and not to accept direct nominations.

## *Giving Each Its Due*

Meeting informally with two of his officials and three Church representatives on February 12, 1968, Commissioner MacLeod made some important statements about the nature of chaplaincy and the dual responsibility of chaplains, as recorded by one of those present and reported to the Committee: "The Commissioner regards the chaplain as representing the Church in the Penitentiary on the one hand, and the administration of the Penitentiary Service on the other, and consequently bound to observe the security regulations. . . . tendency of chaplains to over-identify with the prisoners, therefore advocated that a chaplain should be appointed for only 5-10 year periods, after which he should continue only if he has special permission. . . . chaplains as part of 'treatment team' . . . distinction between chaplaincy and psychiatric and medical services. He regards the chaplaincy service as for all inmates on a recurring basis, whereas medical and psychiatric services are for the few who need them on a consecutive basis."

In 1970, the Interfaith Committee sought to identify the chaplains' dual relationships more clearly, because hiring of chaplains had been taken over from the Penitentiary Service itself by the Public Service Commission of Canada (PSC). A draft policy submission offered to the Interfaith Committee by the Lutheran Council in Canada: ". . . recognizes the legitimate role of the PSC to preserve the merit system . . . and

to avoid discrimination in appointments. . . . we view with dismay the present limitation on the role of IFC in the recruiting and screening process. . . .

"We recognize that, as an employee of the Canadian Government, a chaplain is a public servant subject to the regulations of the PSC and the CPS. But we also recognize that, as a chaplain, he stands in a variety of relationships, e.g.:

1) to the inmates;

2) to his co-workers on the staff and in other echelons of the CPS;

3) to the families of those confined;

4) to the community;

5) not least, to the denomination to which he belongs and which has ordained and/or licensed him, and by whose authority he is eligible professionally to hold the post in the first place."

It concludes with this telling affirmation: ". . . none of these relationships implies that the chaplain has divided loyalty but unless he gives each its due, he is not conducting a well-rounded ministry."

## *1971 Position Paper on Chaplaincy*

In March 1971 the Interfaith Committee completed a position paper for discussion with the Canadian Penitentiary Service. (See Appendix I.) It was well received by the new Commissioner, Paul Faguy. The paper was entitled an "Interim" position paper. It stands as a clear affirmation of the chaplains' relationship to their faith bodies, as well as their role within the penitentiary.

In this paper, the Interfaith Committee claimed a much more explicit "ownership" for chaplaincy, on behalf of the churches and other faith communities, than had ever been expressed by these bodies individually.

## *And Then There Was One*

The presence of two chaplains in each institution was taken for granted for well over a century. Not until recent years was there any attempt to change this situation. The challenge to the status quo came about not as a matter of any change of either church or governmental principle, but for very utilitarian, if mixed motives.

In 1973, the Chief of Chaplaincy in the Canadian Penitentiary Service, the Rev. John A. Nickels, advised the Interfaith Committee on Chaplaincy in the Canadian Penitentiary Service that the government was appointing a single "Honorary Coordinating Chaplain" for each of the new community correctional centres being established in major cities. By the following year, he reported the appointment of 11 such Coordinating Chaplains.

Then in 1975, the Chaplain-General – as he was now titled, using the military designation – advised the Interfaith Committee of a lateral transfer of a staff chaplain from a major penitentiary to the new Mission Institution: "... to become the first full-time coordinating chaplain, a pilot project for this type of institution." The Interfaith Committee recorded no objection to this change.

At a meeting in late 1975, Commissioner Therrien stated to members of the Interfaith Committee that "for the most part there is only one chaplain per unit." By this, he may have meant one full-time, staff chaplain with other part-time contract ones, or he may have been referring to the fact of vacancies as many chaplaincy positions were unfilled at that time. At Mission Institution, the funds for a second chaplain were to be used, as the Chaplain General explained his plan to the Interfaith Committee: "... for service contracts on a visiting basis. Perhaps four of the local clergy could be utilized in this manner, that they could receive orientation and training which would not only increase the mileage and manpower for the Chaplaincy Program, but it would also provide the resources of four congregations from which members could be recruited for programs of christian education and other related activities thus assisting the chaplain to provide group activities and a one-to-one visiting relationship where needed."

Before the Mission "experiment" had got underway, let alone been evaluated, the Chaplain-General told the Interfaith Committee that he proposed transferring the Roman Catholic chaplain from Kingston Penitentiary, in which case: "the Protestant chaplain ... will become coordinating chaplain. We shall ... use RC chaplains on a visiting basis from among the priests in the Kingston area, some of whom are already working in our minimum institutions."

When the five newly-designated Regional Chaplains were taken out of their institutions and established at the Regional Headquarters in 1975, their positions in the penitentiaries were not replaced. And when they recommended the continuance of two chaplains per institution, "their decision was unsatisfactory" to the Chaplain-General. In 1978 the Interfaith Committee continued to press the Commissioner for two positions to be retained as in the past. A national conference of chaplains also endorsed this position, making a submission of their position to the Churches of Canada.

A crisis erupted in 1978. In a government effort to cut costs, public service positions were to be reduced in number and frozen as of August 22. This prompted the Secretary-Treasurer of the Interfaith Committee, Rev. Dr. Maurice Wilkinson, to write the Commissioner expressing: "... great anxiety which the churches of Canada feel concerning the impact of the drastic financial cutbacks on the already minimal provision for chaplaincy services ... It disturbs us greatly ... to find that despite assurances given to us at our meetings with you and your officials in May, three important vacancies for chaplains remain unfilled, and are now frozen and that further reductions in chaplaincy positions appear to be imminent. ... We affirm that within the prison system chaplaincy is the most important humanizing factor. Therefore

we urge that in your decision-making about saving money you do not lose sight of those greater human values involved in your responsibility to save the human beings committed to your care."

Interfaith Committee (IFC) Chairman Fr. Murray Tardiff – later to become Director of Chaplaincy himself – on October 12 telegraphed the Solicitor General of Canada and the new Commissioner of the Correctional Service, Donald Yeomans, to whom he said: "It is with a great deal of concern that the IFC has learned of the recommendation by the task force on Cost Cutting to reduce Chaplaincy services to one chaplain per institution. The said reduction of 16 man years represents a fantastic 50% cut in human and spiritual services to inmates, staff and families across Canada that surely is out of proportion to any other departmental revision, to the importance of such services in relation to buildings and maintenance, and to the whole philosophy of rehabilitation and human dignity of the inmate.

"We respectfully request a meeting with you . . . in order that we may fulfill your request that we play a consultative role to the Service on Chaplaincy. On behalf of the Churches of Canada that we represent, we would like to share with you the many serious implications the implementation of the Task Force recommendations would have on the Catholic and Protestant traditions in our services in penitentiaries, the seriousness of the undefined standards and selection procedures, the workload of Chaplains, etc."

The Commissioner defended the planned cutbacks: "By making greater use of local resources, by entering into personal service contracts, we hope to maintain and hopefully increase the role of the church in the penitentiary service. Ministering to needs of 400-500 souls in a penitentiary does not seem to be unreasonable if we compare the prison environment to a parish, particularly when this is to be supplemented by greater use of outside resources and continual use of offender program staff."

The Deputy Commissioner, Offender Programs advised the Interfaith Committee that the Senior Management Committee had established: ". . . our new policy. . . . The position of Regional Chaplain will be filled on a permanent basis while all other chaplains will be hired on contract."

There would be insufficient person-years for two chaplains in each institution. Chaplaincy services were to be clustered so that there would be one chaplain per institution of 400, or group of institutions with that population. Vacancies filled by contracts, phasing in the contract system for the engagement of chaplains and thus gradually eliminating all public service chaplaincy positions.

In November, some chaplains were notified by their wardens that their positions were being declared redundant, forcing their layoff; among them were chaplains in the Prairie Region. The Protestant chaplains in Quebec were told their positions were being terminated on December 31.

## *Public Outcry*

When news of the chaplaincy cuts leaked out, the press, the Churches and the general public entered the debate. There were newspaper articles in various parts of the country on the reduction of chaplaincy services in the penitentiaries. Over 1000 letters were written by inmates, concerned clergy and lay volunteers to the Commissioner, Members of Parliament and the Solicitor General, protesting the cutbacks. The result was a moratorium on the reduction of positions and the ordering of a quick internal departmental study of chaplaincy, conducted by the Chaplain-General: ". . . with a view to clearly establishing the needs of the inmates for pastoral and other chaplaincy services."

In March 1979, the Interfaith Executive met with the Senior Management Committee of the Penitentiary Service and agreed on a joint government-funded task force to undertake a major yearlong study. In the meantime, the "status quo" was to be maintained with vacancies filled on merit, the Chaplain-General and the Interfaith Committee to decide priorities. In fact, this was not to be so, as there already was a reduction in staff positions from 47 to 39 and no new positions were to be provided for the new institutions. Vacancies by attrition were to be filled by contract positions, but this had not yet happened.

The Interfaith Committee did not like the idea of contracts. On May 17, Rev. Wilkinson, the Secretary-Treasurer, wrote to Commissioner Yeomans: "Correctional Chaplaincy requires special skills and commitment which few people are able or prepared to give and which make it a career vocation. No person should be expected to make that kind of commitment on the basis of uncertainty of employment, erratic pay days and lack of fringe benefits which are part of the present contract pattern. Moreover by its very nature recruitment for contract positions is limited in effect to the region in which the institution is located, thus severely reducing the possibility of locating trained and qualified personnel for such positions. Also, contract employment of chaplains in the past has often led to back-door entry to full-time positions on the part of individuals who were poorly qualified with consequent deleterious effects on the quality of chaplaincy service."

Relationships between the Commissioner and the Interfaith Committee had deteriorated badly, as witnessed by a letter from the Commissioner to the Chairman dated May 9: "I can only conclude with sincere regret that you have concluded that I, Mr. Pisapio [Deputy Commissioner Offender Programs], the Chaplain General, and the Senior Management Committee are not to be trusted.

". . . I do not believe that SMC has, consciously, taken any action that it believed would undermine the credibility of your Committee, and I believe it would be a disservice for you to so advise your member Churches before even attempting to discuss any apparent problems with me.

"Since the IFC apparently does not trust this Service to honour its commitments with respect to Chaplains, I am prepared to recommend to the Solicitor General that he appoint, immediately, a distinguished independent Canadian to monitor on behalf of the Solicitor General and the IFC:

1) the CSC's adherence to the March 20 agreement

2) the level and quality of the provision of Chaplaincy Service, ad interim, until the study on the Role of the Chaplaincy is completed

3) the assessment of the recommendations of that study and their subsequent implementation."

## *Task Force Created*

The Solicitor General did not make such an appointment, but the study was begun. It was staffed by one full-time person, Rev. J.T. Lowery, a United Church minister engaged as a management consultant by the government. He was assisted part-time by Rev. Paul Crosby who since 1975 had been seconded from chaplaincy at Springhill Institution as chaplaincy training officer in the Chaplain General's office, and by Rev. Wilkinson, Secretary-Treasurer of the Interfaith Committee. By the time the Task Force reported in August 1980, Crosby had become Acting Chaplain General on the retirement of Rev. John Nickels.

The Task Force was mandated to address the following questions:
- the type of ministry required by the penitentiaries;
- the role of chaplaincy in the light of other program staff;
- the type, pattern and complement of staff; and
- standards of chaplaincy training.

Because the Treasury Board had closed the door to the restoration of person-years for chaplaincy, the study revolved around the concept of "borrowing" chaplains from their denominations by contracting with these bodies for the services of selected individuals for a fixed period of time, after which they would be returned to other ministry. The recommended term was five years, after a year on probation, with a possible additional five-year extension. This term was intended to parallel the time the average clergyman would serve as pastor of a congregation.

Contract chaplains were to be: "... recognized as staff members of the CSC for all operational purposes within the institution." This was to prove difficult to achieve – impossible in cases where peace officer status was involved. It led to "borrowed" chaplains being treated in some instances by correctional staff and management – and sometimes by indeterminate chaplains too – as second-class to "real" staff chaplains. While existing indeterminate positions were to remain, when current incumbents resigned they were to be replaced by contract personnel.

The advantage of the contract model, although rejected by the Interfaith Committee previously, was that it gave the churches to which the chaplains belonged and with which the CSC contracted for their services, ownership and accountability for their ministry. Insofar as the chaplains functioned in the institutions, their work was under the immediate supervision of the institutional authorities who also had to support chaplaincy through the provision of facilities and resources. Thus, both Church and State would share responsibility for chaplaincy, as it should be, in partnership. At the top level, the Interfaith Committee on behalf of its member bodies and the Correctional Service also would cooperate in matters of policy and its implementation.

## *New Proposals, New Understandings*

The report identified: ". . . the necessity of providing a recognized training program to equip ministers/priests to adapt in a constructive way to the pressures in a penitentiary environment that are much more intense than found in any parish ministry."

The clinical-pastoral method of training, which had been pioneered at Springhill Institution by Dr. Charles Taylor of Acadia Divinity College, and followed by Rev. Crosby, was recommended as the model of training. Kingston was proposed as the site for the training of new English-speaking chaplains. All new chaplains were to be required to have such training on entry, or during the probationary year. A full year's paid course was proposed for an annual class of three new chaplains who, upon completion, would be assigned to institutions. All chaplains were to undergo performance review to ensure that standards were maintained. This was to be a condition for any contract renewal.

The Task Force made a reassuring discovery and a worthwhile recommendation – which was accepted but not adopted in practice. This is expressed in the Executive Summary of the Report: "The report echoes the almost unanimous feeling of management and inmates that the Chaplain often is the one person who is respected by both sides in the penitentiary environment. This leads naturally to the recommendation that the chaplaincy as a service should report to the Senior Deputy Commissioner rather than to any particular program area. At the institutional level, Wardens wanted the chaplain to report directly to the Warden or at least have unrestricted access to him. . . ."

Based on a review of staffing patterns in three institutions where chaplaincy was at the time functioning particularly well – Dorchester and Springhill in the Atlantic Region and Stony Mountain in the Prairies – the Task Force recommended a chaplain to inmate ratio of 1:150 to 1:200.

As it had been throughout the history of chaplaincy, there were to continue a Protestant and a Roman Catholic chaplain for each institution, according to a rather

ambiguous formula: "... where more than one full-time chaplain is warranted but that the ratio be related to religious preference of the inmates rather than a fixed number of chaplains."

A new reality in the ecclesiastical scene was recognized in another recommendation: "The CSC accept Roman Catholic Sisters, Deacons, and/or other qualified members of church orders as chaplains within the CSC meaning of chaplains with the two provisos as recorded in the report:

(1) they be part of a chaplaincy team in an institution; and

(2) a priest be available for sacramental ministry as required."

Roman Catholic sisters had, in fact, begun to appear in chaplaincy several years before as "Assistant Chaplains." This created an anomaly, however, as the Canon Law of the Roman Catholic Church defines a chaplain as a priest. When the Correctional Service chooses Sisters or Deacons as chaplains, some Dioceses officially recognize the priest engaged for sacraments as the "chaplain" even though the Sister or Deacon provides all the pastoral ministry in the institution.

The Task Force reported in August 1980. Having little alternative, but considerable reservations, the Interfaith Committee accepted its recommendations. The Committee, however, passed a resolution that the new system of providing chaplaincy be evaluated and reconsidered at the end of five years. The list of recommendations was presented to both government and the Committee as a "Memorandum of Understanding." It was duly signed by the Commissioner, Donald Yeomans, and the Chairman, Rev. Dr. Goodwill MacDougall, on January 25, 1982, and countersigned by the Solicitor General, the Honourable Robert Kaplan. The Memorandum of Understanding became the charter for chaplaincy operations for the next five years.

Rev. Crosby did not live to implement the Memorandum, dying at his desk a few months afterward. After a long search for a new Director of Chaplaincy, Fr. Murray Tardiff, who as Chairman of the Interfaith Committee in 1978-79 had been at the centre of the CSC-IFC controversies, was persuaded to come into the Correctional Service's Offender Programs Branch as Director of Chaplaincy. His mandate was to bring the new process into operation.

With the implementation of the Memorandum, a new era of understanding between the Correctional Service and the churches and other faith groups represented by the Interfaith Committee began. It symbolizes a much greater sense of "ownership" of chaplaincy on the part of the religious bodies with which the government contracts for the services of the chaplains. And the Correctional Service was much more aware that "their" chaplains are also the churches' chaplains. The chaplains, as a result, had their two feet firmly planted in the two sectors which have legitimate claims on them. They may owe dual loyalty, but their position as servants of both Church and State is unambiguous.

*Signing of the first Memorandum of Understanding in 1982. Sitting: Rev. Goodwill MacDougall, President of the Interfaith Committee and the Honourable Robert Kaplan, Solicitor General; standing: Mr. Roma Bertrand, Senior Deputy Commissioner; Fr. Murray Tardiff, Interfaith Committee and later Director of Chaplaincy; Fr. Gabriel Savignac, Acting Chaplain General and Regional Chaplain Quebec; Rev. Leon Gilbertson, Interfaith Committee; Rev. Ron Nash, Regional Chaplain, Ontario; Fr. Raymond Tardif, Interfaith Committee; Mr. Dan Weir, Director Institutional Programs NHQ.*

## *Lessons Learned*

As it had resolved to do, the Interfaith Committee initiated a study of the functioning of the original Memorandum after five years of operation. Together with the Correctional Service, they agreed on a renewed Memorandum which was signed in February 1988. The new Memorandum reflects the lessons learned by the two partners in chaplaincy over the preceding five years and provides a yet more solid base for the continuance of chaplaincy. The formal act of signing the Memorandum took place at the Installation of a new Director of Chaplaincy, Rev. Dr. Pierre Allard.

The responsibility for the churches and other faith groups to recruit, screen, share in the selection and evaluation of chaplains has been confirmed by experience. The Interfaith Committee has proven its value as a link between the member bodies and the Correctional Service, and has an ongoing challenge to arouse the religious communities to greater support of chaplains and the systems and agencies which strive to minister to inmates, their families, ex-inmates and correctional staff.

Building on the experience of chaplaincy in the Atlantic Region in establishing community chaplaincies for ex-offenders, and the strength of volunteer participation in that region and others across the country, chaplaincy now moves outward to meet manifest needs outside as well as inside the penitentiaries. In so doing, it, in a sense, returns to its roots and to first principles, when volunteers from the religious community ministered to prisoners and to ex-prisoners long before chaplains were in place in the prisons. Volunteers are neither last nor least in fulfilling the mission of the church.

# 6 SHEPHERDS OF THEIR FLOCK

*"It is still of the very nature of the church to be connected with those who imprison and those who are imprisoned, so that they have an example, an advocate and a friend who does not waver and shake away from the conviction that mercy is greater than condemnation.* [1]

Above all, chaplains are pastors of the flock committed to their care. They carry a twofold responsibility: to lead the community in the worship of Almighty God, and to counsel and educate those to whom they minister to bring about their reconciliation with God and their neighbour. These roles may be described in theological terms as the "priestly" and the "pastoral."

Rev. William Herchmer summed up his ministry at Kingston Penitentiary in this sentence: "By the ministrations of the Sabbath, by friendly advice, mild reproof, and frequent expostulation, I strive to bring about the purpose of my office – to bring the love of God to His children in the Provincial Penitentiary."

Rev. Frank Greene, chaplain at Stony Mountain, in 1884 had this aspiration for the fulfilment of his vocation: "My prayer is that God may give me power and show me the way to bring home the wandering sheep to the Good Shepherd."

Rev. S.W.L. Stewart, chaplain at Stony Mountain, in 1915 expresses the goal of the chaplain in this way: "We have abundant evidence of sorrow for the past, but it is getting them to exercise faith, and lay hold upon God that seems our greatest difficulty. We have no fear of the future for the man who goes out from us trusting in God as his Saviour, and not depending upon his own past experience alone, to guide him to the right way. Personal salvation is the only hope for a man who passes through the experience of years of association with criminals. This is the goal of our ambition, to bring each man into that personal contact and relationship with his Heavenly Father that will fit and strengthen him for the trial of going back again to make a place for himself in society."

## *Portraits of the Caring Pastor*

We have some idea of the work of chaplains in British institutions who were presumably models for Canadian chaplains; what they did and what our chaplains did are certainly very similar. The report of a Hulk chaplain in the 1830s gives a detailed picture of

[1] Markus Barth: "What can the Church do?", p.43.

a caring pastor. It is worth quoting, as it is comparable to reports we find from chaplains in Canada's penitentiaries a few years later.

"I frequently go down to one of the decks about 7 o'clock in the morning, to witness who do and who do not attend prayers. After breakfast, my forenoons are occupied in composing appropriate discourses, etc. for the ensuing Sunday. Some of my hearers are very ignorant as well as obdurate; to produce any good in these, the adoption of very plain and strong language seems not only judicious but indispensable. Others of my hearers, though they be degenerate in principles, are critical, and would be glad of opportunities to ridicule what they heard, to the hardening of their fellow prisoners who are ignorant; hence a diction somewhat correct is necessary. . . . My afternoons are open for any prisoner who may want my advice or reproof. About 5 in the evening the school opens; I attend, and render that assistance which to me appears expedient and necessary. At 7 the chapel doors are opened for the admission of them who are desirous of attending prayers which are offered up at the closing of the school. . . . After this, between the hours of 8 and 11, I now and then go between decks, and if I see or hear anything amiss or tending to immorality, I instantly administer reproof and report the offender or offenders to the Commanding Officer, whom I always find ready and active to cooperate in the promotion of virtue and in checking vice.

"On Sundays I generally read prayers and preach twice. After the second lesson in the evening service, I hear as many of the prisoners as are willing, repeating the Church Catechism or the Articles of Religion. At this time I have opportunities to make concise and pithy remarks, which (I hope) are felt at the time, and will be by some of them remembered to their real advantage."

How Canadian chaplains saw their role can be deduced from their reports. Rev. Robert Rogers in 1844 reveals his pastoral heart as he describes his interpretation of the chaplain's role in relationship to inmates: "Residing with them, and visiting their solitary and cheerless abodes, they will consider, specially the young – their minister, their guide, their councillor, [sic] their friend – they will be disposed to open their hearts to him with freedom, he will learn their history, become acquainted with their views and feelings, and will thereby be enabled to adapt his instructions and reproofs directly to individuals, as their social circumstances may demand."

## *"I Must Be About My Father's Business"*

When chaplains refer to their work in their annual reports, they tend to report on their liturgical and pastoral ministry more than on the other responsibilities laid on them by the penitentiaries' job descriptions. For example, in 1867, Rev. Hannibal Mulkins describes his activities in this way:

1. There are two religious services each Sunday, two on Christmas and Good Friday, and one each Thursday. At all of these services there are prayers and discourse.

2. Every Sunday after service several classes for Sunday School are held, consecutively, and the day, from morning service until evening service, devoted to catechetical instruction. . . .

3. Every convict in the prison has the opportunity of conversing personally once a month or oftener with the Chaplain. Many of them seek frequent opportunities for this private conversation. . . .

4. Throughout the year, daily prayer has been said with the convicts. This consists in reading portions of Holy Scripture, and offering prayer and praise to God.

5. Visiting and instructing convicts in cells.

Rev. Mulkins comments on the burden of these duties elsewhere in his 15-page report for that year, although we may entertain some reservations about how faithfully he bore his burdens: "As to the ministerial work, that also is onerous. There are three sermons a week to be prepared. A daily attendance at the prison from three to six hours. Thirty sick convicts each day to be visited.

"Upwards of five hundred to be instructed privately in religious truths each month, and twenty-four short lectures to be given. Prayers to be said daily with the convicts. Frequent lectures to the women. Private conversation with each convict desiring it each month; five hundred such conversations monthly. And on Sundays, two or three Sunday School classes between the services and short lectures to each. The school also to be under the Chaplain's continual surveillance.

"These are the more prominent duties to be done here; the smaller ones are infinite. But a glance at these shows that they are far too much for one man to do. . . .

"From various causes the direct duties of the Chaplain, since I was appointed, have so greatly increased, that it will be impossible for me hereafter to do more than my own work. . . ."

Fr. Joseph Leclerc at St. Vincent de Paul, in his report for 1875, lists the chaplain's chief duties from a Roman Catholic perspective:

- The celebration of mass and of the offices of the Church on Sundays and festivals.
- Sermons and instructions to the convicts assembled in the chapel.
- Special instructions to convicts who are ignorant of the essential truths of religion.
- Visiting the convicts in their cells.
- Special visits to convicts under punishment or sick.
- Confession.
- Daily attendance at morning prayers offered in the chapel.
- The care of the library.
- The supervision of the school and direction of the teachers.

As the requirement for the chaplain to conduct daily prayers gradually fell into disuse, at least one chaplain objected. Rev. John Rollit, at St. Vincent de Paul in 1898 expresses his regret: ". . . I greatly regret that Regulation 48, ordering daily morning

prayer in the chapel, has been ignored for the last ten months. I am given encouragement to hope, however, that this excellent rule will shortly be observed again."

Inspector James Moylan understood that the chaplains' primary duties were pastoral. As he described them in his 1887 report: "The Chaplains should be required to preside at the exercises of worship and over all religious instruction, to visit the prisoners in their cells and give them counsel and consolation; to press upon their conscience the diligent performance of all religious and moral duties, to direct their reading, to hear the confessions of Catholics, to give special instructions to those ignorant of the essential truths of religion, in a word, to fulfil toward them all the duties of their ministry."

Rev. J. Roy Campbell, who over his years of service at Dorchester Penitentiary reveals his dedication to pastoral ministry, shows in his 1887 report that the chaplain's role is by no means limited to his statutory duties: "The discharge of the duties of the office in this manner, however, takes more time than is evidently contemplated by the Department. My opinion of the work of the Protestant Chaplain – whatever may be that of my friend and brother Chaplain the Roman Catholic priest – is, that in order that the best return may be made to the State for the money expended, the proper instruction of more than a hundred convicts, requires all the teaching time of an observant and painstaking clergyman. More frequent services, instruction classes, choir practices, and more labour in detail with individual cases, are all required, if appreciable reformation in life is to be reasonably hoped for."

Rev. C.E. Cartwright at Kingston Penitentiary in 1896 took exception to what he saw as the Inspector's limited comprehension of the scope of the chaplain's work: "I cannot leave . . . without remarking that the late inspector's estimate of the chaplain's work is wholly mistaken. For the past twenty-one years the Sunday and Wednesday services, instead of being the chief of our work, have not been more than the eighth or tenth part of it, and that without counting any work done at home in the way of preparation of sermons, letter-writing or reading."

## *An Ever-Expanding Role*

With the passing years, chaplains show quite different interpretations of their role, with resulting variety in chaplaincy programs. Rev. John Nickels, chaplain at Kingston Penitentiary, in 1964 expounded his humanistic approach to chaplaincy: ". . . apart from a few simple hymns, the simple direct home-spun philosophy of life seems to be needed most by the inmates, provided it is put over with the heart. It also seems that the function of correctional chaplaincy is to try and create a fellowship atmosphere, a philosophical centre, and try and bring men's drives into line with the social pattern of our time."

The same year, the Roman Catholic chaplain at Leclerc Institution described the more traditional focus in chaplaincy there: "This year, the annual mission was

designed to show to the inmates the true image of Christ as a person who can comprehend their predicament. . . . the testimony from the congregation has vividly brought up the change of life comparable to moral and spiritual resurrection, after accepting Christ as 'the way and the life.' The Mission . . . left a distinctive imprint on the life of the institution that the living Christ is a real and true concept for the inmates."

The religious needs of Jewish inmates in the Montreal area have been met for many years by rabbis designated as chaplain, although until recent years they remained unpaid. In 1895, Rabbi H. Veld, the visiting Jewish chaplain, reported: ". . . the prisoners are not only grateful for this boon [supply of books] but also for the exemption from labour on the Sabbath and holy days." And in 1897, he observes: "During the recent Passover my charges were able to observe the 8 days of this important feast with all necessary requirements, every facility having been given them to do so. On one day I held the 'Domestic Passover Service,' assembling my men around the table according to the Jewish ritual laws. Such a service has never been held in any prison of the Dominion before. . . . My charges showed their gratitude by sending a letter of thanks. . . ."

Elsewhere, rabbis on a volunteer basis have served Jewish inmates. Rarely do the official reports tell of their ministry. In 1940, the Commissioner's report notes the death of the 79-year-old Jewish lay chaplain; in 1958 the Commissioner reports that the Feast of the Passover was celebrated at Saskatchewan Penitentiary with the local rabbi making the necessary arrangements for the proper diet.

## *New Worship Styles*

One of the implicit, if not explicit, principles underlying the appointment of a non-Roman Catholic chaplain has been that he should function according to the traditions of his own denomination, but extend his ministry to all Protestant inmates. Rev. Hannibal Mulkins was one who recognized this. After 25 years of chaplaincy, in his final report in 1875, he says: "I wish to leave on record the conviction, and an expression of my hopes, that whatsoever hopes may be represented by the chaplain in the public Sunday services, he should be free to conduct them according to his own church. . . ."

Many chaplains over the years have, of course, varied the worship style found in the churches of their denomination in order to reach a congregation not only of people of various denominations, but often with little or no experience of corporate worship. Some chaplains, coming from military chaplaincy experience used the service books of that chaplaincy. Others have made their own modifications as they saw appropriate. Rev. C.R. Bashett, briefly chaplain to the British Columbia Penitentiary in 1879, reports his practice: "I held service every Sunday at 9:30 a.m., using the form of service that from several years' previous experience with these very men, I have found suited them best, i.e. a short, bright, musical service." He also held an informal

weekday service which he found was well received: "On Wednesdays we had a short service, a few prayers, three hymns and an address during the dinner hour, the men willingly curtailing the time of eating to have a longer time in the chapel."

Some chaplains may have needed some encouragement to deviate from standard forms in order to reach their flock more effectively. Rev. J. Roy Campbell at Dorchester in 1898 acknowledges such a nudge from the Inspector himself: "I am free to admit, sir, that the suggestion you made as to a freer use of such music as accompanies Moody and Sankey's 'gospel songs,' has resulted in the congregation joining more generally and heartily than was the case with music of the character which accompanies Hymns Ancient and Modern. And as our object is to enlist greater interest and warmth in public worship, we must be pleased with the results."

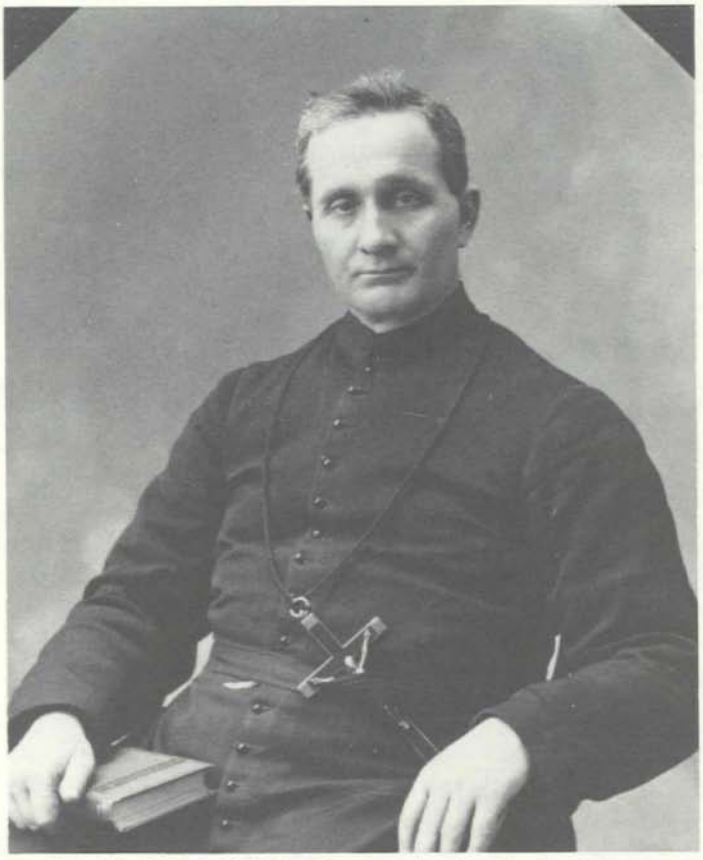
The Protestant chaplain at the new Stony Mountain Penitentiary in 1875, Rev. W.H. Moore, could appreciate the perspective of even the least religiously inclined inmates with respect to the Sunday service: "It is but natural that some little good at least should result when we reflect that Sunday is comparatively an unoccupied day with the convicts, and if they had nothing to relieve its monotony it must be indeed a day of weariness to them and tend to depress rather than refresh them."

## *All Inmates Are My Sheep*

A chaplain's ministry was and is to all inmates. Fr. Leclerc explains in 1875 why a committed Christian chaplain must respect the freedom of conscience of all inmates equally, regardless of their religious commitment. "Peace and harmony can only be the fruit of justice. It is not by tyrannizing over conscience that the reign of harmony is to be brought about. The captivity of the body is dreadful enough in itself without attempting to chain down the mind also. Conscience should be as free in the penitentiary as elsewhere. To assert the contrary would be unjust, not to say criminal."

For many years, chaplains were required to make contact with all inmates on admission, keeping record books in which were recorded basic data about the inmates and their progress until discharge. Rev. O.G. Dobbs in his 1914 report as chaplain at Kingston Penitentiary explains that: ". . . three times a week . . . I have been present to receive and talk with the new arrivals, and others who desire to consult me. . . . I have visited all the men in their cells at night. . . ."

Fr. J.M. Fayard, chaplain at British Columbia Penitentiary, in 1897 described how he launched his ministry to inmates there: "When beginning my office as chaplain my first care was to become acquainted with the men and as much as possible, to learn the inside as well as the outside of their case, in order to be able to apply remedies according to their needs. It took no long time to find out that it was the vice of drunkenness that led many of them into trouble and that ignorance in religious matters is the most universal cause of crime and of drunkenness itself.



*Fr. Jean-Marie Fayard, B.C. (Courtesy: Archives Deschâtelets).*

"I find that the best means to succeed in the work of my ministry is, after the instructions given in common to all are over, to take the men separately in order to advise, console and encourage them; in a word, to work upon their better nature and thus bring them to understand that they are rational beings and christians and that consequently they should behave as such."

## *His Name Shall Be Called Counsellor*

From the earliest days of Kingston Penitentiary, chaplains have been expected to counsel inmates. As early as 1836, the Board of Inspectors decreed that: "... the labours of the Chaplain should not ... be confined to the performance of social worship;

to this must be added private and individual instruction in the retirement of the cell.

"In his efforts to convince the misguided and reclaim the impenitent, sound judgement and knowledge of character are not less essential than ardent piety and persevering benevolence."

In order that a chaplain might show care and concern for individual convicts, the Inspectors stated that he will have: ". . . as many opportunities of private communication with each convict, as the general arrangements of discipline will admit of. Convicts should on no account be left without instruction or admonition."

Chaplains, however, until very recent years did not have unlimited rights to communicate with inmates. The Archambault Commissioners in 1938 explain the rules as they then were:

The printed "Rules of Conduct and Prison Offences", supplied by the Penitentiary Branch for the guidance of prisoners, contains the following rule: He (the prisoner) shall hold communication with the officer in charge of him only on matters connected with his work, with the Physician only on matters connected with health, and the Chaplain only on spiritual matters.

This is an amplification of regulation 139, which is as follows: No convict shall speak to an Officer, except from necessity in the course of duty, or in exchanging proper salutations when meeting or passing.

Some chaplains did not find it easy to confine their conversations to "spiritual" matters; chaplains are, legitimately, prophets as well as pastors. Rev. John Rollit at St. Vincent de Paul admits in his 1908 report: "While not unmindful of the fact that 'the chaplain's duty is to attend to the spiritual needs of those under his care', I may, nevertheless, state that the performance of that duty is often made difficult; as, for instance, when he has to minister to the sick in a punishment cell, when they should be in the hospital."

Rev. Rollit found other factors could interfere with the relationship needed for counselling. He explains in his 1913 report: ". . . the attitude of the convict towards the chaplain is influenced by what he deems injustice; it may be: –

1. In the working of the parole system . . .
2. In the disparity of sentences . . .
3. The hopelessness of one who has been a convict ever getting a chance of making a living honestly. . . .

"But while some urge such arguments as an excuse, or justification, in turning a deaf ear to the exhortations addressed to them, others . . . listen and appear grateful for the interest taken in their welfare, acknowledging and lamenting their own weakness in permitting themselves to be drawn into a course of life which has been so disastrous to them."

## *A Century of Counselling*

However obedient – or disobedient – chaplains may have been to the letter of the law regarding their communications, they certainly have always carried out a ministry of pastoral counselling to inmates. Their counselling role was for a century exclusive; the institution provided no other counsellors. Many recognized the value of their conversations with inmates, as Rev. A.E. Vert did in his 1908 report from British Columbia Penitentiary: "It is only in personal conversations that one realizes the vast possibilities that underlie this work. It may only be a stray word, but cases have not been wanting where it has touched a spring and a heart has opened. There is a divine spark in every nature if we can only find out how to fan it into flame. . . ."

And whatever their theology, there were limits to their role, as Rev. Byron Thomas, chaplain at Dorchester, acknowledged in his first report of 1907: "I have held personal conversation on matters pertaining to spiritual pardon and the 'straight gate' with every prisoner on my list. I have found it necessary in a number of instances to make it plain that I was a chaplain, and not a parole officer, and to firmly insist that conversation be confined to things religious."

In the words of Rev. J. Roy Campbell's 1887 report from Dorchester: "If the object in having a Chaplain be not simply to comply with a public sentiment and feeling that there should be stated public worship in the prison, but rather and beyond this, that it is to assist in reforming the convicts, that object can only and best be accomplished by giving the clergyman the largest and fullest opportunities for study of individual character, and not by relying solely or principally on advising and sermonizing on general principles, of which every one admits the truth, but of which observant men doubt the practical individual influence."

Fr. Charles DeVriendt, chaplain at British Columbia Penitentiary put it this way in 1899: "Private and earnest conversation with the convicts is a powerful means in the hands of the chaplain; by it he soothes, advises and encourages them."

Rev. Hannibal Mulkins, however, did not see value in visiting inmates in the cell blocks. In 1867, he candidly admits: "Every year for the last 17 years I have visited convicts in their cells, chiefly on Sundays and nights. My experience has convinced me of the inutility of this practice. If the cells were isolated it might be useful; but with all the wings opening into the centre of the prison, so that all noises are heard in every cell, it is useless. I go for instance, to one man, in the cells beneath, adjoining or overhead, the men may be talking or laughing, or are going to their night buckets, so that there are all kinds of noises and all kinds of smells, where 800 men are sleeping in so small a place. These things must occur, but they render the cell an improper place for prayer and religious instruction."

Two years later, Rev. Charles Mulvaney, acting in Rev. Mulkins' absence, found such ministry more worthwhile: ". . . daily visits to the sick in hospital, are, in my

belief, the most effectual means of reaching the convicts for private advice and instruction. I have made it a practice to devote several evenings in the week to cell visiting, and have invariably found the convicts willing to listen to my exhortations, and those of the Roman Catholic Church, orderly and civil, never interrupting or annoying me while engaged in my visit."

Rev. Albert Vert, chaplain at British Columbia Penitentiary, in 1906 agreed with Rev. Mulkins' assessment of cell block visiting, and with Rev. Mulvaney's with respect to hospital: "The individual conferences which I hold with the men in the privacy of my own room I consider of great importance. The cell to cell visitation I do not find of much value from a spiritual standpoint, although to a limited extent I adopt it, but I do find the visit to the hospital of considerable importance."

Fr. Harold Bedford, chaplain at Stony Mountain for 28 years, describes from his experience the importance of counselling: "Religious counselling is extremely important in the chaplains' programme. In fact, some go so far as to say that it is here where the success or failure of the chaplain in his work is decided; for here, in this activity, the chaplain comes face to face with the inmate and finds the opportunity to make the deepest, the most profound impression. The prisoner is alone with the chaplain. He has no need to 'save face,' as it were, in front of his fellow inmates. He can drop his attitude of 'toughness,' his acting, and be himself where there is no one to see him but the chaplain. It is here then, that the chaplain has the best opportunity of getting on terms of intimacy with the inmates, which enables him to discuss and to settle many of the prisoner's problems."

## *Goals of Good Counselling*

Recently, the varying emphases that this counselling can have over the period of an inmate's incarceration have been analyzed as part of a comprehensive study of chaplaincy programs. In the 1985 report of the national study commissioned by the Chaplaincy Division of the Correctional Service and carried out by Carcajou Research of Edmonton, Paul Conway characterizes the overall goals of chaplaincy as initially being to assist the inmate to cope with prison life. Then, chaplaincy may seek to help the person achieve a practical rapprochement with the community. The highest goal, however, is to bring about spiritual growth and change which alone will ensure the attitudes and skills needed to surmount the problems awaiting the inmate released again into the community. These goals apply very well to the counselling work of chaplains.

Traces of this range of goals can be detected in the reports of chaplains throughout the history of chaplaincy in Canada, although the chaplains' counselling methods may have been unsophisticated by modern standards. Pastoral counselling has long been recognized as a most essential component of ministry to inmates by many chaplains. In 1869 at Halifax Penitentiary, Rev. Henry Pope, already a veteran chaplain,

said: "By conversing frequently with the prisoners privately, one at a time, I obtain a pretty correct knowledge of their spiritual experience and wants; am thereby better prepared to give them suitable instruction. I consider this an important part of a Chaplain's duty."

At Kingston the same year, Rev. Mulvaney noted his satisfaction with visiting the cellblocks: "I am always able to see convicts who require to consult me specially, in my office. Many do visit me there; but I find that, as a general rule, I can do more good by visiting the convicts in their cells. This gives no trouble to the guards, as I can speak with the utmost ease to a convict through the grating of his cell door. When left alone in the cell after the day's work is over, they are more disposed to think seriously, and, in all cases, without exception, are glad of a few minutes conversation on serious subjects."

The following year, 1874, Rev. Conway Cartwright, who soon was to succeed Rev. Mulkins, was acting in his absence. Rev. Cartwright enjoyed hospital visiting, and is absurdly analytical in reporting his time visiting there: "By far the most promising field for work is, in my judgement, the hospital, where the Chaplain finds the men glad to see him, and anxious to listen to him, and where the isolation affords opportunity for a better acquaintance with the real needs and wants of each man, than is possible elsewhere in the prison.

Visits – 42
time spent in hospital – 8 hrs 55 minutes
average length of visit – 12 minutes 44 seconds"

Rev. Cartwright refers to his ministry to inmates in disassociation in his 1896 report: "Agreeing . . . that frequent visits to the men in solitary confinement were desirable, I have made it my custom to see them frequently, paying on an average fifty visits a week to those therein confined.

"The prison of isolation has . . . added about ten hours a week to my work. I think more constant work should be provided for those therein; sitting in idleness is not desirable, and although I make it my business to provide books for them, some cannot read and very few care to read more than three hours."

Although Fr. Leclerc's later reports principally show him as a penologist, his first reports reveal that he was also at heart a pastor. In his 1875 report, he describes the essential inward disposition of a good pastor: "The Chaplain more than all the rest, if he would not see his ministry struck with impotence and sterility, must cherish towards those whom he is appointed to reform, that true Christian charity which is of all means the most effectual for the reformation of criminals. From this fountain-head of charity he must draw that zeal which nothing can dismay, that devotedness which finds in failure itself the hope of victory, confidence in God which is never invoked in vain, and who makes use of the humblest instruments to accomplish his greatest works."

In his first report for 1873, the year St. Vincent de Paul Penitentiary opened, Fr. Leclerc explained his daily pastoral routine: "I usually go to the Penitentiary twice a day – in the morning at the hour for prayer, which takes place in the chapel, and at noon the hour for school. Besides the sick in hospital, and those under punishment in the cells, whom I visit every day, I also go, from time to time, to visit the convicts in their several workshops during work hours. I usually take advantage of the latter visits to give to any of the convicts who may need it such advice and counsel as I think likely to be of use. It is often possible to say, in familiar conversation of this kind, things which cannot be said publicly in the chapel or elsewhere. . . . Moreover, these benevolent acts on the part of the Chaplain win for him the sympathies of the convicts, and facilitate the work of moralization devolving upon him in the exercise of his ministry."

Rev. Richard Simonds, chaplain at Dorchester, compares the value of pastoral visiting to the value of the conduct of a second service in his 1882 report: "I have devoted some time, on Sunday mornings, to visiting the convicts singly in their cells, usually reading them a few verses of Holy Scripture and adding such remarks as I thought might be useful. By taking them in order in this way, and seeing some seven or eight of them each Sunday, the whole number has been visited in a few weeks, and then the rotation has been again begun. Such private intercourse and teaching may, I think, be quite as useful as a second public service."

His successor, Rev. J. Roy Campbell, indicated in his 1886 report that pastoral counselling was extended throughout the whole of an inmate's sentence: "The daily round of ever recurring similar duties make up the tale. The newly convicted suitably admonished; those seeking counsel duly advised; and those going out warned or encouraged, as the case may suggest or require."

Officials apparently did not always encourage the chaplains' pastoral visiting efforts. Rev. Arthur Goulding at Stony Mountain had this complaint in 1897: "I am also fully impressed of the need of more direct and personal effort among the convicts by which they might have the advantage of individual instruction in Christian ethics founded on the Holy Scriptures. With this end in view, I sincerely trust the old rule of long standing may be renewed, by which the chaplains may see convicts for this purpose as often as they wish in their respective cells."

In 1953 the Commissioner reported some creative extensions of the ministry of counselling: "Several chaplains have found that visits to the inmates' home and family are invaluable in promoting confidence. One chaplain has been making a practice of conducting each prisoner to the train on the day of his discharge, and is convinced that this close relationship at such a critical time between the man and his pastor may sometimes have an important effect upon the post-release conduct pattern. So, as previously stated, each Chaplain determines his own role in relation to the men he seeks to help."

## *The Inmate's Advocate*

Chaplains sometimes used their annual reports for advocacy on behalf of inmates with special needs, both groups and individuals. In 1876 Chaplain H.W. Moore at Stony Mountain, employing terminology less sophisticated than a chaplain would use today, brought the plight of one to the Inspector's attention: "I wish to mention for your consideration that one of them, a Frenchman, is more fit to be in an asylum than in a Penitentiary, on account of his crazy mind."

Fr. G. Cloutier at Stony Mountain, in 1885 showed that he was aware of a situation of language insensitivity which had now been resolved satisfactorily: "I must express my gratitude to the authorities of the institution for a special act of kindness towards the convicts, by securing services of guards talking English and French. Among the convicts there were a good many who could talk only French. . . . these unfortunates, even good-hearted and well-intentioned men, could not execute the orders given because they could not understand them, and that was detrimental to them." He was also concerned about the Indians in the institution, as he showed in his 1887 report: "I have this year again to deplore the poor state of health of a great many Indians. . . . If something could be done in their behalf it would be quite an act of charity."

The following year, Fr. Denis Twohey at Kingston Penitentiary likewise expressed concern about health care: "I am entirely convinced that consumptive convicts and all others who cannot possibly recover from their sickness should be removed from the prison either to their own homes or to the city hospitals before the hour of death comes. The prison is not the place to die in. Society cannot be injured by their release, and it cannot aid the ends of justice to keep them until they die. No matter what care they receive in the prison hospital (and they are always kindly treated there), the grating sound of the iron doors and the cheerless empty cells, and the bare prison walls, and all their surroundings make death more terrible and the consoling truths of religion less sweet as they fall upon the ear of the dying prisoner. Let a man feel that he is free once more and no longer an outcast from society, and he can dispose himself to die with greater resignation to the will of God, who calls him hence. Surely Justice, without any injury to itself, can afford to be merciful at the hour of death."

## *Conway Cartwright: An Uncommon Sensitivity*

Chaplains who cared for their flock expressed their care in very practical ways. Witness Rev. Cartwright's request on behalf of a paraplegic prisoner facing release in 1893: "A man just about to be discharged has so worn out his artificial leg as to be unable to stand on it without the aid of a stick, thereby lessening his capacity for self-support. . . . to have to face an immediate expense of $75 or $100 is a terrible handicap to a newly discharged prisoner."

Rev. Cartwright was a man of compassion. His 1891 report shows an uncommon sensitivity for the state of the wives and families of inmates: "I am frequently made aware of distressing cases in which the wives and children of convicts suffer severely from destitution produced by the imprisonment of the bread-winner. Not infrequently the woman, after a longer or shorter struggle to earn her bread, succumbs to the temptations that assail, especially a woman in her position, and seeks an easier living by forming a liaison." He was also notable for his practical expressions of concern for prisoners. In his 1897 report, he addresses two specific recommendations to the authorities, undoubtedly to no avail: "If I may believe the prisoners, it is no uncommon thing for their goods to be stolen and their property destroyed or embezzled by their relatives and neighbours, and it seems to me that the constituting of some existing official, such as the sheriff or county judge, as receiver in chancery for such properties during the convict's imprisonment, would be a desirable measure. . . .

"I still think that the admission of selected newspapers . . . would be of advantage to the men by keeping them in touch with the outside world, and by giving them subjects for thought of a wholesome nature."

In opposing one of the many ways in which inmates were deliberately isolated from the world outside the penitentiary, Rev. Cartwright was many years ahead of his time.

## *Evangelical Zeal*

Chaplains have universally found the need to re-evangelize those inmates with a Christian upbringing. They have also, by word or deed, evangelized those who had little or no exposure to religion. By their very presence, they have pre-evangelized those still unwilling to respond to their ministry.

The need to educate inmates who claimed church membership was recognized by Fr. E. Lambot, chaplain at British Columbia Penitentiary in 1908, who found that: ". . . of 53, only 6 or 7 were practical Catholics before coming to the penitentiary. (By practical I mean going to Church and receiving Sacraments). More than 20 were Catholic by name only, and never had any catholic training, or instruction, while the rest had left the Church from two to ten years." The following year, he has further statistics to back up his position: "The register gives some interesting facts about the spiritual state of the convicts. According to their own statements, it appears that, out of 89 . . . only 12 had received Communion during the year preceding their incarceration; . . . 24 had ceased going to church some 2 to 10 years before; 23 had left it more than 10 years before; and 26 had never either received the sacraments or were not even baptized."

A similar observation was made that same year by his confrere, Fr. Alphonse Desmarais, at the Alberta Penitentiary: "Most of the convicts go to the sacraments

several times during the year. We cannot wish for more, if we consider that quite a number of them had but the name of a Roman Catholic and knew nothing of the teachings of the Church."

Protestant chaplains likewise found their flock very ignorant of the truths of religion. In 1909, Rev. A.W. Cooke of Kingston Penitentiary laments: "I cannot abstain from saying how depressed one often is at finding in so many of the prisoners so great insensibility to the claims of common morality, and at their appalling ignorance of even the simplest historic facts of the christian religion. This shows the need there is of instruction in those saving truths of christianity which are generally received, and in the unchangeable moral Law of God."

One chaplain, Rev. B.H. Thomas at Dorchester Penitentiary, mentions the biblical basis of his evangelical zeal, in his 1915 report: "Responding to the inspiration received from Divine sources, we are bound to say, that with so much to believe, with so much to do, with so many to love, with everybody to help and be helped, with life so real, and God so loving, and eternity so long, with duty so clear, and death so near, with individuality so distinct, and with a destiny in the making, . . . we are determined to be one, and count one, among those who have been commanded to 'Go into all the world, and preach the gospel to every creature.' "

The members of the Royal Commission which investigated the penitentiaries in 1938 – the Archambault Commission – were not all that pleased with chaplaincy as they found it, but identified the need for chaplains to reach out to the inmates. They recognized that the chaplain was a missionary: "There is probably no more difficult task in the missionary enterprises of any church than the evangelization of the penitentiary population, but this is no justification for neglecting the task or treating it with indifference. It appears to your Commissioners that it has been regarded officially that a chaplain is performing his duties satisfactorily so long as he can show that he has been holding the required religious services and going through the form of his pastoral functions, albeit with a minimum of inconvenience to himself. In the opinion of your Commissioners, the mere holding of religious services, important as this is, when without diligent and constant personal service, is of little avail in accomplishing any measure of reformation.

"It is essential that the chaplain should gain and hold the confidence of the prisoners. Experienced prison officers are unanimously of the opinion that there are few prisoners who are without some good in them. The task of the chaplain is to find that good and develop it and the task cannot be accomplished merely by the preaching of sermons. It may be accomplished by rendering small personal kindnesses (e.g. communicating with the prisoner's wife and children) or by assisting the prisoner, through personal contact, to find employment on release, or even by advice and encouragement during his incarceration. Works, not words, make a good prison chaplain."

## *Religious Education*

Early chaplains saw both their public services and their private counselling as means of religious instruction, as indeed they were. Rev. Charles Mulvaney, in his report for 1869 from Kingston Penitentiary, under "Opportunities for religious instruction" says: "The chief of these are, of course, the public worship in church, and the private visiting in the cells. The former consists of two full services, on Sunday morning and afternoon, each with sermon, and each with three hymns and the usual chants; also a lecture on Thursday, at 12:30; also of a short office of morning prayer, said daily at about 7 . . . In addition to these means of instruction, I have held bible classes in the church . . . as a method of giving more general catechetical instruction, and of promoting the study of scripture by encouraging the convicts to ask questions, and to speak their own impressions as they read." Rev. Mulvaney's technique of Bible study seems well ahead of its time. He also was assertive in bringing his instruction to the men where they were: ". . . I tried a bible class for the Protestant convicts in the tailor's shop. . . ."

If Rev. Mulvaney seems to have been allowed wide latitude in his access to inmates for religious instruction, Rev. John Allan at St. Vincent de Paul found his opportunities curtailed in 1885: "I very much miss the mid-week exposition, no opportunity for holding which being of late deemed possible, nor for the voluntary class that used to be held for religious and other useful learning. I would fain hope that these opportunities of usefulness, being regarded in the light of a privilege to myself, to say nothing of the benefit to be derived from them to fully one-half of the convicts under my charge, may again be restored."

Some chaplains were conventional in their instructional methods. Rev. George Schofield, reporting from St. John Penitentiary in 1870, says: ". . . many of the men have committed to memory the 10 Commandments, and repeated them to me, and I hope they will, in future, act on them." In his 1873 report, however, he shows a greater sensitivity to the needs of inmates than his methodology might suggest: "The instruction imparted has been of such a nature as is most adapted to be useful to them; and I hope and believe that by God's Blessing, many of the men have received new views of truth and duty, and new impulses to lead them a better and more religious life."

In the silent regime of the penitentiary, religious education would have constituted a welcome break from the dreary routine of the institution, and this may well have contributed to the good reception chaplains experienced. Fr. W.J. Keilty at Kingston reports in 1871: "Instruction upon points of doctrine and principles of morality is imparted all Sundays and Thursdays throughout the year. The men have thus ample opportunity to know what they should believe and practice if they wish through Christ to raise themselves to the standards of good Christians. Fruit, and abundant

fruit, under God must be expected from these instructions, as the convicts on their side are remarkable for the attention they invariably give."

Fr. Keilty's contemporary and confrere at St. John Penitentiary reports one inmate from whom he did not receive the accustomed good reception: "I always observed in them a deep respect for religion and reverence for its ministers. To this there is but one exception, the notorious McCarron, who appears to be incorrigible. He, however, should not be called a Roman Catholic, as he sneers and scoffs at all religion, and denies there is a God, or a future state."

Some chaplains were not afraid to tackle even the hard cases, and some had remarkable success. Rev. Allan reports that in 1876 at St. Vincent de Paul: "One individual, brought up from infancy in Atheism, after much argument on the part of myself and my son, and after the perusal of such works as combatted his denial of a God and all therewith connected, at the end of seven months, on expressing his conviction of the truth of Christianity and his profession of repentance and faith, was baptized and now most earnestly desires that his aged father may be gathered into the fold of Christ." Rev. Allan, however, finds himself beleaguered, for in his 1881 report he acknowledges: "I have felt it necessary to check the spread of atheism and infidelity among the prisoners more than at any former time."

## *Educating Those With Special Needs*

Chaplains were expected to respond to the particular needs of the religious and ethnic minorities in the course of their pastoral care. One way they did this was to provide resources in the original languages. The Protestant chaplain at British Columbia Penitentiary in 1894 brought in a Chinese Catechist to conduct a special service each week. In 1899 these services were continuing, and he adds "we have had a few services conducted by a Japanese missionary. . . . (they) are thankful to have one of their own countrymen speak to them in their own language."

An important part of their response in this area was to insure that the library contained books in the language of the prisoner. At British Columbia Penitentiary, Rev. R. Jamieson's concern was for Oriental inmates, as he reports in 1883: "The Chinese convicts under my care are supplied with a New Testament in their own language, which they can and do read."

In 1912 Fr. A. Daridon, chaplain at the short-lived Alberta Penitentiary in Edmonton, reported how he was coping with the problem of the non-English speaking inmates: "All the convicts have been provided with books of catechetics as well as prayer books in their own languages: English, French, Polish, Italian and Spanish." In the same year, Fr. Dismas LeBlanc at Dorchester shared his concern: "In reference to the foreign element, such as are unable to read or understand English, it might be possible to procure in their respective language, such books as would help them

to spend their leisure moments in a more profitable way." By 1915 Fr. M. McDonald at Kingston Penitentiary identified a need: "the Catholic library a thing of the past as no books provided for 20 years or more . . . need for French and Italian books." The Gideons in 1935 provided the chaplain at Kingston Penitentiary with Bibles in French, Italian, Russian, Polish, German, Hebrew, Chinese, Romanian and Dutch.

The successor to Rev. Jamieson at British Columbia Penitentiary, Rev. Thomas Scouler, reports in 1902 that as he has in his pastoral care eight Indians, five Chinese, three Japanese and one coloured: "I have often felt the difficulty at the regular church service in making myself understood by the foreigners, who know so little English. To overcome this difficulty, I have for some time given religious instruction one day in the week at the noon hour to Indians, Chinese, and Japanese, taking the different races for about three months in succession. Thus, in some measure, I have been able to convey more intelligently the central truths of Christianity, than I could in the regular services."

Sometimes the ministry was extended to these groups through the collaboration of sympathetic fellow countrymen. In his 1857 report Rev. Hannibal Mulkins tells the story of an Indian of the Tuscarora tribe who "in a few years . . . acquired a most singular knowledge of the word of God. At length he was discharged, and in less that three weeks afterward, was established as teacher to the Oneida tribe of Indians, whose dialect he mastered in a few days, He was also appointed as scripture reader to the same people. He has continued to labour in this position with diligence and satisfaction to the present time, and has in his school seventy Indian children."

Although the reasons for doing this work were grounded in the altruism of the day, sometimes they were expressed in language that would not be used today and which, to modern ears, suggests a harsh view of the religious or ethnic minority. The Chaplain at B.C. Penitentiary mentioned above described his Japanese flock as "pagans." Fr. Arthur Beliveau of Stony Mountain complained in his 1912 report that "forty-three out of these 75 [RC convicts] belong to what is commonly called in this country, the foreign element. This is an abnormal proportion, which should cause the federal immigration authorities to be more exacting in the choice of their immigrants."

With respect to the cultural and spiritual traditions of the aboriginal peoples of Canada, the approach often sounds severe. Matters of culture and matters of crime are joined together. Rev. Mulkins described the Indian of the Tuscarora tribe as "brought up in paganism, wholly ignorant of the English language, destitute of all religious knowledge, and in all the habits of vice and crime incident thereto." (1857) His view had not changed by 1872: "People of so many religions, origins and races, many of them raised in ignorance and vice, some who were only educated in crime, cannot, suddenly, in human reason be re-cast in the mold of virtue. The force of vice, and especially the force of habit and companionship, are very strong. . . . and all, to the

wickedness of sin against God, had added crime against man." Fr. Cloutier at Stony Mountain would refer in 1886 to the Indians as "infidels."

Chaplains did not always express themselves in this way. In his 1883 report Fr. Cloutier at Stony Mountain speaks of his ministry to the Indians in warmer and more sympathetic tones: "the authorities have had the kindness to allow me to visit the 18 Indians . . . to point out to them the line of conduct they have to follow, to teach them prayers and to preach to them in their own language. The practical result has been most satisfactory . . . the other day I heard a guard wish that all the prisoners would behave as well as the Indians; 'then', he said, 'our task would be light and our duty easy to fulfil.'" In 1884 he goes on to say that "the Indians are big children, and their sensitive ears cannot fail to have been touched when they were discharged before the expiration of the full term of their sentence. They were eager to learn the principles of a christian life, and as far as possible, I grounded them thoroughly in the lessons I strove to impress on their minds. They understood that the whites were not their enemies; they understood that in every society there are men who rule, and others who are ruled; that if the law is not to remain a dead letter, it must be upheld; that respect for the law is to their own advantage, and its violation a cause of trouble, and that the welfare of all demands that its violators be punished. They understood all this in a general way; but their convictions were shaken when they were told that their punishment was for their own good."

The approach to people of other races and religions has evolved. Chaplains are now trained to approach members of other cultural and religious groups with knowledge of their tradition and with sensitivity; they are active in facilitating the observance of religious diets; and they often promote and co-ordinate the visit of representatives of religious groups of which specific inmates may be members.

## *J. Roy Campbell: A Humble Educator*

The chaplain who stands out for his achievement in conducting religious education classes consistently for many years is Rev. J. Roy Campbell at Dorchester. He was humble about his work, as he shows in his report for 1903, his twentieth year as chaplain: "There is something that looks like monotony in the unvarying yearly statement that all Bible classes, choir practices, and chapel services are marked by interest and attention that is hearty, as distinct from the domineer of discipline; but this is an approach to monotony that no one would greatly desire to see varied."

In 1893 Rev. Campbell described his successful venture in religious education: "I have no duty that is more hopeful or cheering than the weekly Bible class. It is, of course, a voluntary affair; but when I say that an average of over forty per cent attend – the average being about fifty-five out of a total of 125 – I think, sir, that after a liberal allowance is made for every possible inferior and unworthy ulterior

motive that must exist in such a class, there must still be a hopeful residuum. I find a free use of maps is stimulating. I also permit and indeed encourage the asking of pertinent questions; and I find that by doing so I get a clearer insight into the working of individual men's minds; and from what they let fall, I can often take occasion, out of their own mouths, to accomplish much good."

Rev. Campbell's class was so successful that it took on a name in the next year's report: ". . . in response to an expressed desire upon the part of some of the more promising prisoners, the 'Dorchester Penitentiary Devotional Society' has been formed. Exemplary conduct is a condition of the enjoyment of the privilege of attending the meetings, which are held weekly, and, so far, satisfactorily, but it is too soon to say very much one way or the other." In 1896 Campbell reports: "I am glad to say that the 'Dorchester Penitentiary Devotional Society' continues to be well attended. And, although like all else earthly, there must be tares as well as wheat, as to the motives that actuate the attendance of 33 per centum of all the men under my care, I have no doubt as to the general beneficial effect; and the same may be said of the bible class."

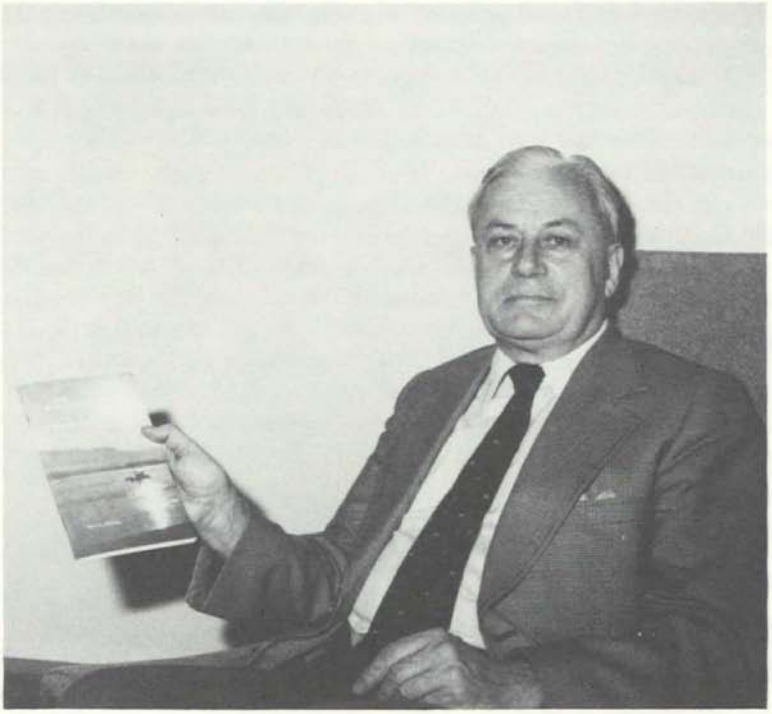
In 1902, Rev. Campbell claimed 55 percent of the Protestant inmates were attending voluntarily; in 1904 that attendance reached 80 and never fell below 50.

Other chaplains had other approaches. Rev. Cooke held a different sort of class, as he reports in 1904: "Communicant classes were held three times per week for about a month before each of the three great festivals, and unflagging attention was paid to the lectures. About 50 partook on each occasion (of 285 on record)."

Rev. Campbell's successor, Rev. Thomas, recognized the need to make his religious education relevant to inmates of various denominations, although we might think his educational methodology inappropriate. In 1915, he reports: ". . . adoption of a memorizing policy . . . we aim to urge all who will to memorize the specific teachings of the catechism of their declared creed, and to further supplement that work by committing to memory portions of the Book of Books."

## *Prison Staff: "Other Sheep I Have"*

Not until the 1970s was the chaplains' ministry to staff officially recognized in their job description. Yet many decades previously, there are indications of such a ministry. In 1898 and the following year, Rev. John Rollit at St. Vincent de Paul reveals his care for Protestant staff: "Since the order prohibiting any, except convicts and necessary guards, attending the Sunday services in the chapel, I have, besides the morning and afternoon services in the chapel, held a third service in my house for the benefit of the Protestant guards and their families, as there is no Protestant church which they can attend within less than five or six miles of the prison. The average attendance . . . has been from 14 to 18. . . .



*Chaplain General Rev. John Nickels.*

"Since leaving the house belonging to the government I have been unable to hold a service for the benefit of the families of the prison officials. As they are the only Protestants in the place, and would not be here were it not for their connection with the prison, I beg to submit for your consideration the necessity of such arrangements as may give them the privilege of attending divine service at least once a Sunday."

We find another form of ministry to staff in the mid-1970s, when the Chaplain General of Penitentiaries, Rev. John Nickels, produced a booklet which the Correctional Service published, entitled *Daily Reflections for a Public Servant*. In his preface to the 50 meditations, Rev. Nickels explains the need of his fellow government employees, as he saw it: "During my career in the public service, I have met many people at all levels of responsibility in government organizations; and as I look back over the conversations we have had, I can detect a disturbing trend. Year by year, the demands that are placed on us and the pressures we are subjected to seem to increase. And at the same time, year by year, our ability to cope with these demands and pressures seems to decrease.

"The signs of strain and stress are becoming increasingly apparent, in the work environment and in our personal lives. Some of us develop health problems that are directly related to tension. Others resort to confrontation, rebellion, and sometimes violence in protest against systems over which they have little control. Many rely on chemical stimulants or depressants, such as cigarettes, alcohol and drugs, to relieve the frustration of their daily lives.

"These reactions suggest that our society as a whole is suffering from a kind of spiritual malaise. People do not seem to be developing the inner resources they need to live comfortably in the world of today; people are not at ease with themselves. It is not, I think, that they do not want to be. Perhaps they do not know, or have forgotten, how to stand back from present difficulties and reassess them in a broader, more positive context. Perhaps they have forgotten how to reflect.

"By now, my reasons for writing this book will be clear. I hope that it will enable people to deal more easily with their problems, to relieve their tensions, to become stronger, healthier individuals."

## *Helping Staff Grapple With Stress*

Chaplains have long recognized stress as an occupational hazard of working in the penitentiary environment. In 1981, following the death of an officer at Dorchester Penitentiary as a result of intervention to resolve a hostage taking, the chaplain – a future Director of Chaplaincy, Rev. Pierre Allard – organized a weekend retreat for staff members and their spouses who were grieving and hurting in the aftermath of the tragedy. To the surprise of the chaplains, 40 couples attended, and in the following year asked for a similar opportunity to get away and deal with stress concerns. So began a tradition of "Stress Awareness Weekends" for correctional staff and their families.

In a retreat setting, with the help of professionals such as Rev. Dr. Charles Taylor, a clinical-pastoral trainer with long experience as a volunteer in chaplaincy, those participating grappled with the problems generated by their work. Up to 80 couples per year, with special programs also being provided for their children, have participated in the Atlantic Region. The Correctional Service took over sponsorship of the weekends, and the Atlantic Region pattern was replicated for a number of years in various parts of the country, usually with the participation of chaplains.

When over the years staff have been killed in the line of duty, chaplains have frequently been involved in their funerals and in memorial services. Commissioner Donald Yeomans instituted the practice of having a memorial service conducted by the chaplains in every institution when an officer was killed. He recognized the value to staff morale of having such observances held throughout the system and not just in the location of the tragedy.

## *CSC Prayer*

Commissioner Yeomans also perceived the need for the Correctional Service to have an official prayer for use on formal occasions and so that members, inmates and supporters in the community could regularly uphold all concerned in prayer. He commissioned the Chaplaincy Division to produce such a prayer, one that could be used by persons of various faiths. The prayer was approved in 1984, printed and widely distributed for use. It is reproduced on the inside cover of this book.

## *"Visible Presence"*

Over the years, the way in which chaplains have exercised pastoral care has changed. With the introduction of many programs for offenders, those provided by the chaplains are no longer the inmates' only option. But chaplains continue to offer group activities, often extensions into the institution of personal growth and religious education programs designed for parish settings, and volunteers frequently join inmates in these activities.

One dimension of pastoral ministry will never change – the importance of the chaplain being known in the institution, and being available to inmates and to staff, as their pastor. The term "visible presence" was coined by the Lowery Committee in their 1980 report on chaplaincy, and continues to be used to describe the principal function of the chaplain. They recommended a job description in which chaplains, during 45 percent of their time in the institution: "Provides a visible presence throughout an institution and through this presence provides pastoral care and counselling and spiritual support to inmates, families and staff as appropriate."

The Committee expands on this principle in language which lacks the clarity but, nonetheless, echoes the same basic characteristics of a faithful pastor spelled out long before by chaplains and Inspectors:

Through being an actual living experience of the faith dimension of life.

Through being seen and present throughout the institution, representing the spiritual dimension of life, while maintaining a wholistic understanding of life.

Through visiting around the institution, particularly where inmates do not have free movement such as dissociation, hospital, protective custody unit, special handling unit, segregation, and areas such as, shops, schools, gyms, living units, cell ranges, and visits and correspondence.

Through pastoral counselling both on an individual and group basis.

Through pastoral encounter dealing with life's meaning, forgiveness, loneliness, power, grace, self-worth, acceptance, death, trust, health, grief, and other significant components of human existence and experience. . . .

Through crisis intervention in experiences such as grief, illness, despair, death, anger, depression, parole denial, suicide attempts.

Reworded in its detail, "visible presence" continues to be the basic dimension of the chaplain's pastoral role. But he also leads his people in the worship of God; in the traditional terminology of the church, he is the institutional community's minister of Word and Sacraments.

# 7 LEADERS OF WORSHIP

*So 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.* [1]

Whatever else might be expected of chaplains, they have always been seen as the ones responsible for leading their flock in worship. The place worship has played in the life of the institution has changed; so has the space provided for this function. But, throughout the history of Canadian penitentiaries, public worship has remained one of the essential activities of chaplaincy.

Eight duties were defined in the Rules and Regulations made by the Inspectors of the Provincial Penitentiary respecting its Discipline and Policy, 1836. Number 7 of these stated: "He shall attend every Sunday morning, at 11 o'clock, for the performance of Divine Service."

This expectation was to be expanded upon in subsequent years. In 1844 Good Friday and Christmas Day were added to the list and the following year, probably reflecting the addition of a Roman Catholic chaplain, ". . . and on other holidays observed by the respective Congregations." This was made explicit in 1870 when the regulation stipulated for the Roman Catholic chaplain that services could be held ". . . at such other times as may be appointed by the Roman Catholic Bishop of the Diocese, in which the Penitentiary is situated, and which may be approved of by the Directors."

By 1851 provisions for worship were extended yet again. Services were mandated twice each Sunday. Moreover, each of the chaplains was required daily: ". . . to maintain public religious services morning and evening with the convicts under his charge, at the opening and closing of the Prison."

Rev. Hannibal Mulkins raised questions about the daily prayers in his report for 1856: "From circumstances under which these prayers are held, it may be that they are not as useful as could be desired, yet it is hoped that they had a salutary effect. It is reasonable to think, that if the convicts could be brought together once a day in the chapel, where the word of God could be read to them, and prayers were then offered, much in the way in which family worship is conducted in well ordered families, the daily services would be far more useful. But as it is, it is hoped,

[1] United Nations Standard Rules for the Treatment of Prisoners and Related Recommendations No. 42.

that the God who heareth and answereth prayer, will accept the imperfect services, and bless his erring creatures."

Rev. Mulkins may have been responsible for a modification of the requirement for the chaplains' daily attendance at the crack of dawn and at sundown. In 1889, the duty to conduct daily services was amended by the addition of the phrase: "... either by the Chaplain or by an Officer appointed for this purpose by the Warden with the approval of the Chaplain."

## *For Want of a Sacred Place*

A suitable sanctuary is taken for granted as essential for complete ministry by the religious community in parish settings, but such dedicated space for worship has not always been provided in our penitentiaries. It is easy to assume that chapels would automatically have been included in the penitentiary as they were constructed, but chaplains have frequently had to fight for adequate and dedicated space in which to conduct services of worship, not to mention other appropriate space to exercise their pastoral and teaching ministry.

In 1836 the first services were conducted in Kingston Penitentiary by the chaplain standing where he could project his voice so that it was heard by the inmates in their cells. Not until 1840 were the inmates able to congregate for services, and then it had to be in the dining hall as the chapel was not complete. The Chaplain, Rev. Robert Rogers, would not celebrate the Holy Eucharist in the dining hall; he did not find its atmosphere conducive for this solemn sacrament. He specified one reason as being that the dining hall was the place where corporal punishments were administered.

Rev. Rogers complained with justification in 1847: "Let me hope that it will be enough to convey my meaning to mention, that although the Provincial Penitentiary is in such a state of completeness, that it has commodious Stone Stables, and, e'er long, Work Shops of the same materials, yet that the Chaplain has not a Chapel!"

Chaplains in other institutions also found themselves having to conduct their ministry without adequate facilities. Fr. Thomas Connolly, chaplain at St. John Penitentiary, in 1869 declared that he would not say Mass for the prisoners until the chapel was ready, and requested $120 to furnish it.

By 1874 St. John Penitentiary, founded 25 years previously as a provincial institution, still did not have a chapel. Rev. George Schofield, Protestant Chaplain, in his report for that year emphasized the importance of a proper place for worship: "The place where divine service is celebrated is in fact the eating room, and it is impossible to forget this even when engaged in worship. The law of the association of ideas will assert itself. Reverence for sacred things is almost inevitably diminished when prayer-books and bibles are laid on the same tables from which breakfast or dinner

has just been removed. I do hope, therefore, that before long a suitable room will be provided, to be used exclusively for worship, and fitted out in harmony with the use to which it is appropriated."

His Roman Catholic colleague, Fr. Joseph Michaud, shared the concern: "Our Chapel, which is in fact but an ordinary room, having nothing apart from the altar and its ornaments of the style of a religious edifice, absolutely requires some improvements which would make the prisoners feel when they enter it that they are in a sacred place."

## *Undistinguished, Inappropriate*

Fr. Joseph Leclerc found in 1873 that the space provided for worship at St. Vincent de Paul was not up to standard: "The chapel, though neat and decent, is still far from what I should like to see it. It is, in fact, an ordinary room, situated at one end of the extremities of the Penitentiary, having in every respect, apart from the altar and its ornaments, the same appearance as the other apartments of the prison. It has nothing whatever of the style of a religious edifice. And yet it seems to me important that the chapel should present something of a religious and sacred appearance, which would make the convict feel, when he enters it, that he is not in an ordinary place. I trust, therefore, that in the plans for the new building, a place may be set apart for a chapel, in better proportion with the requirements of worship and more in harmony with the spirit of the church."

Fr. Leclerc reinforced his argument for the importance of adequate chapel space and facilities in his 1876 report: "We attach much importance to the grandeur of the ceremonies of Catholic worship, the beneficent influence of which is manifest everywhere, but more especially in its effect on prisoners. The ornaments of the altar, the vestments of the officiating priest, the glare of the lights, the fumes of the incense, the sound of the organ, the pious chant, impart to our ceremonies a solemnity which touches deeply the hearts of the unfortunate beings who attend, and lays them open to impressions conducive to their amendment. Hence it is that we strive to make the most of the apartment now used as a chapel, by decorating it in a manner best calculated to make the convicts forget, there at least, that they are still in prison."

Even when there were chapels provided they were not always satisfactory. Rev. Robert Jamieson at British Columbia Penitentiary in 1881 complained about conditions affecting the worshippers there: "I regret to state that the chapel was very uncomfortable during the winter owing to the cold. I trust that if it be found impossible to heat it in any way next winter that some other place will be provided in which to conduct Divine service without endangering our health." He had a further complaint in 1889: ". . . the Chapel [is] inconveniently small, and [the two Chapels

are] so close together that singing is out of the question when the services are held at the same time [in both chapels]."

Obviously, those responsible for the construction of chapels did not always anticipate the problems the chaplain might experience in using them. St. Vincent de Paul had a new Protestant chapel in 1899, but the chaplain, Rev. John Rollit, reported: "A serious disadvantage, however, is its proximity to the kitchen, as the noise caused by the preparation of meals during the time of divine service is very disturbing to the worshippers. On several occasions the minister officiating had to pause until the noise subsided. It is sincerely to be hoped that some solution of the difficulty may be found which will enable the worshippers to pursue their devotions undisturbed."

Fr. Leclerc was quite happy when the chapel in St. Vincent de Paul was enlarged. In 1882 he reported: "The chapel of the Penitentiary, when the altar is completed, will, without exaggeration, be one of the finest and most spacious attached to any public institution. It is large enough to accommodate over six hundred convicts."

## *Common Chapels*

Although for most of the past 150 years the Protestant and Roman Catholic chaplains did their work quite separately, each ministering exclusively to his own congregation as might be expected in the religious climate of those days, Dorchester Penitentiary provided only a single common chapel. In 1883, however, Fr. Edward Labbé expressed his expectation that this situation would change: "I trust that the Department will find means to allow each Denomination its own separate place of worship."

Fr. Labbé's request was not granted, and in subsequent years there is every indication that the situation was not just tolerated but was mutually satisfactory. Fr. Labbé's colleague, Rev. J. Roy Campbell, in his report for 1888, implied that the joint chapel was acceptable to both chaplains: "The chapel is being painted, decorated and re-fitted in a manner as satisfactory to my brother chaplain as to myself, considering that the chapel is in use in this penitentiary by both sides. The leading idea throughout the work is to make the chapel the one bright spot where there is no unnecessary trace of a prison, but, contrariwise, where all is suggestive of higher and better things."

How the common chapel was structured to serve both religious communities is partially explained in a chance reference the following year in Rev. Campbell's report: "... but which is of more practical moment than the mural decoration, is the fact that the chapel had been re-fitted with comfortable seats, having reversible backs. and therefore adapted to the double use of the chapel."

It was not until the 1970s that penitentiaries again began to provide a single chapel for the use of both chaplains. During the penitentiary building boom in the 1960s, two chapels were routinely built. Many were handsome buildings, standing in inspiring contrast to the utilitarian buildings of the institution. In most institutions, one of these chapels has now been converted to other uses; a shared chaplaincy centre in the other is now the norm rather than the exception.

## *Stalls, Stools and Gun Slots*

Canadian penitentiary chapels never seem to have been designed with the structural segregation that characterized European prisons visited by John Howard, and so copied in some British prisons. In them, inmates were totally isolated from one another in stall-like structures permitting a view of the chaplain alone. As the *London Observer* of May 28, 1864 described the chapel at Pentonville Prison: ". . . the Chapel, the interior of which is so arranged as to preclude even the tallest man from over-looking the one in the next slip. The pulpit is placed high so as to command a perfect view of every convict, but inter-communion is further prevented by wardens perched upon elevators each with full inspection of his own section of prisoners."

It is true, however, that for more than a century some Canadian penitentiary chapels were furnished with tall stools in the side aisles upon which guards perched during the services to keep order. To the present day, some chapels have gun slots in their walls through which tear gas canisters could be fired in case of trouble; others have viewing windows for surveillance by guards outside.

## *A House of Prayer*

In institutions not noted for their therapeutic environment, the need for an uplifting atmosphere of sanctity in the chapel, generating a sense of peace in the worshippers, has always been recognized by chaplains. In 1893, both Kingston's chaplains expressed similar sentiments. Rev. Conway Cartwright and his colleague, Fr. James Vincent Neville, separately – but perhaps in collusion – refer to this in their reports. Rev. Cartwright had this to say: "The more by their surroundings the men could be led to forget that they were in prison, while attending divine service, the less active hostility to the truth would have to be overcome. I would suggest that pretty stained glass windows could be secured for the chapel at a trifling cost. These by concealing the bars and by accentuating the difference from ordinary prison surroundings would have a soothing effect on the men's minds and dispose them to listen with less antagonism."

Fr. Neville expands on the theme: "But it is in our chapel that we especially feel the benefit of the change. The habit the men contracted of talking and of acting there as in any other place, influenced their bearing and deportment during mass and vespers. And even the sermons and instructions suffered in their effects through want of a due reverence towards the place in which they were addressed to them. I am then greatly pleased with the changes.

"It always seemed to me not meet that the place which the Son of God so often condescends to honour with His sacramental presence should at the same time be a receptacle for works of fiction and books written for the sole purpose of gratifying for the moment, and without any reference to Him or to the claims that He possesses to the gratitude and reverence of mankind. I would like to see the chapel filled with emblems of His Life and Passion, and in all things bearing the unmistakable character

of His house and a house of prayer. I would then respectfully suggest that if possible the plain glass in our windows be replaced by glass stained with the images of Christ, His Blessed Mother and His Saints."

Stained glass windows certainly contribute to making a penitentiary chapel look more like a church. At Kingston Penitentiary in 1895, Fr. Neville commented on renovations: ". . . replacing the plate glass in our windows with glass stained with pretty and appropriate emblems. Its appearance is now thoroughly religious and unconsciously carries the mind and heart to higher thoughts and holier feelings. I am sure the men feel when entering it that it is a place removed and different from the remainder of the prison; that it is adorned with much care and expense in order to help them in their devotions and their religious duties, and to make them forget, while there, the irksomeness of their confinement. It will then in the future be for all a continual reminder of God's omnipresence, a silent sermon, pressing upon the mind the claims and importance of those things which are eternal and supernatural."

Apparently both chapels were being treated equally, but the addition of the stained glass windows was not a priority for all the Protestant inmates, as the following year Rev. Cartwright observes: "Although a few grumbled that the money would be better expended in improving their diet, the larger portion of the men were pleased, and I think they feel more that they are in a place of worship than before."

*Fr. Vincent Neville, Kingston (Courtesy: Good Thief Parish, Kingston).*

## *Chapel Disasters*

Only a year later, disaster struck Kingston's Roman Catholic chapel. As reported by Fr. Neville: "A serious accident occurred during the Christmas holidays. The chapel, as usual, was tastefully decorated with palms and flowers and lights. I superintended the arrangements myself to see that everything would be secure. But you cannot always prevent accidents from occurring. A small piece of dried palm [sic] became detached during service, and falling upon one of the lighted candles immediately caught on fire. It fell from thence on the other ornaments of the altar, carrying fire amongst them. Suddenly the whole surroundings of the altar and sanctuary were on fire. The men showed great presence of mind. Those who were nearest the altar rushed into the sanctuary, and, at the risk of being badly burned, succeeded in extinguishing the fire. One man indeed was badly burned on his face and hands. I hope the department will take notice of the action of these men. If some reward, such as mitigation of their sentence, were conferred upon them it would have a very good effect in all such future cases.

"The beautiful painting over the altar was completely destroyed, and the walls and ceiling blackened by fire and smoke. The painting has been restored and the walls and ceilings repainted and redecorated by the men here."

Fire also destroyed the chapel at St. Vincent de Paul. In his 1914 report, Fr. A. Martin laments: ". . . the magnificent organization of divine worship . . . has been reduced through this disastrous fire to the state of the humblest and poorest mission."

## *Multi-Purpose, Multi-Problems*

In the absence of designated space for other chaplaincy activities such as counselling or religious education, the use of chapels for all purposes has at times created problems for chaplains. Although the provision of offices was years away, as far back as 1873 the Directors implied that chaplains would be provided with additional space as needed: "From time to time, as occasion may demand, or as the convicts may require, the Chaplains visit and instruct the prisoners in their cells, or in other suitable places indicated by the Warden."

In 1904, Rev. A.W. Cooke at Kingston Penitentiary voices this complaint about chapel conditions: "It is earnestly desired that the partition dividing the chapel from the school room and which fell down last winter, will soon be replaced, as the want of it causes much inconvenience and discomfort in connection with the day school and choir practice and Sunday service." The partition was rebuilt; moreover it was decorated by an inmate. Rev. Cooke reports in 1906: "The partition wall separating the school from the chapel has been beautified by oil paintings, consisting of three subjects — the Agony in Gethsemane, the Descent from the Cross, and the Good

Shepherd — copies of the great masters. These paintings are considered to be really works of art and were done by one of the prisoners. . . ."

A screen with a different purpose figured in Dorchester Penitentiary's chapel in the early years. The Warden records in his diary for 25 July 1897 that: "The Roman Catholic Chaplain asked me to attend the R.C. Service. He thought the screen around the female seats was not sufficiently arranged to protect them from the gaze of the male prisoners. He did not complain that there was anything wrong (but) the male prisoner sitting in the two seats nearest the opposite side of the Chapel to where the female prisoner's seats are could look into the faces of the females. As there were plenty of seats without using those two, I instructed that these two not be occupied and have the screen moved over as closely to the females without shutting out their view of the Chaplain."

## *Chapel at the Top of the Stairs*

Probably the chaplain most committed to the use of the chapel for a wide variety of programs was Rev. John Nickels. In a booklet published and sold in support of chapel activities, entitled A *Year in the Life of The Chapel at the Top of the Stairs*, he and his inmates described the new look of the Protestant Chapel at Kingston Penitentiary in 1964-1965: "The Protestant Chapel at Kingston Penitentiary, now called 'The Chapel at the Top of the Stairs' because of its location up the flight of stairs at the end of F Cell Block, has undergone many changes in the course of the past year. As one recidivist put it, 'Gone is the gloom and bareness of many years, the stodgy atmosphere of the past, the high backed guard chairs at the rear of the Chapel. The gun slots of another day are now filled with new and easy to read Bibles.'

"What you will see, when you climb the stairs and look into the Chapel from its entrance at the back is a simple and dignified shrine. The first thing you will notice will probably be the table at the vestibule entrance containing religious magazines and other literature of all Protestant denominations, immediately followed by an eye-catching sign on a tripod announcing 'The Thought of the Week.'

"To the left of the Chapel proper is a carpeted, roped off area which is called 'The Wayfarers' Book Club.' This is sort of a 'Thought Comer' with lending library facilities for good measure.

"As you walk toward the front of the Chapel, the Inner Sanctuary . . . On the left, adjacent to the Sanctuary, you will see the Commonwealth Room which contains a wealth of factual information and general comment about various aspects of the countries of the British Commonwealth of nations, photographs of some of the various activities of which are on the walls.

"To the right is the Padre's Office, a pleasant room, light and cheerful with an 'ever-open' door atmosphere where men go a good deal these days to chat with

the Padre. They are welcome whether on the 'outside' they are active members of the various Protestant Churches or subscribe to Agnosticism, Atheism or any other 'ism.'

"Instead of thinking of the Chapel solely as a place of worship, the men say they have come to think of it as their 'other house,' a place where some of them go to live a little part of each day. On entering the Chapel, many inmates experience an unwinding of nerves and tensions, sort of lifting their spirits over the wall for an hour or so, a relief from the prison atmosphere." The chapel did not survive long in this form. It was destroyed in the riots of 1971 and not rebuilt in the same location.

## *Profane Use*

Roman Catholic as well as Protestant chapels were – and in some instances still are – used for other institutional programs, some of them quite unrelated to chaplaincy's responsibilities and inappropriate given the primary function for which the space has been dedicated. Any other "secular" use tends to detract from the sanctuary atmosphere and so reduce the value of the surroundings in inducing the necessary sense of worship. All too frequently cigarette burns and coffee cup stains on altars attest to their profane abuse during non-worship activities. In 1891, Fr. Thomas Kelly, acting chaplain at Kingston Penitentiary is concerned to: ". . . prevent any pretext for irreverence in chapel which was supplied by its use as a library. . . . It is by all means fitter that the chapel be used solely for its higher purposes, so that the convicts entering would always be made to feel that they were entering the House of God, solemnity of divine worship."

In 1937, the Inspector acknowledges that at St. Vincent de Paul: "The Roman Catholic Chaplain strongly recommends that the use of the Chapel for secular entertainments should be discontinued. This being considered, but . . . it is regretfully stated that it will be some years before it is possible to make other arrangements to accommodate convicts during concerts and entertainments." The following year he takes a more supportive stance towards the chaplains' concern: "[at St. Vincent de Paul] . . . three concerts held in the Roman Catholic Chapel . . . the practice of using a chapel for this purpose is much objected to by the three chaplains. I concur in their opinion."

Nothing happened to change the situation, however. Twenty years later in 1956, the Commissioner can yet again report that: "It is still a matter of regret that some of our chapels have to be used as auditoria for the showing of films and for other entertainment of a secular nature. Steady progress is being made, however, in the elimination of this undesirable condition."

Multiple use can be intentional. In 1973 the chaplains at Rockwood Institution on the grounds of Stony Mountain Penitentiary were given the use of a house formerly occupied by a senior staff family. The house continues as a chaplaincy centre, serving also the needs of special groups such as Alcoholics Anonymous.

*Early Chapel, Dorchester Institution.*

## *Thou Shalt Attend*

For more than a century, attendance by all inmates at one of the two official religious services was compulsory. Because they ministered to a doubly captive congregation, most chaplains understandably felt obligated to make the services as attractive as possible. At St. John Penitentiary in 1878, Rev. George Schofield recognized the need for special effort to reach the inmates in chapel: "I have tried to make the services as interesting to them as possible, assured that unless they are interested they will derive little profit."

Fr. Neville at Kingston Penitentiary also strove to offset the negative effects of obligatory chapel attendance. In 1894 he notes: "It would require miraculous intervention to move to repentance the heart of him who comes to the chapel reluctantly and because he must and has no other aim whilst there than to force his thoughts from his present surroundings until the service ceases and he is again free to leave."

The end of compulsory services was not to come for almost a half century. The Archambault Committee, reporting on its investigation of the Penal System of Canada in 1938, noted: "All chaplains hold religious services in the penitentiaries at least once a week. Attendance at these services is compulsory unless a prisoner is exempted by the written order of the warden. The rules provide that exemption shall be granted in the case of any prisoner, declaring that he cannot consistently with his conscientious convictions attend the services of either the Protestant or Roman Catholic Chapels.

"The warden may also exempt prisoners from attendance at chapel service on the advice of the physician or because they are of non-Christian faith. Provision is made for the latter to hold their own services and, in some of the penitentiaries, regular services are held for those of the Hebrew faith."

The Commissioners made their recommendations: "Your Commissioners heard much difference of opinion as to whether the attendance at religious services should be compulsory or voluntary, and, after giving the matter their most careful consideration, have reached the opinion that the regulations ought not to be dogmatic on this point. If a chaplain believes that he can render the most effective service by having attendance at chapel made compulsory, there need be no objection to this. On the other hand, if a chaplain believes, as several have declared to the Commission they believe, that more is accomplished when the congregation attends voluntarily, the attendance should be voluntary. Compulsory attendance should not be thrust on a chaplain who does not believe in it.

"The present rules regarding exemption from attendance at religious services should be discontinued. A prisoner who does not wish to attend religious services should not be compelled to declare himself an atheist or that 'he cannot consistently with his conscientious convictions attend the services of either the Protestant or Roman Catholic Chapels.' If compulsory attendance is continued, prisoners who desire exemption should be granted it without the necessity of resorting to an anti-religious declaration, and exemption, when granted, should not amount, as it does at present, to an exclusion from services. A prisoner who has been exempted, and who later wishes to resume attendance, should be allowed to do so without question."

These recommendations of the Archambault Report were not immediately implemented. Twenty years later, the matter of compulsory services was still under debate at a Wardens' Conference held 30 May – 5 June 1957: "The matter of voluntary versus compulsory attendance was reviewed; plans in effect at the several institutions seem to be working satisfactorily; any Warden wishing to experiment further with voluntary services is free to do so, provided he keeps us informed of his plans and the results obtained." The Commissioner's Report for that year stated that: "Experiments have continued in several penitentiaries in the matter of chapel attendance. There is a growing tendency among chaplains of all faiths to prefer the practice of permitting voluntary attendance on normal occasions, with compulsory attendance once a month. Where this procedure has been adopted, attendance on "voluntary" occasions has been well sustained and the chaplains feel that an improved attitude on the part of the inmate congregation has been the result. It is understood, of course, that there is no absolute compulsion in the matter of religious services. Inmates who state that they cannot conscientiously accept the ministry of either chaplain are granted exemption from chapel attendance in accordance with Penitentiary regulations."

## *Other Expressions of Worship*

As attendance at chapel services became optional, some chaplains became concerned about those not attending. One chaplain was quoted as: ". . . entertaining the hope that inmates who choose not to attend church on Sunday will not be let out to work during church services."

Indeed, as recently as 1952, the *Penitentiary Officers' Handbook* indicates that this protection existed, extending the "holy day" concept well beyond the limits supported in the community at large, for most people: "Arrangements shall be made for the avoidance of all unnecessary work by inmates of the Christian religion on Sunday, Christmas Day, and Good Friday; and by all inmates of other religions on their recognized days of religious observance. No inmate shall be compelled to labour on any of the obligatory holidays of the religious denomination to which he adheres."

Some inmates have always found opportunities for private worship in addition to that provided by chapel services. In 1869 Rev. Henry Pope reports that at Halifax Penitentiary: "Thirteen of my pastoral charge, 7 white and 6 coloured, have professed to experience a Divine change and special peace of mind through faith in the Lamb of God who died to take away their sins. The other prisoners pay serious attention to the means appointed for their benefit, and several of them unite with those who make a religious profession, holding meetings for prayer on the Lord's day afternoon. About 20 of the 36, now under my pastoral care, attend those meetings in the most devout and becoming manner."

In 1876 Fr. Leclerc reports a unique manifestation of private piety: ". . . each evening before bed time, one of the convicts recited aloud the night prayers. All knelt down and responded with so much attention and respect as to make one fancy himself in the midst of a highly pious and well-ordered Christian household. This took place, not for one day only, but for months together."

If daily services were the norm in institutions which had the benefit of full-time chaplains, they were less frequent where the chaplain resided at a distance, as for instance at Stony Mountain. In 1880, Rev. Samuel P. Matheson, later Anglican Archbishop of Rupert's Land and Primate of Canada, reports that he could come from Winnipeg to conduct services only on alternate Sundays: "When the railroad is established, I hope to conduct services weekly, but due to the present bad state of the roads, even fortnightly attendance is difficult."

## *Silent Participation*

Before the construction of a chapel at Kingston Penitentiary, the chaplain stood where he could be heard while the inmates stood at the doors of their cells during the daily prayers and Sunday sermon. Any inmate participation, even the saying of "Amen" to the prayers was, of course, prohibited as a form of communication which was strictly forbidden.

The rule of silence, enforced as an essential ingredient of the "treatment" regime of the new penitentiaries, was also enforced in the chapels. In his report for 1856, Rev. Hannibal Mulkins shows the first signs of wanting this situation to change: "The Convicts are not allowed, except by their presence in the Chapel, to participate in any way in the religious services. It seems reasonable enough that they should not be allowed to rise up, but as it is, they are not allowed to kneel, nor to join in singing a Hymn or Psalm, nor to respond in prayer. Military Prisons, which are under the strictest discipline, permit the prisoners to take the same part in religious services as other congregations, except only that they do not stand up during the service. Should not the worship in the Prison be assimilated as much as possible to the religious worship of other congregations to which they have been accustomed?"

After a quarter of a century of service as a chaplain, in 1875 in his final report Rev. Mulkins reminded the officials of the changes that had occurred during his time: ". . . when I came here . . . the convicts were not allowed to take any part in religious worship, were not permitted to stand or kneel, to sing or to respond, but were compelled to sit and gaze through long services, and nothing more.

". . . It was eighteen years before the Warden and Inspectors would permit the convicts to stand or kneel at divine worship, to sing or to chant, or take any part in the religious services. . . ."

## *Of Prayer Books and Wardens*

Inmates were provided with the books needed to participate both in private and public devotions. The Act establishing Kingston Penitentiary in 1834 stipulated that each convict who could read was to be given a Bible. The chaplain was permitted to distribute other reading materials. In 1847, twenty years before the federal government took over the provincial institutions at Confederation, the Lieutenant-Governor of New Brunswick wanted to ensure that inmates had the religious books to which they were entitled. His Secretary wrote the Commissioners of the Provincial Penitentiary, asking: "Is the 9th Regulation for religious observance duly attended to and copies of the Scriptures and Prayer Book furnished for the use of the prisoners?"

Over a century later, in 1972, the chaplaincy services moved to create its own service book to replace the military prayer books which had been in use since the War.

Penitentiary wardens were expected – if not legally required – to attend chapel for many years. Warden Smith of Kingston Penitentiary was criticized by the Brown Inquiry in 1848 for being lax at attendance at chapel services, and never being seen at the Thursday Bible class. The Wardens' presence enabled them to observe both the inmates and the supervising guards, and to encourage them all to participate in the services. But possibly the greatest benefit must have been the influence of his presence on the prisoners when he joined them in the only routine of the prison in which warden and inmate could meet as equals.

The Warden of Dorchester Penitentiary records in his official diary some of his interventions as a result of his faithful chapel attendance. For instance on 26 October 1896: "Four prisoners were reported for not kneeling at the time of prayer. Two said they would do so in future. Two were very offensive – sent to the dark cells for 72 hours and loss of 10 days remission. They are very bad boys. . . ." A few months later, on 21 March 1897, the Warden notes: "After the Chaplain had finished the Service, I addressed the prisoners on the necessity of bringing their hymn books and prayer books to the Chapel and taking part in the Service. I think it may do some good."

Generally, Chaplain J. Roy Campbell reported a positive response from the inmates in that institution. For instance in 1884 he said: "In chapel, the conduct of the prisoners has been uniformly excellent, the convicts yielding a free will, voluntary reverent attention, as distinct from an enforced obedience to order and discipline." In 1889 he could still affirm: "Altogether, I observe that the convicts come with an alacrity to the Chapel services that, in some cases, recalls the Psalmist's words: 'I was glad when they said unto me, We will go into the House of the Lord.' " And in 1897: "With regard to the Lord's day services, I have ministered without any intermission throughout the year to unfailingly reverent and attentive hearers, who seem to drink in every word that is spoken, and that is much more than can be affirmed of most congregations."

It must be admitted, however, that inmate response to chapel services was not always so positive. In 1886, both chaplains at St. Vincent de Paul reflected in their reports on a riot in which on April 24 an inmate was killed and the warden wounded. Protestant chaplain Rev. John Allan illustrates the growing tension, since on Sunday, 21 February: ". . . 13 of 54 . . . went out of Chapel just after the sermon was commenced, through sympathy for one of their comrades who was being taken out for insubordination."

Fr. J.O. Godin seems defensive of the good conduct of one of the ringleaders, at least during chapel services: ". . . chief of the revolt . . . has not . . . merited to be reprimanded for his conduct in Chapel up to the day of the execution of the plot. . . . those who organize a plot are generally prudent enough to conceal their game so as not to leave themselves open to the slightest suspicion."

## *The Sounds of Music*

For Fr. Leclerc at St. Vincent de Paul Penitentiary, the provision of good music was a priority. In 1873 he reports: "On Christmas Day we inaugurated a harmonium, costing $145. The officials of the Penitentiary, with a generosity which does them honor, wished to make a gift to the chapel, and subscribed amongst themselves the sum required for the purchase of that instrument . . .

". . . while music is pleasant everywhere, beneath the roof of a prison chapel it is fraught with a charm and significance which it nowhere else possesses. With the deepest emotion, I witnessed the tears fall from the eyes of many of the convicts,

when the harmonium was heard for the first time within our chapel. How many tender and touching memories of the past may not the tones of the instrument have awakened in these poor ulcerated hearts!"

With respect to the staff's contribution of the harmonium, Fr. Leclerc admits with revealing candor his awareness of the motive behind their generosity: ". . . knowing as I do that their object in this matter was to afford me pleasure. . . ."

In 1884, Fr. Leclerc's successor, Fr. J.O. Godin, in his first report tries to obtain an adequate organ to replace the harmonium which would be clearly inadequate in a building seating 600 men. Wisely Fr. Godin does not repeat Fr. Leclerc's tactic of relying on the staff's willingness to please him, but appeals directly to the government: "Our chapel, large, handsome, and somewhat richly decorated, is well adapted to the solemnity of religious worship. Should the Hon. Minister of Public Works deem it well to make us the present of an organ. It would enable us greatly to enhance the impressiveness of our religious exercises. I hope that favour may be granted us with as little delay as possible. I trust the Hon. Minister of Public Works and his colleagues will not consider an organ in a penitentiary as a matter of luxury, or as a reward of which many of the convicts are perhaps not deserving, but rather as a means which will aid the Chaplain in accomplishing his work with much better results."

In the same year, Fr. Labbé at Dorchester makes an impassioned plea to the Inspector with an ingenious, if not wholly convincing, argument in support for music in the chapel: "Religion, well understood and well practised, is the greatest civilizing and reforming power we can find here below, and therefore we can never give too much solemnity to Divine worship.

"In my humble opinion, music is necessary in our penitentiaries, as well as in any other place of worship outside. If our good Minister of Justice was given the opportunity of attending our Divine service where he would hear good music and singing, and another service without, I am sure he should soon find the difference and make provision for the first.

"In my little experience, I can boldly affirm that the principle cause of the bad luck of a great many convicts was a want of taste for religious services. People don't want to go to Church, because there is no attraction there. They will stay away from church, be deprived of instructions and then become worthless characters. Unless we give all attention possible to the solemnity of our Divine worship, our public institutions will not fulfil their mission. If music is considered necessary in the battle field to give courage to the soldiers, is it not equally necessary in the battle field of life where we have so many enemies to contend with every day, and if the Department of Militia incurs the expense of two or more bands of music when the volunteers assemble for drill in Sussex, Shediac, or elsewhere, every year, I hope the Department of Justice will not refuse one or two hundred dollars to aid us in drilling soldiers for Christ."

Inspector James Moylan supported the chaplains who requested organs for their chapels. In his 1887 report, he assures the Minister of Justice: "I have, most earnestly, to call attention to the great drawback to the more effective and soul-inspiring celebration of religious worship that is felt, in some of the penitentiaries, from the want of instrumental music. At Kingston, the organs, in both chapels, have been played by inmates for many years.... There are no organs in the chapels of the British Columbia Penitentiary; it is time to meet this requirement.

"... The Chaplains all agree in saying, the religious exercises, without vocal and instrumental music, have little attraction for the large majority of the convicts and fail in making the same good impression which an organ and choir produce. The money is well spent, which would assist in touching the hearts and raising heavenward the souls of the unfortunate inmates of our penitentiaries on the Lord's day – if not oftener."

Even if British Columbia Penitentiary did not have an organ, Rev. C.R. Bashett, acting chaplain in 1879 recognized the need for music: "I would here record the opinion ... that especially where the silent system is used, the more responsive the service the better, and that music is a great means of reaching the hearts of men."

## *Ban on Sacraments Short-Lived*

Soon after Kingston Penitentiary was founded, the Inspectors ruled – in 1838 – that no sacraments were to be allowed, nor any other "Office of Religion," but only prayers and a sermon on "the general principles of Christianity and sound morality." By 1844, however, the Institution's second chaplain, Rev. Robert Rogers, had performed a Baptism, after "diligent instruction." He baptized eleven more between 1845 and 1848.

Rev. Rogers' successor, Rev. Hannibal Mulkins, laid claim to being the first to break the prohibition against the administration of sacraments in his day. He may have been one of the first, but he was not the last chaplain over the years to wrestle with the decision to share the sacraments of the Church with men in prison.

Rev. Mulkins had to contend with his predecessors' tradition of non-sacramental worship established at Kingston Penitentiary since it was founded in 1835. He also had to contend with the negative sentiments of some members of his own denomination – the Church of England – who opposed the administration of sacraments to prisoners, presumably because of an identification of crime and sin. In 1867 in his lengthy report he explained his policy and his problems with regard to the administration of the sacraments in Kingston Penitentiary: "After repeated applications by well-conducted convicts, I resolved, in 1862, to have the celebration of the Holy Communion here. Previously to this, it had only been administered to persons supposed to be dying. It was a new thing in this prison and occasioned many remarks and some censure from outsiders. But there was no real reason why this should not be an organized congregation, or why Baptism, Confirmation, or the Lord's Supper should

be withheld when desired by persons in a fit state to receive them. But popular feeling and prejudice were all against it."

Rev. Mulkins carefully prepared prisoners for Baptism: "Application for Christian Baptism is certainly one sign that there is a change. It is true, it may or it may not be lasting, but it indicates intention to reform. Before baptizing a person here, he is kept long on trial, and under instruction. And if he can read he remains a neophyte until he knows the Catechism, having learned the Creed, the Lord's Prayer and the Ten Commandments.

"Since 1852, when I first introduced the use of this Sacrament here, it having been thought previously a dreadful thing to baptize criminals, I have, after being satisfied with their instruction, and their repentance was sincere, admitted to the Christian Church, . . . 252 men and 20 women. In 1867, 4 men and 2 women. These were persons who had no advantages in early life of a religious nature, and I believe they had seriously awakened to a sense of their responsibility and entered earnestly upon a new life.

"However, it was done, public feeling has changed and much good has been thereby accomplished. When a prisoner really desires to be reformed, no means of grace can rightfully be withheld. Every year has added to the number of communicants."

Other chaplains have also referred to their special concern with respect to the administration of the sacraments of Christian initiation. Fr. G. Cloutier of Stony Mountain Penitentiary reports in 1884: "The leading event of the year has been the departure of the fifteen Indians, who were discharged on account of their good conduct . . . . They had been instructed in the truths of religion, and His Grace the Archbishop of St. Boniface had been so good, in compliance with an invitation, as to come and confer on them the rite of baptism. The usual imposing ceremonial made a deep impression on the susceptible imaginations of the Indians. The action of the Government in this matter is beyond all praise."

Fr. Cloutier was clearly most concerned with the fate of their souls. What he fails to tell us is that he was actually preparing them for death, as revealed in the Surgeon's report. The 15 Indians released were: ". . . suffering from hereditary disease, quite incurable, and clearly aggravated by the confinement of prison life. In spite of everything done for them . . . they grew daily worse . . . . Their condition was reported to the Department with recommendations from myself and the Warden . . . [which] led to their release."

At St. Vincent de Paul, Fr. Godin in 1884 reports a baptism: "One of the convicts who came here in the month of October 1883, came to me in February 1884, and told me that he did not know the place of his birth nor whether he had been baptized. He expressed to me his wish to be instructed, and to receive the sacraments of the Catholic Church. Being unable to procure, in relation to this convict, any other information but what he himself gave me, I baptised him conditionally on Saturday in Holy

Week, and on the following day, Easter Sunday, I gave him the Sacrament of the Eucharist."

Rev. Campbell at Dorchester in 1900 explains how he assured himself that he was deciding wisely in accepting candidates for baptism: ". . . I baptized 12 men. . . . I may add that, by way of precaution, I submitted the names of these 12 men to the warden and deputy warden, as being more conversant with the men's manner of daily life than I could possibly be. They gave them all a good name."

Rev. Campbell's successor, Rev. Byron Thomas, also was cautious about baptism. In his first report for 1907, he explains: "The ordinance of baptism has been administered in two cases to candidates, who were subjected to the required tests of Holy Scripture, and the ordinance has been withheld from at least two, who gave reasons that did not commend themselves to the chaplain."

## *Bishops in the Prisons*

The complete rites of Christian initiation for Roman Catholics and Anglicans include Confirmation of the baptized by the Bishop. Bishops are reported to have responded to the call of the chaplains to exercise this episcopal ministry in the penitentiaries when required. The Anglican Bishop of Toronto, whose jurisdiction then included Kingston, came to the Penitentiary on at least two occasions for Baptism and Confirmation. He described the visits in his reports to Synod: ". . . on the 5th of September, 1852 . . . at nine o'clock precisely, I attended at the Provincial Penitentiary. Being limited as to time by the regulations of the Institution, I directed the Litany to be read by one of my attending clergy. I then baptized twenty-two of the convicts and confirmed one hundred and one. There was not time for a sermon, but I addressed them affectionately and encouragingly as long as the time allowed. . . . They seemed willing and intelligent, and I trust many were serious and well prepared."

Three years later the Bishop of Toronto reported to Synod that: ". . . on his visit to the Penitentiary, for the purposes of Confirmation, and after stating that he had on that occasion Baptized 60 convicts and confirmed 86: – The spectacle was deeply interesting and it was hopeful. Surely it is good to feel assured that the seed sown and the word spoken will not be in vain, but will through the Divine blessing bear fruit. The numbers speak more impressively than words for the care and assiduity of the Chaplain. Indeed the decent and reverent manner in which they behaved, and the interest they seemed to take in the solemnities, proved that the Reverend Mr. Mulkins has impressed upon their minds, by sound instruction the infinite importance of the duties they were now called upon to discharge, and I trust that I am justified in believing that something of the grace prayed for was imparted."

The Anglican Bishop of Montreal also confirmed inmates prepared by the chaplain at St. Vincent de Paul. Rev. John Allan in 1878 refers briefly to his Bishop's visit that year: "The Bishop (at Confirmation) preached an affectionate and telling

sermon, expressing his great pleasure at the good behaviour and excellent singing of the men and the appearance of the chapel, and urging them to make a right use of their opportunities."

In 1869 Fr. W.J. Keilty, Acting Chaplain at Kingston Penitentiary, reports that 51 Roman Catholic inmates had been confirmed by the Bishop: ". . . these poor men are quite willing to comply with their religious duties, and fully alive to any interest taken to ameliorate their sad condition."

Fr. Leclerc presented candidates for Confirmation in 1874: "The visit of Bishop E.C. Fabre . . . was a day of note above the rest. His Lordship was kind enough to spend the Sunday, and officiated in person at the morning and evening services. The convicts were, at their own request, allowed to ornament the chapel, in order to offer the best possible reception to their distinguished guest. Fifteen of the convicts received the sacrament of confirmation, a large number received Holy Communion, and all heard from the lips of the Bishop the wisest and most paternal counsels."

In 1904, Fr. McDonald tells of his Archbishop's visit to Kingston for confirmation: ". . . Archbishop Gauthier . . . confirmed 10. He addressed them both in English and French, delivering a telling instruction of an hour's length, and expressed his very great delight at their reverent demeanour throughout the whole ceremony."

## *Nothing is Certain but Death*

Death was an ever-present fact in the life of the early penitentiaries. Rev. Mulkins provides, as usual, detailed statistics on deaths in the Kingston Penitentiary population. In his report for 1856, for example, he reports 14 deaths, "a mortality scarcely amounting to 3 per cent," a fact which obviously does not distress him, although he reveals facts which might well disturb us, namely that: "The oldest of these Convicts was 44 years of age, the youngest, 10 years. The suicide was 33." He does, however, seem concerned that: "The mortality has been very great among the Indians [10%] and Negroes [30%, in comparison to 1% among "Whites"] . . . It is remarkable and very suggestive that the ravages of death should have been so fearful among these decaying races."

Rev. Mulkins tells of his ministrations to the dying: "These Convicts were daily visited by the Chaplain, for the purpose of reading to them a portion of the holy scriptures, for religious conversation, and for prayer. They opened their minds freely to him, and, in general, professed to die in peace with man, and in reconciliation to God.

"As they were visited in their sickness, so they were attended to the grave, by the Chaplain, and their remains committed 'earth to earth, ashes to ashes, dust to dust,' until that moment when 'the graves shall give up the dead that are in them.' "

Baptism was sometimes administered as a preparation for death. Rev. C.E. Cartwright, Rev. Mulkin's successor at Kingston, reported seven deaths in 1901: "Among these, one, although a repeated offender, was baptized by his own desire and showed some evidence of a changed character."

Ministry at the time of death was clearly a major responsibility of the chaplains. Rev. Mulkins, in his first report to the new Canadian Government in 1867, reported that: "Since 1852, there have been 204 deaths, These convicts were visited daily for religious instruction and prayers. Many of them received the Communion shortly before their departure. However these persons may have lived, I believe the great majority of them died in peace."

Something of the spirit of one chaplain's ministry to the dying is conveyed in Fr. P.A. Twohey's report from Kingston in 1877: "Although the poor fellow cared but little for religion in his health, he was most penitent during his illness, and having received all the consolations of religion was perfectly resigned to die."

Fr. M. McDonald in 1910 reflected on his ministry in the presence of death in Kingston Penitentiary: "The words of Holy Writ, as found in St. Luke: 'Be ye also ready, for at what hour you think not, the Son of Man will come,' are as applicable to the inmates within the walls of the Kingston penitentiary as they are to the men living along the busy and broad road of life. Nothing so nearly touches man as his mortality. Daily he meets with objects that remind him of the frailty of human life and death. Those living inside prison walls are no exception to the rule, and from time to time the Angel of Death makes his periodical visit to our midst, in order to remind its inmates that 'it is appointed for men once to die, and after this, judgement;' for during the past twelve months no less than six men of the catholic congregation were called to give account of their stewardship before the throne of the Eternal judge of the living and the dead."

Rev. J. Roy Campbell at Dorchester characteristically was compassionate to non-Christians in need of pastoral care. He tells in his 1888 report how: "The only professed Pagan in the institution – a Lascar – died. . . . and although the deceased convict made no claim to Christianity, I still deemed it proper to hold such a service as might be fitting and useful."

Rev. Campbell's successor, Rev. B.H. Thomas, used a colourful turn of phrase to record deaths in 1910: "We regret to state that death, the grim officer of God, has thrice invaded our Protestant ranks during the year."

## *Cemeteries to Gardens*

The Upper Canada Act of 1834 had established that the bodies of deceased inmates should either be given to relatives or to the Medical Society for the training of doctors. With the high number of deaths, however, another alternative was needed. Most penitentiaries had a cemetery set apart on the property in which bodies not claimed by families could be given Christian burial. In 1896, Rev. Campbell records the dedication of Dorchester's: "During the year a piece of ground which had been duly cleared, laid out, and fenced, was set apart by suitable religious service as a burial ground for the interment of the bodies of such deceased prisoners as are either without friends

or without relatives able and desirous of obtaining the remains. On the day appointed, . . . the warden, chaplain, surgeon and such other officers as could be spared, together with the prison choir, proceeded to the lot, and then in the manner proper to such an occasion, circumambulated the ground whilst the 39th and the 90th psalms were being said. This done suitable scripture lessons and prayers followed, appropriate hymns being also sung by the choir; the whole service being most reverent and impressive."

In 1971, in a new Directive that, in future, bodies of deceased inmates should be buried in public cemeteries if not returned to their families, Commissioner Paul Faguy ordered that: "The practice of burials in penitentiary cemeteries is to cease forthwith, and the Institutional Heads are advised to purchase a number of plots in the nearest public cemetery to their institution for future use." The Commissioner recommended that: ". . . cemeteries on Penitentiary Reserves should be turned into Gardens of Remembrance and all tombstones removed. The names of deceased inmates and other pertinent information should be displayed on a suitable memorial tablet for information and record purposes.

"This should enable all plots of land so designated to be tidied up and made into permanent Gardens of Remembrance which can be maintained in a worthy manner."

Rev. Campbell would have been pleased with the end of Dorchester's cemetery. After an unsuccessful attempt in 1974 to convert the two cemeteries into one Garden of Remembrance, the project was completed in 1980 and dedicated in 1981. Between 1882 and 1971, 108 people were buried in the cemeteries, including three women who died in 1902, 1903, and 1910. Instead of their numbers, the names of all those buried are now given on the tombstone in the memorial garden.

## *Worship and Sanctuary*

If the chaplain's role has changed significantly in any respect over the years, it is most in the conduct of worship. Not only is attendance no longer compulsory, but increasingly chaplains find inmates who have little or no experience with, or understanding of, the activity of worship. This manifests itself in the difficulty of maintaining an atmosphere of sanctuary in the chapel, particularly where this space is not exclusively devoted to religious purposes.

In an age when clergy have much greater freedom in the design and conduct of worship, chaplains now can exercise creativity in the design of chapel services. The need to do so was identified by the Lowery Committee. Although assigning only 10 percent of a chaplain's time to such activity in their recommended job description, the Committee describes this function as follows:

Designs, develops, conducts, evaluates and modifies, originates, directs religious services and sacramental ministries to inmates.

Through designing and developing worship services, prayer life, liturgy, sermons, and homilies of the church relevant to the correctional milieu. . . .

Through ministry to meet unique, crisis and special situations with liturgy and worship. . . .

Through creating and maintaining a "sanctuary" atmosphere within the chapel.

Amid the competing activities, a significant number of inmates still seek out the opportunity for sharing in the worship of God. To provide this remains one of the most distinctive and important contributions of chaplaincy to the life of the penitentiary.

# 8 WILLING VOLUNTEERS

*Christians must join their ministers in working with those in prison and in aiding them upon release. Truly the problem is that the harvest is plenty but the workers are few.* [1]

The English word "volunteer" is derived from the Latin "voluntas" – the will. The French word for volunteer, "bénévole," adds the essential distinction that volunteers are people acting out of good will. Although "do-gooder" has become a term of derision, volunteers are people who consciously set out to do good. As volunteers in chaplaincy they are, consciously or unconsciously, obeying the scriptural injunction to "do good to those who despitefully use you." [Luke 6:27] The ministry of volunteers is one which chaplains require to fulfil their mandate. Volunteerism has its roots deep in the life of the Church, and volunteer ministry in prisons preceded by centuries the ministry of chaplains.

For the first 19 centuries of the Christian era, spiritual – and often physical – needs of prisoners were met almost exclusively by volunteers. Whether on their own as individuals or as designated agents of the Church, those who visited the prisoners to supply them with food for the soul and often for the body as well exercised a distinctive vocation in their communities. For those responsible for the prisons who cared little for the pastoral or physical needs of their charges, volunteer ministry might be well received, since prisoners obviously benefited from such care and thus were less of a burden to the jailer. But when the volunteers interfered with prison routine or made the public aware and concerned about the appalling conditions of prisons, they were an unwelcome nuisance or even a threat to the authorities. It has ever been so!

Once prisons became public responsibility and funded by governments, chaplains were hired to minister to the inmates. Often volunteers were dispensed with as the "professionals" took over. Some chaplains, however, recognized that they could not single-handedly meet all the needs presented to them. So whenever possible, chaplains availed themselves of volunteers to complement their ministry, as clergy do when in a parish. Some also saw the advantage of using volunteers to supplement their own ministry by supplying talents and time which they did not have, particularly for outreach to and follow-up work in the community.

[1] Gerald Austin McHugh: *Christian Faith and Criminal Justice*, p. 191.

## *Charity: A Priceless Commodity*

Volunteers are never totally "free." There is always a cost in terms of time given, talent utilized and often also out-of-pocket money expended in doing the volunteer work. In compensation, volunteers can expect to be supported in some small way by the provision of facilities, supplies and even an honorarium. Such contribution does not diminish the voluntariness of the act; the services they render are still freely given. Christian charity can never be bought or sold.

Volunteers are called to this ministry in many ways. Some come as individuals; others as members of groups, associations or agencies. It must also be recognized that "voluntary" service is often provided in prisons by organizations in the "voluntary" or non-governmental sector of society which are not purely voluntary since they are funded and employ paid staff. Such societies may or may not use unpaid volunteers who share in providing the services of the agency. Congregations lending their support to chaplaincy may number among their volunteers both paid clergy and other church workers as well as unpaid lay members.

We will find a wide range of style, form and content in the volunteer component of chaplaincy in prisons. And we can find evidence of volunteer ministry going back to the days of the persecutions as Christians sought to obey the Gospel's call.

## *"I was in Prison and You Visited Me"*

The earliest expression of Christian concern for prisoners was understandably directed towards their own brethren who were imprisoned for their faith. Hebrews 13:3 invokes the fresh memory of imprisonment during the persecutions of the Roman Empire before Constantine when it admonishes the Christian readers to: ". . . remember those who are in prison, as though in prison with them; and those who are ill-treated, since you also are in the body."

When possible, their fellow Christians visited prisoners, bringing essential food and clothing. Visitors exhorted them to persevere in their faith which they might be tempted to renounce, strengthened them with scripture and sacrament, and offered the consolations of the Church in the face of torture and death. This ministry was a visible witness not only to the faithful, but to their fellow prisoners and to their captors. When the persecutions ended and people were no longer imprisoned for their faith alone, Christians continued the tradition they had established of ministering to all prisoners regardless of their faith.

When seeking to understand their motivation, Christian volunteers may need to be reminded that they are called to a humble ministry in prisons because their fellow Christians have themselves been there, and, but for the grace of God, they might well be there too. Today as in the post-persecution years, it is our common humanity and not necessarily any common faith which is the fundamental reason for caring for prisoners.

In the New Testament and early Church, we have evidence of the witness of people of religious faith. Still we find notable examples of the impact on the prison community of many religiously-motivated volunteers. Most notable perhaps are those inmates who have experienced conversions and have themselves been called to ministry. That murderers, robbers and rapists could change into evangelists and pastors is a powerful testimony to the continued grace of God to change and use even the most hardened of his imprisoned children.

## *Saintly Volunteers*

There are a number among those canonized saints and others not formally so designated whose saintly deeds included ministry to prisoners. Some have been chosen as patrons of modern works in this field.

One of them is St. Leonard, the 6th century founder of a monastery at Noblec, now renamed St. Leonard, in southern France. He is reputed to have used his influence with his godfather, Clovis I, King of the Franks, to obtain the release of prisoners of his choice who were willing to come to live in his monastery. In this century, Leonard's name was taken by a Church-sponsored halfway house in Chicago and then by a Canadian one in Windsor, Ontario, which has expanded into the St. Leonard's Society, an association with affiliated halfway houses across the country.

Long after St. Leonard, in the early 17th century, and also in France, St. Vincent de Paul expressed his concern for the religious and moral destitution of the poor in part by meeting the material needs of galley slaves left to rot in prisons in Paris en route to the galleys in Marseilles. His name has been taken by a Roman Catholic society dedicated to working with prisoners, among other poor. The first penal institution built in Canada after Confederation was named St. Vincent de Paul Penitentiary. After a century, the Correctional Service dropped the saintly dedication for the prison in favour of the prosaic geographical designation "Laval Institution."

## *The Death Watch*

Before the formal provision of chaplaincy, as prisons were primarily holding places for the condemned, voluntary ministry was focussed on preparing the condemned for their death, just as it had for the early martyrs awaiting death for their refusal to recant their Christian faith. In England with over two hundred crimes carrying the possible death penalty until the early 19th century, prisons were one large death-house, with men and women awaiting execution, or deportation as a result of the exercise of the Royal Prerogative of Mercy.

Organized forms of caring for the religious needs of prisoners began to appear by the 15th century in Europe. In 1488 the Misericordia Order was founded. St. John the Baptist who had languished in prison awaiting sentence and then execution was its patron saint. Its members were committed to: ". . . assist and console criminals

condemned to death, accompany them to the gallows, and provide religious services and Christian burial."

Such services were needed, as those condemned to death were deemed to be excommunicated and so deprived of the Church's ministry at the time of death. On the eve of executions at Tyburn, the London place of execution, the occupants of the condemned holding room of Newgate Prison were treated to this exhortation by the sexton of the parish church – which was appropriately called St. Sepulchre's: "You prisoners that lie within, who for wickedness and sin, after many mercies shown you, are now appointed to die tomorrow in the forenoon, give ear and understand that tomorrow morning the greatest bell of St. Sepulchre's shall toll for you in form and measure of a passing bell, as used to be tolled for those at the point of death, to the end that all godly people, hearing that bell and knowing that it is for your going and your deaths, may be stirred up heartily to pray to God."

In the morning, with the bell tolling and the crowds jeering, the prisoners were transported by cart, with the noose around their chests, to the gallows. At the foot of the gallows they were required to repeat phrase by phrase, the "Hanging Psalm," better known as the "Miserere:" "Have mercy upon me, O God, after thy great goodness; According to the multitude of thy mercies do away mine offenses. Wash me thoroughly from my wickedness, and cleanse me from my sin. For I acknowledge my faults, and my sin is ever before me. . . ." Some appended a personal word of repentance, which came to be popularly referred to as a "dismal ditty." All would sooner or later have a hood placed over their heads and be led up the ladder to the hangman. Such was the official "ministry" to the condemned; it is no wonder that a voluntary ministry of compassion was evoked from non-official sources.

## *Those Who Help Themselves*

Prisoners themselves have had various opportunities to contribute support to their fellow prisoners and later to the chaplaincy which formally ministers to them. An early and unusual form of this self-help volunteerism is found in the Spanish galleys in the 17th century. At that time, it was customary for both the Christian slaves and the Moslems who had been converted while serving on the galleys to contribute regularly from their bread rations to the maintenance of religious services on the galleys. In the period 1665-74, their contribution amounted to two ounces per bench a day. Free oarsmen gave a small sum from their salaries to this fund as well, in support of the priest who said Mass for them while at sea, or in chapels they built on shore, and who buried them when they died.

At the time of the evolution of the "modern" prison in England in the 17th and 18th centuries, the practice of religion was closely regulated by the law of the land. Many were sent to jail for holding beliefs and practices which did not conform to those of the Church of England. Those who conformed to that Church, conversely,

had been similarly persecuted by the law during the years of the Protestant regime of Oliver Cromwell.

Prisoners like the dissenters John Bunyon and George Fox, imprisoned for their conscientious objection to the beliefs and practices of the Established Church, witnessed strongly to their fellow prisoners. Bunyon, a tinker by trade, became a Nonconformist lay preacher, and when the law of the land prohibiting religious services except in parish churches was invoked, he was arrested and detained in Bedford Jail for some 12 years. Spending much of his time studying his Bible, he observed: "I never had in all my life so great an inlet into the Word of God as now. Those Scriptures that I saw nothing in before were made in this place and state to shine upon me; Jesus Christ also was never more real and apparent than now: here I have seen and felt Him indeed."

While there, he wrote *Grace Abounding* and the first part of his monumental *Pilgrim's Progress*, ample proof that the grace of God cannot only sustain but even inspire men in prison.

George Fox, a Quaker, wrote in his *Journal* much about the conditions in the prisons in which he was held, and about his ministry to his fellow-prisoners. To him, the prison offered an opportunity for evangelistic work, and his greatest joy was to witness to the debtors and felons with whom he was imprisoned. He was a real "resident chaplain," ministering both individually and preaching publicly – without interference from the warders – to his fellow prisoners in the prison yard in Leicester Jail where he was confined in 1662.

In Derby, where he had spoken at a meeting without permission, Fox was put into a dungeon among rogues and felons and was kept there for half a year. His friends thought that he would never come out alive, but he himself was satisfied that God was working out a purpose through his life and work. Discovering the existence of a group of people representing different religious convictions who met for fellowship on Sundays, he attended their meetings. In Exeter he initiated such a meeting for prisoners each Sunday. While in Carlisle jail, he had to climb up to the grate-covered window where he took in food which his friends brought him. When caught and flogged he found the grace to sing, to the annoyance of the jailer.

When the State of New York built its first penitentiary in 1797, the appointment of a chaplain was voted an unnecessary expense. Instead, the institution was thrown open for evangelism by whoever would come in. If no one from outside volunteered to conduct a service, the prisoners would be allowed to sing psalms together and to hear a sermon read by one of their number each Sunday.

## *Clergy Behind Bars*

Clergy were not uncommon among the prison population in politically troubled times. Many troublesome Irish were deported to Botany Bay, Australia, in the later

18th century, and among them were clergy, both Protestant and Roman Catholic. One such was Father Peter O'Neil, who after being beaten and tortured for information about Republican activities in the late 1790s, was transported, untried and unconvicted, to Australia.

The Governor of the Colony described the arrival in 1801, one of "137 of the most desperate and diabolical characters . . . together with a Catholic priest of the most notorious, seditious and rebellious principles." Governor King, however, did allow a Father Dixon, whose conduct had been exemplary, to say Mass once a month for the Roman Catholic convicts.

Whatever their political principles, their ministry to their fellow prisoners was undoubtedly more pastoral than that of the Colony's official chaplain who also was a magistrate nicknamed "The Flogging Parson" for the sentences he pronounced on offending convicts brought before him. He and other Protestant chaplains discovered, not surprisingly, that the Irish Roman Catholics did not respond to their ministry; one was wise enough to flee when the convicts rebelled and threatened the officers of the colony.

## *The Methodists: A Strong Call to Serve*

In the mid-18th century, John and Charles Wesley, both priests of the Church of England but destined because of the intransigence of that denomination to become the founders of Methodism, obtained permission to conduct services on a regular basis in the chapel for prisoners in Oxford Castle. They led discussion of devotional books provided for the men to read. The emerging Methodists showed a strong call to ministry to prisons. In Newgate prison, a courageous ministry by Charles Wesley and John Bray saw them elect to be locked in the cells with ten men sentenced to death, and then to ride with them in the hangman's cart to the gallows, so that the atmosphere of prayer and fellowship might sustain them during their last moments on earth.

On their travels throughout Britain, the Wesleys continued to visit prisons and madhouses to preach, pray and relieve distress, until the tide of public opinion turned against them and they were banned from both prisons such as Newgate and insane asylums such as Bedlam. John Wesley observed: "We are forbid to go to Newgate for fear of making them wicked, and Bedlam for fear of making them mad." His brother Charles, however, continued to compose hymns and prayers for the use of Newgate's prisoners.

Methodist women, too, shared in their volunteer prison ministry. Sarah Peters was given permission to visit a condemned man in Newgate, and joined by several others awaiting execution, all were prepared to welcome death. She too accompanied them to Tyburn, the place of execution, where the usual crowd of onlookers were startled to find the condemned and their evangelist singing of divine mercy and peace. She died soon after, of fever contracted in the prison.

Silas Told, another Methodist, ministered for 25 years in London area jails, following the examples of the Wesleys and Sarah Peters. He extended the ministry from singing and praying at the gallows to arranging for Methodists to provide the shrouds and coffins for the funerals and caring for the widows and orphans. The Lord Mayor of London recognized his work, but throughout Told remained a volunteer prison evangelist. Writing in his journal on Dec. 20, 1778, John Wesley said: "I buried what was mortal of Honest Silas Told. For many years he attended the malefactors in Newgate, without fee or reward; and I suppose no man for this hundred years has been so successful in that melancholy office. God had given him peculiar talents for it; and he had amazing success therein. The greatest part of those whom he attended died in peace, and many of them in the triumph of faith."

## *Elizabeth Fry and Sarah Martin*

In 19th century England, Elizabeth Fry, a distinguished woman in London society and a member of the Society of Friends, came on the scene as a religious volunteer visitor. What she did has been called "the most epoch-making incident in the history of our prisons." However, a contemporary of hers, the Reverend John Clay, Chaplain at Preston Gaol from 1821 to 1843, describes her as "a spiritual dictatress among the Quakers"! She was not the last volunteer to threaten the institutional chaplain because the ministries of chaplain and volunteer were not properly coordinated to the greater benefit of both. Tension between statutory and voluntary provision of many services is to be expected, and a study of chaplaincy reports shows only the tip of the iceberg. But when the tension is healthy and both sides recognize the necessity and value of the other, then together they can provide a ministry that neither could on its own.

Today, we know the name of Elizabeth Fry because her example has inspired the voluntary organization which honours her name. Elizabeth Fry Societies have often provided religiously motivated people an opportunity both for service and advocacy on behalf of women in trouble with the law.

Fry was introduced to prison work by an American Quaker man visiting Britain in 1813 who had been discouraged from entering the female section of Newgate. He had become concerned about the children born in prison, and Fry responded to his appeal for clothing for them. Following her example, "Ladies Committees" were established for visiting prisons to help, for example, by supplying women inmates with knitting supplies, and marketing their handiwork so that they had a few pennies on release.

Four years later, Fry returned as an evangelist, for 23 years devoting one day per week to her prison ministry. As a mother of ten children, she was well received by the mothers in the prison. As a woman of society, she generated great interest and concern for prisons over several decades. Travelling with her husband throughout Britain and the continent, she gained access to prisons to read scriptures not only

*Elizabeth Fry entering Newgate Prison.*

to the women but also to the men. Her witness provoked church authorities to take prison ministry seriously, though she continued to upstage the male chaplains the authorities appointed.

Elizabeth Fry was not the only volunteer – and not the only or even the first woman – involved in prison ministry. History's almost exclusive focus on her has obscured others. Another exemplary woman volunteer was Elizabeth Fry's almost forgotten contemporary, Sarah Martin. She was moved to minister in prisons, and in 1819 began to teach child prisoners in Yarmouth Prison to read and write, the Bible and the Church Catechism being her prime resources. She also became involved in leading Sunday services. Prison Inspectors noted that she was an eloquent preacher – and this was certainly an era when women were never found leading services or preaching. Although she initially devoted only one day per week to prison ministry because she had to earn a living, Anglican and Quaker friends assisted her financially, and prior to her death in 1843 she was devoting full time to the prison. At her death, the Bishop of Norwich said: "Could I canonize Sarah Martin I would do so."

## *Canadian Clergy: A Wellspring of Volunteers*

The Canadian prison volunteer experience has been in many ways similar to that which we have examined above. While we do not have much documented evidence about how individual chaplains came to that ministry, we do know that some came following, and as a consequence of, exposure to prisons as volunteers. Indeed, chaplains in recent years have encouraged such activity specifically as a means of recruitment for the future.

The first Roman Catholic chaplain at Kingston Penitentiary, Rev. Angus MacDonell, began as a volunteer in 1843 and was finally appointed officially, with salary, in 1846. The Rev. W. Cogswell, chaplain in 1845 to the Provincial Penitentiary for Nova Scotia which was to be taken over by the federal government at Confederation in 1867, tells how he served first as a volunteer: "Although my appointment as Chaplain to the Penitentiary dates only from the 1st of November last, my attendance upon the Institution for the purposes of Religious instruction has been of longer standing. In visiting the unhappy men, who were convicted of the piracy of the Saladin, and executed during the past summer, I became interested in the other inmates of the Institution and being desirous of improving the case of those who were under sentence of death to the benefit of their fellow prisoners, I performed Divine Service on every Sunday and sometimes on a week day, during the time that those men were confined there. I am not without hope that by the blessing of God, the aweful warning suggested by their case produced a salutary impression upon the minds of some of those who were confined for much lesser crimes."

At Dorchester Penitentiary in 1905 a group of four local clergy were called upon to continue the work of Rev. J. Roy Campbell who had served so faithfully for 22 years as Protestant chaplain. One of the volunteers, Rev. Byron H. Thomas, was subsequently appointed chaplain.

Throughout the decades, other clergy have played an important volunteer role in support of the staff chaplains. In 1864 the Halifax City Prison Committee noted that: ". . . on the Sabbath day two clergymen benevolently inclined attend to perform the Service respectively of the English and Roman Catholic Churches, giving such good advice and moral and religious instruction as they may deem proper."

In 1881 Inspector James Moylan recognized: "The Protestant chaplain is at liberty to invite clergymen of other denominations than his own, to visit and instruct the prisoners. With his sanction, the Warden permits them to hold services for convicts belonging to their respective communions, at the prescribed hours, on the days mentioned. Rarely, so far as I have heard, is this privilege, to outside ministers, embraced. The cause of this, doubtless, is that the hours appointed for religious exercises in the Penitentiary conflict with those during which the reverend gentlemen are occupied, elsewhere, with their clerical duties."

The Directors who had responsibility for the penitentiaries before the appointment of Inspector Moylan had wrestled with the problem. In their Report to the

Minister of Justice for 1873, they explained the situation in considerable detail, giving as their rationale for limiting volunteerism their desire to protect the convicts and the staff: "In addition to the services rendered by the Chaplains, clergymen of the various Protestant denominations can, at suitable hours, obtain permission from the Warden to visit and exercise their ministration among those convicts who may express a wish to that effect. This can be done without at all interfering with the rules and regulations of the penitentiary. We may, however, be permitted to state here that applications have been made to the Ministry of Justice, by certain reverend gentlemen, to sanction the holding of religious services by them, on Sunday, at hours that would not only be inconvenient, but would altogether subvert the rules and discipline of the institution. No objection or difficulty is interposed between these gentlemen and the object they desire to accomplish, provided they conform to the time set apart for religious worship.

"This, however, does not appear to suit their convenience, and they ask for separate hours for their own special accommodation. Let us see what this would entail. Either the convicts who would attend this special service should also be present at the regular service of the appointed chaplain, or they should be locked up in their cells, under the surveillance of a sufficient number of guards or keepers. Assuming the first hypothesis as the more likely, the convicts desirous of the ministrations of a clergyman of their own denomination would first be obliged to be present at the Church of England service, which usually occupies an hour or more; and, soon after, they would be called upon to take part in other exercises which would, most probably, continue as long as the former."

The Directors were concerned about the inmates being subjected to an "overdose" of religion: "And it is proposed to hold this two-fold religious service twice every Sunday to as many of the convicts as may volunteer to attend. In all seriousness, we ask of the poor prisoners, who have been toiling all the week, and who eagerly look forward to Sunday as a day of relaxation and repose, cheered and sanctified by the religious observance – within bounds – would willingly submit to the trying ordeal of four long hours in the chapel? With all due deference to the reverend gentlemen who so considerately volunteer their services at special hours on Sundays, we venture to say that upon the conclusion of the first or regular service, . . . after the first emotion, which the gifted eloquence of any one of them would excite, has subsided – would fail to produce any good impression upon his over-wearied audience. It is only necessary for any reasonable man to place himself, in imagination, in the position of the convict, to realize how irrational and extravagant is such a proposition.

"On the other hand, suppose the convict to be locked up in their cells during the hours of Divine worship at nine and two o'clock, what then? They are brought to the chapel at eleven and three o'clock, the respective periods of the Sunday indicated by the reverend gentlemen in question. They lose the walking exercise which is taken every Sunday after the morning worship, and which is so essential to the health of

the prisoners. Again, in the afternoon, the service would extend till four o'clock or after that hour. By the time the convicts would be locked up in their cells it would be very near five. The guards, keepers, and the higher officers would be thus deprived of the whole of the only day in the week allotted to them for rest and domestic enjoyment.

"Viewing the case either as it effect the convicts or the employees, the Directors fail to see any proper grounds upon which the application can be entertained."

Kingston Penitentiary chaplain, Rev. Conway Cartwright, did not see the volunteer situation as a problem. He reported that he accommodated visiting clergy by waiving the right of preaching on alternate Sunday afternoons to clergy of other Protestant churches in succession. He invited Baptist, Free Kirk, Wesleyan, Church of Scotland, and Primitive Methodist clergy. Three accepted.

Some parish clergy did seek the opportunity of ministering to inmates of their own denomination. In 1909 the Protestant Chaplain at Alberta Penitentiary reports that: "The Church of England clergyman asked for the privilege of holding a monthly service on a Sunday afternoon and it was granted."

By 1907 the Protestant chaplain at Kingston penitentiary noted that: ". . . our chapel services have been attended by several clergy and laymen who gave excellent sermons and addresses." The following year the Protestant Chaplain at Dorchester Penitentiary notes that neighbouring pastors assisted at Thanksgiving, Christmas and Good Friday.

Not only the Protestant but also the Roman Catholic chaplains were permitted to invite other clergy to assist them. Fr. Joseph Leclerc of St. Vincent de Paul Penitentiary mentions in 1873: "In order to avoid monotony, I occasionally invite strange priests to celebrate the offices or to give instruction. . . ." Fr. Alphonse Desmarais, at the Penitentiary in Edmonton, in 1908 reports that: "Many private visits were paid to the Roman Catholic convicts by priests coming from different parts of the province of Alberta." His successor, Fr. A. Daridon, in 1911 reported that: ". . . the Ruthenian convicts have been attended to several times by a priest of their rite." A year later he reports that he had brought in a German priest as well.

## *Lady Volunteers: Not Always A Welcome Sight*

When we think of volunteers, we normally think of lay people, not clergy. Prison authorities, however, have not always been anxious to have lay volunteers in their institutions. Douglas Stewart, Inspector of Penitentiaries for the Department of Justice, gave a paper at the National Prison Congress in October 1905 on Prison Discipline. In it, he said of chapel volunteers: "The lay evangelist, lady visitor and tract distributor are philanthropists . . . who do not realize the fact that their visits are not conducive to good discipline. They seem to be under the delusion that the moral needs of prisoners are absolutely neglected. . . . It is not necessary that the sunshine of the philanthropist's

presence should be securely bottled and labelled 'for criminals only'. . . . It is useless to explain that the state has already supplied a chaplain whose sole duty is to look after the spiritual needs of the prisoners – that he understands criminal character and has made a special study of the methods of instruction likely to be most effective. . . ."

Stewart and his colleague Inspector G.W. Dawson quoted with approval in their 1904 Report part of a paper delivered at the National Prison Congress in 1903 by Warden Haddox of Western Virginia: "A reasonably rigid censorship ought to be exercised over the contributions of outsiders to the chapel service. The influence of sightseers and idle visitors to prisons, always bad, reaches the acme of perniciousness in the chapel services, if unrestrained by prison officials of experience and firmness, who are in a position to know that sickly sentimentality is the worst pablum to offer men already too eager to justify their evil deeds."

The potential harm of having lay people in the prison had been recognized and protested in the very early years of Kingston Penitentiary. They were not exactly volunteers in the sense we use the term today; in fact, they paid admission to visit the prison – male adults at 1s.3d. each, and females and children at the reduced rate of 7-½ d. each! Chaplain Robert Rogers, seldom one to shrink from speaking out, gave this opinion in 1844 on the effects of the practice on the inmates: "The Chaplain desires to record his conviction of the injuries to the moral senses of the convicts, arising from the prevailing practice of the admission of visitors, specially to those of the females. The language of another does not fall short in its description of what has taken place amongst us: 'The throng of visitors is incessant, and becomes to the prisoners a perpetual exhibition to gaze at, to draw them from their labour, and relieve the tediousness of confinement.' One of two consequences must follow – to render the mind callous, or unnecessarily to wound it. The effects on the females is beyond measure injurious. Visits of every kind should be few as possible, chiefly official."

## *Musical Volunteers*

Lay volunteers in the early years were welcomed as assistants at worship services. They were usually brought in to act as organists or soloists, or to lead the inmate choir. Chaplains may have involved them as far back as the 1860s, since in 1870 Fr. W.J. Keilty, chaplain at Kingston Penitentiary reports that he has "dispensed with strangers in the choir."

Fr. Lederc at St. Vincent de Paul praises his volunteer organist and choir director in 1881: "The singing of the offices, and the musical accompaniments are such as to leave nothing much to be desired, particularly since a lady in the village, an excellent musician, offered her services gratuitously to play the harmonium. Besides the offices

*Sr. Marguerite Somers, Mountain Institution, one of the first women chaplains.*

of Sunday, at which she invariably attends, Madame Proulx makes it her duty to come and assist at the repetitions [rehearsals] which take place once or twice a week."

The Protestant chapel also had a volunteer organist. The *Montreal Gazette*, reporting on a visit by the Anglican Bishop of Montreal for Confirmation and Communion in 1886 tells its readers: "The singing, led by a young lady of the neighbourhood, who played the harmonium, and who, with her sister, was afterward among those confirmed and the communicants, was really admirable."

In 1892 Inspector Moylan recommends to the Minister of Justice: ". . . an increase to the small stipend granted to the eight organists in the four penitentiaries who now receive $50 each a year, for training and practicing the choirs, in addition to their attendance on Sundays and holidays. . . . The Chaplains are unanimous – without any preconceived agreement – in recommending an increase to the organists. . . . It is not too much to say that $100 per annum, is well earned by the respective organists."

Most of the volunteer (and later, minimally paid) organists were women, but there are indications very early that some of the problems attendant on women volun-

teers in a male prison were already experienced by the chaplains. In 1897 Protestant Chaplain J. Roy Campbell at Dorchester reports that "the position of organists has been taken out of female hands; and whilst the change is felt to be prudential, I shall always gratefully acknowledge the good work done by Miss Forster." A year later, he says ". . . after a year's experience of the change, I am well satisfied that where he may be had, a male organist is to be preferred." Mrs. LeBlanc, however, continued at the organ in the Roman Catholic Chapel.

At Kingston Penitentiary the tradition of involving outside musical groups is first identified in the Protestant Chaplain's report for 1904. In that year, "Chapel services from time to time consist of song services with special music by invited musicians from the city taking part." By 1911, musicians from Kingston are referred to as "old friends," present a good many times during the year. Other distinguished visitors sang in the Penitentiary chapel in 1906, when "members of the Westminster Abbey choir visited us and charmed everybody with their beautiful singing."

Kingston Penitentiary Protestant Chapel also heard two Members of Parliament and the Mayor speak at regular services in 1911.

## *The Chapel of Discussion*

In the 1950s, chaplains launched more into resocialization programs for inmates. In Stony Mountain the program was called "Citizens Forum." Professor Nesbitt of the University of Manitoba undertook to organize speakers on topics, such as Russia and Northern Canada, for discussions held in the chapel every Sunday.

At Kingston Penitentiary, in the mid 1960s the Protestant Chaplain, Rev. John Nickels, began a number of initiatives which were to attract such favourable attention at the Headquarters of the penitentiary system that he was brought to Ottawa in 1968 in a lay capacity as Head of Social Development. In 1965 at Kingston Penitentiary, he launched "Operation Omnibus" which sought: ". . . to develop inter-personal relationships between selected inmates serving long sentences and responsible, well-established citizens of outside communities. It is hoped that by developing channels of communication of this nature it will, in at least some instances, foster a better appreciation and understanding of what socially acceptable standards are, with the end result of assisting these individuals on bridging the gap between prison and community."

In the chapel at Kingston Penitentiary, Padre Nickels, as he was called, marked off a section which he called "The Chapel of Discussion." Here groups of inmates could meet at noon hours with speakers invited in from the community.

To assist volunteers to meet with families visiting men in Kingston area institutions, Rev. Nickels in 1967 secured a room in the Anglican Diocesan House in the city. Furnishings and decorations were donated by churches and business firms.

## *Volunteers: A Recognized Need*

In the early years, there are few intimations of lay volunteers being involved outside the chapel. The possibility, however, is implied in the report of Fr. Leclerc at St. Vincent de Paul in 1880. In a discourse on the benefits of the silent cellular system, he says: "Having removed the criminal from pernicious influences, put him, as often as you possibly can, in communication with the Keepers, the Chaplains, charitable visitors, etc. Surround him with good company. When this shall have been done you will be entitled to look for his amendment." There is no indication in the voluminous reports of Fr. Leclerc, however, that he involved volunteers, other than occasional visiting priests, in his chaplaincy.

Fr. Leclerc did, however, recognize the need for volunteers to help prisoners after their release, and expresses concern in his report for 1873: "Alas! Why have we not here what now exists in almost all countries – societies for the assistance of discharged prisoners? Let us hope this will come in time." By 1878 it seems that no one had taken up the challenge he gave, so he comes back to the subject again in his report. "At the risk of being tedious I must return this year to this important subject. There can be no complete penitentiary system without protection to discharged convicts, nor any sufficient security against relapse. The charitable societies have for their object to follow up the convict after his discharge, to find him employment, and to assist him by counsel or by pecuniary help when he is in want. Wherever these societies have been established, they have done an incalculable amount of good, and have reduced the number of relapses to a very small figure. I am, therefore, of opinion that, if the Government would patronize an institution of this kind, it would be easy to cause it to work to advantage."

Chaplains sometimes called on their own families and friends for volunteer help. The Protestant Chaplain at St. Vincent de Paul, Rev. James Fulton, in 1889 reports that he asked personal friends to procure coats for men discharged in winter.

Notwithstanding the direct contribution of individuals to chaplaincy, organizations were needed to undertake responsibility for much of the volunteer work required, particularly in aftercare.

## *Volunteer Organizations: A Willingness to Serve*

Voluntary organizations have played an important role in chaplaincy, and likewise chaplains have been instrumental in encouraging the formation of such groups to serve as adjuncts to their ministry. Others have been offshoots of Church-related agencies. One such is the Prison Arts Foundation which encourages the creativity of inmates and brings both recognition and markets for their works. It was founded by members of the Board of St. Leonard's Society who in 1972 created the independent

Foundation, moving it out of the Society which focusses on halfway houses. Chaplains, community clergy and other Church people have continued to support this work.

Chaplain W. Cogswell by 1845 had taken advantage of the willingness of church-related societies to provide necessities, in this instance books, for his inmates: "I have procured a grant of Books from the Diocesan Church Society, from which the addition of a number of Volumes from the publications of the Religious Tract Society, purchased by myself, I have provided a small library of moral, religious, and otherwise instructive works, for the use of the prisoners. By means of the same grant from the Church Society, and a grant from the Bible Society, each prisoner who wishes it has been supplied with a Bible and Book of Common Prayer." The British and Foreign (now the Canadian) Bible Society remained throughout the decades the principal supplier of scriptures, but The Gideons also helped.

## *YMCA and Others Provide Warm Words and Coats*

A century ago, when the Young Men's Christian Association (YMCA) was more committed to the pursuit of its founders' overtly religious goals, Protestant chaplain Rev. John Allan at St. Vincent de Paul acknowledges that the Montreal YMCA is: ". . . worthy of much commendation for the deep interest they take in the spiritual and temporal interests of the prisoners."

Chaplain C.E. Cartwright in 1879 noted in discussing the problems of rehabilitation of an ex-inmate: "Concerning this man, a gentleman connected with the Y.M.C.A. in the city where he is, writes to me that getting but little work, and that sometimes for his board alone, he has been living on 15 cents a day when out of work in his anxiety to keep out of temptation."

The YMCA had been active several decades before in the Halifax Prison which they visited on Sunday afternoons, but their ministry had been restricted because two clergy conducted services on Sunday mornings. The Prison Committee in 1862 resolved: "that the Governor of the prison shall not be required to muster the prisoners for religious worship oftener than twice on the Sunday. That the visits of the agents of the Young Men's Christian Association may be continued as heretofore in the afternoon of that day but only for the purpose of seeing and conversing with the prisoners in their wards and reading the scriptures to those that may desire it."

Chaplains called on the assistance of existing organizations for help for inmates, particularly on discharge. Rev. James Fulton, Protestant Chaplain at St. Vincent de Paul, in 1889 refers to a: ". . . special committee of the Lay Helpers Association of Montreal who secure shelter and employment for men on expiration of sentence." In 1893 he acknowledges: ". . . the assistance given by the Prison Gate Mission in taking charge of men wishing to reform and earn an honest living." In 1903 Chaplain John

Rollit mentions in his report: ". . . the good work done by the Prisoner's Aid Society, assisting in getting work, meals and shelter, pecuniary assistance, warm overcoats, kindly words of counsel."

## *Salvation Army and Canada's First Parole Program*

In 1903 officers of the Salvation Army were officially recognized in supporting roles with chaplaincy, having been granted by the Minister of Justice free access to the five federal penitentiaries then in existence. However, even before this, services were being conducted in Kingston Penitentiary on a fairly regular basis, where Mrs. Major Blanche Read was the first woman to preach to the inmates. The Army had, of course, been involved in criminal justice in England since its founding, and in Canada since it began its work here in 1882.

In 1903, Rev. J. Roy Campbell reports that at Dorchester: ". . . by permission of the Minister of Justice, Major Archibald of the Salvation Army addressed the prisoners. I hope that the old and familiar truths daily taught the prisoners received fresh impulse and deepened impression from being uttered by a new voice."

The Warden of Stony Mountain Penitentiary recognized in 1907 the social service and rehabilitation role of the Salvation Army when he told in his annual report of: ". . . the splendid services rendered by Col. Pugmire and his local staff in providing assistance to all discharged prisoners and in helping them secure employment." By 1911, at that same institution, Salvation Army meetings, deemed "helpful and interesting" are a regular occurrence, and: ". . . their prison gate officer helpful in securing employment and helping them to start life afresh in honest toil."

Brigadier W.P. Archibald, a prison work officer with the Salvation Army, was appointed the first Federal Parole Officer, establishing a system which became the basis of Canada's first parole program. Thus, "The Army," as it is affectionately known, was by its officers and volunteers involved throughout the entire criminal justice system, from arrest, through courts, jails, penitentiaries and aftercare. It was a caring answer to the rhetorical question posed by their founder, General William Booth, in London England in 1890: "Who will give these men a helping hand? What is to be done with them? When the criminal comes out of the gaol, the whole world is but a press [an instrument of torture] whose punishment is sharp and cruel indeed. Our prisons ought to be reforming institutions, which should turn out men better than when they entered the doors. As a matter of fact they are quite often the reverse."

## *Mennonites – A One-To-One Commitment*

In recent years, the religious organization which has done most to mobilize both its own members and those of other denominations is the Mennonite Central

Committee, Canada. It has sponsored volunteer projects in most parts of Canada which have made a great impact on the criminal justice system. Their victim-offender reconciliation projects have gone right to the roots of restorative justice.

Mennonite churches initiated direct ministry in prisons, beginning in the 1960s with individual ministers being commissioned by their Conferences to visit institutions. This ministry was expanded by the establishment of halfway houses. One-to-one visitation programs for inmates lacking outside contacts have brought thousands of committed Christian volunteers into both provincial and federal institutions, exercising a very basic ministry of caring.

The one-to-one model of prison visitation was adopted, and later adapted, by Mennonites in British Columbia in 1966 from the pioneering ministry begun in Washington State by the Rev. Richard Simmons. He originated a man-to-man program with the object of helping inmates find jobs on release. The Canadian programs sponsored by the Mennonite Central Committee have not limited their participants to members of Mennonite Churches, but have attracted similarly motivated Christians from many denominations. And no religious requirements have been made of the inmates served; their need alone for a concerned visitor has been the criterion for involvement.

Under various names – M/2, for "man-to-man," P/2, for "person-to-person," W/2 for "woman-to-woman" – the work has spread to provinces from British Columbia to Quebec, with volunteers serving most of the provincial and federal institutions in those provinces.

## *A Rainbow of Volunteer Agencies*

In the later 1970s, influenced by the example and writings of convicted U.S. "Watergate" conspirator Charles Coulson, Canadians formed Prison Fellowship Canada to provide religiously-motivated volunteers to befriend inmates and ex-inmates and their families, lead Bible teaching seminars in institutions, conduct pre-release workshops and provide post-release employment follow-up. The organization's work, with volunteers trained and supervised by the staff of regional chapters, has spread across most of the country.

Although there have long been well-established voluntary agencies, the needs of inmates and ex-inmates seemed insatiable. In 1915 Fr. A. Martin, chaplain at St. Vincent de Paul, had great hopes for a new society which does not seem to have survived the passage of time: "The attention of the religious and civil authority is now being attracted towards a most beneficent organization, destined to produce much good and contribute sensibly to decrease criminality in this country, I mean the 'League of Honour', organized in view to procuring assistance to the liberated convicts, to find them work, and facilitate by all means their rehabilitation. We are justified to think that this 'League' must begin to recruit its members within the

walls of the prison or penitentiary. That could be a powerful help to discipline, as well as an inducement to thoughts and reflections leading to the reform of life."

The John Howard Society is not a religious organization, but in some parts of Canada people motivated by their faith have played a leading role in its foundation and support. In British Columbia, a succession of clergy have served as its Executive Directors. One of the best known in his day was the Rev. J.D. Hobden. He and a Roman Catholic priest, Fr. A.F. Carlyle, visited British Columbia Penitentiary together regularly in the early 1930s for the Society, working closely with the chaplains in that institution. Hobden's own visits as a volunteer to the British Columbia Penitentiary, however, had started some years before the creation of the John Howard Society.

The needs of ex-inmates for housing after release has been an ongoing concern of chaplains, knowing that many of their charges had no families to return to on discharge. The Salvation Army provided and still provides temporary shelter in its Men's Hostels. Other churches began to organize to provide halfway houses, such as the Anglican Diocese of Toronto's Beverley Lodge in the late 1950s, the United Church Winnipeg Presbytery house in the early 1960s, St. Leonard's House, Windsor, in 1963, and the Mennonite Central Committee Manitoba's Grosvenor Place in 1971.

Alcoholics Anonymous (AA) is a program with a significant faith component. As it was introduced into penitentiaries, its activities frequently came under the responsibility of the chaplain, and the Commissioner's reports in the 1950s routinely refer to AA in the report on religious activities.

## *Chaplains Launch Volunteer Services*

In the mid 1950s Fr. Harold Bedford, chaplain at Stony Mountain since 1940, began to formalize the involvement of Mrs. McIvor and other individual volunteers. "When I first came, it was grim," he explained. "The inmates needed help, and I wanted to reach out, but my arms were not long enough. Then, the volunteers came to our rescue." He recruited members of the Third Order of St. Francis to assist in his work, particularly in the community. They visited homes of inmates to try to improve relationships between inmates and their families. In support of this work, they organized a transportation committee to take wives and families who had no way of getting from Winnipeg to Stony Mountain.

Fr. Bedford's work became more widely known as he was invited to speak to church groups, some of them outside his own denomination. Other volunteers, including a number of Protestants, started attending his monthly meeting with the Franciscan tertiaries.

In the late 1960s, provincial prison chaplains also recognized the need for the services of volunteers. Roman Catholic, United Church, Anglican and Mennonite chaplains and their volunteers formed The Chaplains' Volunteers, to serve both federal

and provincial inmates through their chaplains. Their work in the community expanded to include new roles such as one-to-one friendship, employment, sale of inmate handicraft, and the provision of clothing for discharged inmates and their families.

Volunteerism became an initiative of CSC chaplaincy across Canada in 1975 when the Ontario Regional Chaplain, Rev. Ron Nash, was assigned to undertake a study of chaplaincy volunteers and to prepare materials for use throughout the Service for the more effective management of volunteer programs. He produced a folder of information materials for chapel volunteers, dealing with the question of motivation, volunteer roles, programs, and training. It also addressed issues such as age, character, experience, personality, education, religion, families, women, minorities, and ex-inmate volunteers.

In 1984 an experienced and much respected Quaker volunteer, Muriel Bishop, conducted a study of the relationship of inmates, volunteers and chaplains in the Ontario Region. The study explored both the variety of volunteer involvements and some of the issues they raised for chaplains and other staff.

In 1983-84 as a Special Initiatives project, the Chaplaincy Division of CSC commissioned the production of a Volunteer Program Management Manual for Chaplaincies. Recognizing that the management of volunteer programs requires knowledge and skill if it is to be effective, and that poorly directed volunteer programs are counter-productive, the manual provided chaplains with some tools to equip themselves as managers of volunteers.

### *Christian Council for Reconciliation*

In the Atlantic provinces, many concerned people of various denominations were looking for ways to share with prison chaplains in their ministries. Church, musical, youth and social groups as well as many individuals have taken the time to seek opportunities to become involved in chapel programs. Many of the volunteers expressed the desire to get together, to share their experiences, to be trained and to coordinate their efforts. The result was the formation of the Christian Council for Reconciliation (CCR) under the leadership initially of Rev. Pierre Allard, chaplain at Dorchester Penitentiary. The Council took its name because the theme of reconciliation is the biblical basis for the volunteers' strategy: the desire to promote reconciliation between the inmate and God, the inmate and his brother, and the inmate and himself.

The Council has affiliates outside the Atlantic Provinces, both in the Montreal area serving Quebec Region penitentiaries, and in Kingston. In that city, Project Reconciliation, originating as an offshoot of a project for youth in Hamilton, has for a number of years operated a drop-in centre for ex-inmates, and has provided one-to-one and group meetings in the various penitentiaries in the area.

The CCR has branched out, now supporting other projects such as community chaplaincies and prayer support for inmates and their chaplains. In the Maritimes, much of the training for volunteers, as well as for community clergy and chaplains, has been provided by Rev. Dr. Charles Taylor of Acadia University, a pioneer in the Clinical Pastoral Training movement. He regularly leads volunteers and inmates at Springhill Institution in "Marathon" sessions. He and his wife have been honoured by the Correctional Service for their decades of volunteer work.

In Moncton, the CCR was responsible for establishing the Little Lighthouse, a drop-in centre for ex-inmates needing fellowship and support after release. In Springhill, Nova Scotia, the Council has established Spring House, a hostel home for families and friends visiting inmates at the nearby institution. The activities of Rev. Allard as Regional Chaplain, and the local Maritime chapters of CCR, led to the establishment of Community Chaplaincies for Ex-Offfenders in Fredericton, Moncton and St. John, partly funded by the Correctional Service, but with significant local volunteer support.

Throughout the Atlantic Provinces, and spreading now across the country, the CCR encourages churches to designate and observe a "Prisoners' Sunday," providing theme materials and leaflets to help Christians focus on ministry to offenders. Chaplains, inmates, ex-inmates, and volunteers offer themselves to churches as guest speakers.

Inmates and volunteers join in other activities which help deepen their Christian journey and witness together to the church and the community. Shared projects help inmates build their self-esteem. Beginning in 1976 and spreading through the institutions of the Atlantic Region and beyond, inmates and volunteers annually share in a major fast on Holy Thursday and Good Friday. During the 30 hours observance, the participants join in singing, bible study, meditation, prayer, worship and sharing of their faith. Participants and outside supporters pledge financial support for projects sponsored by the inmates and volunteers; thousands of dollars have been raised for the support of children in Third World countries.

## *Inmates Too Can Serve*

Like the galley slaves of Spain, inmates too serve in their own ways as volunteers in the chaplaincy which ministers to them. In 1878 the first Protestant chaplain at British Columbia Penitentiary, Rev. C.R. Bashett, reports: "The prisoners seemed to like the music and took great pains with their part. One of them . . . learnt the harmonium that he might lead the choir."

In 1892, as well as recommending pay increases for the outside organists, Inspector Moylan recognized the contribution of inmates: "It was also proposed to allow to the two convict organists in Kingston penitentiary the sum of $10 each a year, to be deposited in the Post Office Savings Bank until the discharge of the one and the other."

We might expect that inmates would be required to do maintenance work in the chapels, as elsewhere in the institution. But they also applied their unique talents there, undoubtedly achieving a much greater sense of their own self-worth thereby. In Kingston in 1889, they painted seven large illuminated texts on the walls of the Protestant chapel. In 1888 inmates in Dorchester Penitentiary, reported the Protestant Chaplain, J. Roy Campbell, had painted and refitted the chapel under the superintendence of the chaplains: ". . . and, if the work has not all the truth, power and finish of a Titian or an Angelo, . . . it at least has cost nothing beyond the materials."

In 1906 in the Protestant chapel at Kingston Penitentiary, the Chaplain reports that one of the inmates contributes to the life of the chapel as an artist, organist, and solo singer, as well as his work assignment as sexton. The inmate in question may be the one who in 1909 is reported to have composed an oratorio "David," which had been sung by the choir several times that year. Other talents of inmates were offered to enrich the chapels. In 1893 the Protestant chaplain at Kingston Penitentiary reported that: ". . . the sweet toned organ . . . has been covered by a very handsome case, the work of Convict Whale."

## *Staff Help in Chapel Services*

It comes as somewhat of a surprise that prison staff and members of their families in the early years were often chapel volunteers in various capacities. Staff seem to have supported chaplains not only as a matter of duty but also out of devotion. In 1902, Fr. M. McDonald at Kingston Penitentiary acknowledges: ". . . the kindly interest taken by some of the guards while assisting at Mass and Vespers on Sundays and holy days is certainly a very great help to me." In 1904 the Protestant Chaplain at St. Vincent de Paul acknowledges the kindness of the wife of the Deputy Warden who provides flowers for the altar.

On Sunday, July 18, 1880, just four days after the arrival of the first prisoners from St. John at Dorchester Penitentiary, the first Sunday services were held. The Roman Catholic service was led by a volunteer from among the staff of the institution, Chief Keeper Kieffe. The Roman Catholic chaplain arrived soon after, and by 1882 tells of a guard's wife directing the choir and notes: "She has already succeeded in forming quite a large and efficient choir and we have at present both singing and music on Sunday at Mass."

A year later, he has even more praise for her, and criticism for the government: "Much credit is due to Mrs. LeBlanc, our indefatigable organist, for all her trouble and hard work in training the convicts to sing, in playing the organ and singing herself every Sunday, without hope of any remuneration. Where shall we find, in our days, a person who will be willing to work 'gratis' a whole year for the public good? In what Department of the Dominion Government is to be found a clerk or an officer without receiving ample remuneration for this work? Last winter the

Rev. Mr. Campbell and myself made our joint application to the Department of Justice for a small sum for our organists, but we had the sorrow of a refusal."

The subject of appropriate if token remuneration for organists and choir directors appears regularly in the history of chaplaincy right to the present day.

The involvement of the wives and daughters of the wardens and other staff as organists and choir directors was common in many prisons. In 1879, the Protestant Chaplain at British Columbia Penitentiary refers to the daughter of one of the warders replacing an inmate who had been discharged, as organist. The first Protestant Chaplain at Dorchester Penitentiary in 1880 recognizes the daughter of the Warden and the Matron for leading choir practices and Sunday singing. The organ in the chapel was loaned by the Chaplain himself. By 1883 he is claiming that: ". . . the quality of the musical part of the service has risen above that of the average church choir."

In British Columbia Penitentiary by 1897, the Protestant Chaplain reports: ". . . music led by Instructor Disney on the organ, and Keeper McKee on the clarinet." In 1899, the Protestant chaplain at Stony Mountain reports: "Guard Ward still aids us in the service of sacred song." We read of an ecumenically-minded staff volunteer in the Roman Catholic chaplain's report for 1910 in Alberta Penitentiary: "One of the officers of the institution has kindly volunteered his services as organist and has now for nearly a year played every Sunday for both Protestant and Catholic services."

## *The Steadfast Female Volunteers*

In the women's section of Kingston Penitentiary, women volunteers carried out a ministry of unique duration. In 1874 the Chaplain reports: "Mrs. Cartwright Sr. continues Saturday classes for females, as she has done for 30 years." That would indicate that her work started in 1844, within the first decade of the life of the prison. Similar work is going on almost a century later, as in 1935 the Protestant chaplain for Kingston Penitentiary who also serves the now separate Prison for Women, reports that: ". . . ladies lead a weekly Bible class as has been the custom for many years." In 1967, he reports: ". . . 8 ladies from the community visit twice per month for one hour of dialogue with selected inmates in the Protestant chapel."

With the changing times, this gathering probably differed significantly from Mrs. Cartwright's Bible class, but the legacy of Mrs. Cartwright lives on. That women might best minister to women inmates was recognized by Rev. D.G. McQueen, chaplain at the short-lived Alberta Penitentiary in Edmonton. In 1908 he reports: "In addition to the regular services, a special service is held for the female prisoners by ladies of the Women's Christian temperance Union under the direction of the chaplain."

## *Edna "Ma" McIvor: 50 Years of Service*

We find another woman, this time in Manitoba, who started her volunteer ministry to prisoners almost a century later than Mrs. Cartwright, and continued for half a

century, surpassing Mrs. Cartwright's three decades. She was Edna McIvor, better known to five decades of inmates of Stony Mountain and satellite Rockwood Institution as "Ma." Mrs. McIvor's first contact with inmates came in 1933 when her husband John accepted a job as a guard at Manitoba Penitentiary, as Stony Mountain was officially known. There was no church in the village where the McIvors first lived, so Mrs. McIvor, a devout Roman Catholic, received permission to attend Mass every Sunday in the institution provided she sit in the loft of the chapel.

When the McIvors moved to a residence on the Penitentiary's reserve in 1937, she started to invite inmate work gangs in for tea and cookies. "They had no coffee breaks in those days," she later commented. She began to take inmate handicrafts to church bazaars and other events, so inmates would have money to send to their families and to buy more handicraft materials.

"Ma" McIvor's activities included playing the organ in the Roman Catholic chapel, taking part in chapel discussion groups, playing bridge, attending social functions for families as "family" which she most certainly was for many inmates who had no other.

In 1979 when the Commissioner's system of awards for staff was extended to non-staff persons, the first to be honoured with the Citation for Meritorious Service was Edna McIvor. On that occasion, one of her "boys" summed up what her loving service had meant: "For 46 years she made at least three trips a week, 52 weeks a year. She was there every Sunday at chapel. Every man who comes in contact with Edna becomes a millionaire without buying a lottery ticket." This remark was particularly appropriate, for in her later years she presided at the lottery ticket booth in Winnipeg's International Airport terminal!

In 1981, Governor General Edward Schreyer presented Mrs. McIvor with the Canada Medal in recognition of her almost half-century of volunteer services to the penitentiary. When she died, she was uniquely honoured by the Correctional Service. On January 3, 1983, her body was carried back to the Chapel, eight of "her boys" serving as pallbearers, for an ecumenical memorial service in which inmates, volunteers, the warden and his staff and the Deputy Commissioner participated. The CSC's official tribute spoke eloquently of the witness of volunteers such as Edna McIvor: "... In an era when people tend to overindulge in either cynicism or naivety, Edna was able to see people's potential without being blind to their faults. As a result she challenged all who came in contact with her to achieve the best of which they were capable. Her faith was a tangible, vibrant part of her being, and as such, generated faith in others....

"... By her deeds, administrators learned to lead by example. Staff learned that caring is essential, and inmates learned that redemption is a reality. All of us learned that to live and let live is not enough and to live and to help others live is not too much."

*Edna McIvor.*

## *Volunteers of Tomorrow*

The witness of dedicated volunteers in both the past and the present gives all the proof needed that volunteers can be co-workers with chaplains, making a unique and significant contribution to the life of inmates.

The doors of the penitentiaries are open to responsible volunteers. The Correctional Service encourages citizen participation as a means of making its institutions more truly responsive to the input of the community. Involvement of volunteers in the work of chaplaincy is one way in which the churches and other religious bodies can take greater part in ministry to the spiritual and related needs of inmates. With the leadership of qualified chaplains, continued and increased incorporation of volunteers will strengthen and expand this work in the future.

# CONCLUSION:
# A PAST – AND A FUTURE

*A Christian carries with him an unquenchable hope in the power of God to renew all things and, more particularly in the light of the Resurrection of his Son, in his power (and desire) to raise and redeem and renew all men. In the strength of this ultimate and universal hope for mankind, the Christian is able to bring a spirit of hopefulness into every human situation, not least into that of the Prison Service, where there is so much tension, pain and temptation to despair.* [1]

This study has undertaken to let the chaplains of the past tell the story of their ministry in Canada's penitentiaries. We have seen ample evidence that they have fulfilled the fundamental commission for such work given in St. Matthew's Gospel 25: 31-46: "I was in prison and you visited me . . . Inasmuch as you have done it unto one of the least of these my brothers you have done it unto me."

The Gospel imperative to visit prisoners is non-specific; it does not tell us what to do to, or for, or with them. It calls only for a ministry of presence, and indeed chaplains have always been there, available both to the inmates and staff, thanks to the provision of positions by the government and the cooperation of the chaplains' religious authorities. But we have seen that chaplains have generally not contented themselves with a merely passive role in the institutions. They have been active participants in the system, both with respect to their pastoral ministry, and to their prophetic calling.

Although bringing about lasting change in individuals may have been an idealistic goal, the chaplains' commitment to their mission compelled them to treat all inmates with compassion and dignity, in the perpetual hope of their eventual reformation – and salvation. In their ministry, they were usually encouraged and supported by penal administrators. As good citizens of their day, these men generally acknowledged the legitimate place of religion in society. They perceived sufficient evidence of its benefits to individuals and so to the correctional system to support a policy of providing chaplains to care for the spiritual needs of the inmates committed to their care in the penitentiaries.

On the evidence presented in this study, each reader will have formed some subjective opinions of the contribution of chaplaincy to the life of Canada's peniten-

[1] "The Prison Ethos", Prison Service Chaplaincy (England), p.7.

tiaries. It is only right that the work of chaplains should be evaluated. Can this be done objectively? The past must always be examined in the light of the values and expectations of the time. To judge the past by the standards of the present is unfair; it is equally wrong to judge the present by the standards of the past.

Responsible religious authorities no longer seek exemption from the scientific or value judgments of society. Chaplaincy must be willing to undergo careful scrutiny, not only as to its past record but to its value to the system and so to society in the present and future. Although firmly rooted in the history of corrections, it cannot rely solely on its roots; it must be judged also by its fruits.

What can we conclude about the chaplains of the past? Has their presence merely hallowed the walls built so effectively to keep the inmates in and society out? Were they so much a part of the system that they were, in the vernacular of the inmates, "screws in a different uniform"? Were they merely content to be their brothers' keepers, however humane? Or did they manifest an appreciation of the deep theological reality of being first and foremost their brothers' brother? Did they show any recognition of the inherent evil in depriving fellow human beings of their freedom by imprisonment, however benevolent the penal regime in which they participated? Were they authentic prophets, seeking to bring about fundamental changes in the system? Did they ever challenge the value to society of imprisonment, and so postulate its abolition? These are questions which can easily be left unasked in a superficial reading of the record of chaplaincy's past. It is too easy to be a "Little Jack Horner" – stick in our thumb, pull out a plum and say "What a good boy am I!"

## *As Long As There Are Prisons*

In the recent past, the Correctional Service has, in the jargon of the times, recognized chaplaincy as an "essential service," one which along with food and medical services must be provided for all inmates. It has also included it as a "core program," one which has priority in the allocation of space and resources, and in the scheduling of inmate activities. This affirms the government's acceptance of its statutory and moral obligation to provide for the spiritual well-being of inmates. More importantly, it also testifies to the credibility of chaplains whose ministry is appreciated at all levels of the system. It does not necessarily reflect any assignment by government officials of a higher priority to religion in the institutions than it has throughout society at large, although most chaplains may well have a higher profile in their institutions than many clergy do in their communities.

Changes in the place of religion in society, and renewal in the religious world's own definition of its mission in the world, inevitably bring about changes in the understanding of the role of chaplaincy in corrections. Less than ever are chaplains content to focus exclusively on changing inmates to conform to social or even to religious norms of behaviour. Chaplains recognize the importance of ministering to the needs

of the families of inmates, of ex-inmates and families after release, and of the staff of institutions. Without caring for these vital participants in the correctional process, caring for the inmates alone can be an exercise in futility.

While chaplains recognize the social ills which produce criminals – and, in society's reaction to its failures, prisons – they are not content simplistically to absolve the offender and lay the blame on the society which produced them. Religiously motivated people cannot overlook the need for personal responsibility and personal reformation. Nor can we ignore the reality of our existing prisons, however strenuously we may advocate their ultimate abolition.

We cannot promise only "pie in the sky when you die;" we must also provide bread on the earth while you live. "The poor you have always with you," said Jesus; prisoners, also, in an imperfect, fallen world. As long as there are prisons, there must be chaplains.

## *A New Theology*

A new Christian theology of prison ministry is being lived out in the practice of chaplaincy. Because it is less simplistic than old theologies, it is more difficult to articulate, but chaplains are increasingly being called on to give an account of the faith that calls them to prison ministry, and so are thinking theologically about prisons and the work of the church in them and in the community.

Central to this renewed theology is the realization that the ministry of Christ was – and therefore is – to all people, everywhere. However one cares to classify and categorize them, the church must care for all sorts and conditions of people: high and low, rich and poor, powerful and powerless, good and bad. Everyone has a shared – if at times unidentified – need for healing, for liberation, for forgiveness, for community, for restoration. Where there is human need, there Christ leads his people and assigns them specific tasks of ministry. If there is to be a bias, it must be towards the poor.

An American theologian with prison chaplaincy experience, Richard A. Symes, in a challenging article entitled "A Ministry Among the Imprisoned," puts it this way: "There is in our society no more isolated, alienated, estranged, scape-goated into the wilderness, in-need-of-reconciliation, bereft of community, class of people than the imprisoned. If, as St. Paul claims, God is at work overcoming those antagonisms, the hostility and the alienation in the world, then surely he is enlisting us in this service among the imprisoned."

Symes helps us recognize that the old values remain unchanged; it is the application that must be forever new: "Christians and others who care what happens to the imprisoned differ on the extent and quality of the change possible in human beings. They differ, sometimes radically, over which forces and influences produce and inhibit change and the ends for which change is sought. Most important of all,

they differ over the degree to which individuals must be changed to fit society's expectations of acceptable behaviour and the degree to which the society must be forced to change its own expectations of acceptable behaviour.

"Despite these serious disagreements, Christians and others who care about prisoners share the conviction that even the most harshly judged members of our society, even those whose behaviour deviates most sharply from society's norms, have value and worth as persons. Moreover, they are in agreement that the value and worth can be salvaged, that human beings can be turned around, can be redeemed, can be reintegrated into the life of several kinds of communities in ways that will allow them not only to function, but also to contribute to those communities."

To minister to society's offenders requires renewed faith in the power of faith to change lives. Chaplains are called to serve in secular institutions to people of many religious faiths, and of none. Today's chaplains are united by a deep commitment to understand the relevance of an unchanging faith in an ever-changing world and especially in its evolving penal institutions. They must embody a theology which can support their ministry.

## *The Last Word*

Since the intent of this study has been to let the chaplains speak, it is only appropriate to give the last word to a chaplain. That he was a Protestant delivering this prophetic and yet pastoral meditation in a Roman Catholic Church says much about progress in religious tolerance in chaplaincy, as elsewhere in the religious world over time.

The occasion was special, an ecumenical Commemorative Service on June 1, 1985, in the Church of the Good Thief. It was held to mark the 150th anniversary of the founding of Kingston Penitentiary, just down the road, where Rev. Dr. Don Misener had ministered for a decade. His homily is worth quoting at length, as it expounds the theology which explicitly or implicitly motivates the ministry of most chaplains today. Rev. Misener spoke of the new understanding of the biblical themes of justice, peace and reconciliation and hope, and the need for their application in our justice and corrections systems, reflecting on texts from the prophet Micah, from Jesus, and from the Apostle Paul:

"God has told you what is good;
and what it is that the Lord asks of you?
to do justice
to be steadfast in you love
to walk humbly with your God.
Micah 6:8

"Most Canadians assume, when they use the term 'justice,' that their understanding of the term is consistent with the interpretation of the Christian scriptures. This is

not the case. Within the Judeo-Christian tradition, doing justice has less to do with finding appropriate penalties for offenses that characterizes our criminal justice system, and more to do with making right what has been disturbed, making peace – achieving 'shalom.' The predominant thrust is one of restoration of harmony to relationships, a regaining of wholeness in community. So long as there is alienation between the offender and the offended, community is broken. And so long as community is broken there can be no peace. Reconciliation is not optional, it is essential, for justice to be done. . . . As a corrective policy, isolation of persons from the community is doomed to failure.

"The justice the prophet Micah talks about is not so much the arrival at an impartial decision between two parties based on a legal norm that characterizes Canadian law. Rather it has to do with a protecting, restoring, helping action which reaches out to those who have had their right taken from them, to enable them to regain it. Punishment of the evil-doer is not an end in itself – it is an integral part of restoration. Restoration of community is the goal.

"The achievement of this goal is a demanding task. 'To be steadfast in your love and to walk humbly with your God' are not romantic add-ons to make it sound religious but essential components of doing justice without which justice from the Judeo-Christian perspective will not be done. Community will be left fractured and fragmented. The marginalized imprisoned will remain marginalized inside and outside. The hostility that alienation fuels will flourish. The vicious cycle will roll on and the destruction of community will continue. Currently we are becoming more aware of the critical ecological balance essential to life on this planet; more slowly are we coming to appreciate the critical balance of relationships within the human family that is equally essential for human life on this planet.

"Jesus said: 'Blessed are the peacemakers;
God shall call them his sons (and daughters).'

Matthew 5:9

"God's justice is most clearly demonstrated in his saving acts on behalf of persons whereby the covenant relationship is restored. Our well-being has to do with the acceptance of God's action and the response of giving as we have received which is the call to become peacemakers. The One who is our peace calls us forth to become persons who bring peace to others – the peace of reconciliation and restoration to community, the peace of acceptance and affirmation which gives meaning and inspires purpose – peace that encourages self-esteem and responsibility in relationships, peace that is anchored in hope. This peace is noticeable for many of us by its absence. All of us know the more common spiritual awareness of hopelessness, meaninglessness, and cynicism. The technological world is very intimidating – the complex systems we have created threaten to become our jailers, the bureaucracies we develop to

increase efficiency erode our humanity. Many within the Correctional Service of Canada find themselves teetering on the brink of powerlessness and despair . . .

"The fear, anxiety and despair powerlessness prompts, tempts us to champion the way of intimidation as a substitute to peace. Some go as far as to associate intimidation with peace . . . This is at the opposite pole from the definition of peacemaker the Christian faith asserts. The call to peacemaking is an invitation to commit ourselves to wholeness of community, to risk relationship, to trust, to invest, 'to be steadfast in our love and to walk humbly with our God.'

"All occupations test commitment to this way of living. Some occupations test it more keenly than others and the work of corrections is a particularly difficult test. No human being was ever created to be the keeper of another. We are created to be our neighbour's neighbour, our brother's brother, our sister's sister. As a result our work is especially dangerous spiritually. The temptation of cynicism in our work, of depersonalization and self-protection is great. The cost however is much greater – to go this way costs us our humanity. The way of peacemaking, while the most demanding option, is in the last analysis the only alternative we have. "All other ways are sinking sand."

"The apostle Paul writes:

'God has reconciled us to himself through Christ
and He has enlisted us in this service of reconciliation.'

II Corinthians 5:18

"Alongside the vision of dignity and compassion I would add two more words for our day, the vision of reconciliation and hope. Gradually we are coming to realize that all of humankind are created in relationship to one another. Marginalization is becoming more offensive and thus we find ourselves facing the demands of those we have been able to marginalize because of our greater numbers or economic resources or political power. Sexism, racism, 'class-ism' is being challenged. I believe this is a sign of growth within the human community and a sign of hope. To exclude any one person from community is to endanger not only that person's humanity, it is to endanger the humanity of the community. Our work as persons in the field of corrections in 1985 is the work of reconciliation. It is in this work we will find hope and be hope to prisoners, their families, the victims of crime, fellow-staff, our families and friends.

"The achievement of reconciliation will not be easy for the dividing wall of hostility between the offender and the offended is massive. While it is not the easy way it is a way that affirms and inspires hope. The scriptures advise us that without a vision people perish.

"What is no less true is that without hope for the future people also perish. Whatever personal hope that arises out of individual professional aspirations and

material goals is wearing thin as a source of hope and the longing for global hope within the human community is growing. The way of reconciliation is to embrace a hope that transcends individual aspirations and connects us to the community in a life-giving, life-sustaining way. It is the direction God is calling us. It is a way which will enable us to recognize and correct the course that has fallen short of dignity and compassion. It is a way which will encourage the establishment in the Correctional Service of Canada of a community of hope which can face with courage and perseverance the dividing walls and in the darkness discern a light for the journey."

This study has been concluded just as the Government of Canada has accepted a Mission Statement developed by the Correctional Service of Canada. It states: "The Correctional Service of Canada, as part of the criminal justice system, contributes to the protection of society by actively encouraging and assisting offenders to become law-abiding citizens, while exercising reasonable, safe, secure and humane control."

In the new light of this corporate Mission, chaplains will continue to fulfil their distinctive vocation, sharing the values of justice, peace, reconciliation and hope which have characterized the mission of chaplains throughout history.

# APPENDIX I

# INTERFAITH COMMITTEE ON CHAPLAINCY INTERIM POSITION PAPER, MARCH 31, 1971

THE NATURE OF MINISTRY

An ordained minister is the representative of the community of faith. As such, he must be faithful to the teachings of his particular church, its ways of worship, ethics and morality and their application to society and life. This involves leadership in worship including sacraments or other comparable holy rites; teaching and study of the content of holy writing; applying those teachings in prophetic criticism and comment upon current events and customs; and giving to individuals a sustaining pastoral support in their personal lives by helping them to understand the faith and to appropriate its strength and insights for themselves.

NATURE OF MINISTRY IN A CORRECTIONAL SETTING

Such a ministry carried on in a correctional setting is faced with a number of anomalies. The Judeo-Christian heritage is one of liberation. The restrictive setting of a correctional institution contradicts this and may even suggest that the chaplain is a representative of that restrictive setting. Because his ministry is carried on in a restrictive setting the chaplain tends to regard it as confined to that setting. The church at large tends to operate on the principle of "out of sight, out of mind," and to forget about supporting the ministry of the penitentiary chaplain. The end result is a sense of remoteness or isolation which is damaging to the chaplain and to his ministry.

In the context of the correctional setting the ministry of the Church is carried on through the person of clergy duly ordained by their Churches and employed by State authorities. Hence the correctional chaplain is responsible to two authorities, his Church and the State.

So long as he remains a clergyman in good standing in his Church his ordination vows require that he be responsible to his ecclesiastical authorities concerning his status as a clergyman. With regard to the conduct of pastoral matters in the particular territory where the correctional institution concerned is located, he is responsible to his church authority which includes that territory. In matters requiring the support and collaboration of the surrounding religious community he is dependent

upon the goodwill of his own and other local religious authorities. For the Church, he is their agent acting in a given milieu as minister of the Word and Sacraments, educator in religious matters, animator regarding the consequences of acceptance of religious instruction and pastor within the institution to the whole correctional community, both inmates and staff.

In the exercise of his ministry the chaplain should enjoy status equal to that of other professionals attached to the penitentiary. He should be regarded as a departmental head. For the integrity and validity of the chaplaincy service rendered in the penitentiary the administration must accept the fact that the chaplain is dependent upon and responsible to his church authorities. For administrative purposes he is responsible to the Warden and through the Warden to the Canadian Penitentiary Service, for effective discharge of the function set forth in his job description and with respect to the necessary operating rules of the institution.

. . .

Underlying the above analysis are a number of presuppositions which give rise to related consequences:

## *A. Dual Relationships*

PRESUPPOSITIONS:

1. The church has a pastoral responsibility to its members wherever they may be, including prison. The church co-ordinates its work among these in the penitentiaries through the person of the Chaplain.
2. Chaplains have both administrative and ecclesiastical responsibility.
3. As employees of the Canadian Penitentiary Service chaplains are Civil Servants and subject to the regulations of the Public Service Commission and the Canadian Penitentiary Service.
4. In order to be eligible to hold such a chaplaincy position, including any supervisory chaplaincy position, a man must first be ordained and/or licensed by the denomination to which he belongs and must continue in that relationship to his denomination throughout his employment in the Penitentiary Service.
5. From the above it follows that a man's ecclesiastical superiors are involved in his selection and appointment as a penitentiary chaplain and in his ministry as a chaplain.
6. When a chaplain is appointed to an institution which is not within the ecclesiastical jurisdiction to which he belongs, more than one set of officials and fellow clergy are involved in releasing and accepting him both officially and personally.

CONSEQUENCES:

1. The Churches must accept responsibly their involvement in the selection and appointment of all chaplains, including the Chief Chaplain.
2. The Government authorities concerned need to recognize and accept the role and authority invested by the Churches in the Interfaith Committee with regard to penitentiary chaplaincy.
3. Job descriptions for the positions of chaplain and chief chaplain need to be worked out in collaboration with, and in terms satisfactory to the Churches.

. . .

5. As part of the process of selection and appointment of chaplains steps should be taken to ensure that the intended appointee will be acceptable to the local denominational authority (cf. Consequence 1 in Ecumenical Relationships)

## *Ecumenical Relationships*

PRESUPPOSITIONS:

1. For the validity of his ministry and his own spiritual health the chaplain must be involved in a meaningful relationship with his own denomination as well as ecumenically with other Churches.
2. Protestant chaplains are expected to act in a co-ordinating role on behalf of the Protestant community as a whole.
3. Complications may arise with respect to the ecumenical community and its acceptance and support of newly appointed chaplains whether they come into the chaplain service to the particular post for the first time, or whether they come to the particular post by lateral transfer from elsewhere in the Service.

CONSEQUENCES:

1. As part of the process of selection and appointment of chaplains steps should be taken to ensure that the intended appointee will so far as possible be capable of working with the ecumenical community. (cf. consequence 5 in Dual Relationship)
2. Steps would be taken to facilitate the entry of the newly appointed chaplain into the local ecumenical community.

. . .

# APPENDIX II

# PARTIAL LIST OF CHAPLAINS BY INSTITUTION

* indicates chaplains mentioned in this book.
\# 1916 is the end of chaplains' annual reports but the chaplain may have served longer.
Fr. indicates Roman Catholic.
Rev. indicates Protestant.

Active chaplains are not included, unless they are mentioned in the book or are part of Headquarters staff where the lists are complete.

KINGSTON PENITENTIARY

| | |
|---|---|
| 1836-43* | Rev. William MacCaulay Herchmer |
| 1843* | Fr. Angus MacDonell (20 years total) |
| 1843-49* | Rev. Robert Vashon Rogers |
| 1850-74* | Rev. Hannibal Mulkins |
| 1869-71* | Fr. W. J. Keilty |
| 1869-70* | Rev. Charles Pelham Mulvaney, acting |
| 1873 | Fr. J. H. McDonagh, assistant |
| 1874-84* | Fr. P. A. Twohey |
| 1875 | Fr. D. J. Casey |
| 1875-03* | Rev. Conway Edward Cartwright |
| 1887-88* | Fr. Denis A. Twomey |
| 1889 | Fr. John S. Quinn |
| 1890* | Fr. James Vincent Neville |
| 1891* | Fr. Thomas Kelly, acting |
| 1892-98* | Fr. James Vincent Neville |
| 1898-24* | Fr. Michael McDonald |
| 1903-12* | Rev. Arthur William Cooke |
| 1913-16#* | Rev. Ogilvy Graham Dobbs |
| 1924-39 | Fr. W. T. Kingsley |
| 1939-51 | Fr. M. J. Brady |
| 1940* | Rev. William Ennis/Innis Kidd |
| 1951-74 | Fr. E. J. Way |
| 1962-68* | Rev. John Nickels |
| 1966* | Rev. Ted Van Petegem (assistant) |
| 1974- | Fr. A. C. Hendrikx |
| 1975-86* | Rev. Don Misener |

ST. VINCENT DE PAUL (OPENED 1873)

| | |
|---|---|
| 1873-83* | Fr. Joseph Ulderic Leclerc |
| 1873-89* | Rev. John Allan (at Prison du Bas Canada from 1866) |
| 1883-86* | Fr. Joseph Octave Godin |
| 1887-12* | Fr. Lazare Olivier Harel |
| 1889-95* | Rev. James Fulton |
| 1896-97* | Rabbi H. Veld |
| 1896-16#* | Rev. John Rollit |
| 1912-19* | Fr. Anatole Martin |
| 1919-22 | Fr. Charles Emile Rosaire Caron |
| 1922-33 | Fr. Alfred Pageau |
| 1933-38* | Fr. Philibert Dalpé |
| 1938-42 | Fr. Alfred Pageau |
| 1942-60 | Fr. Rosaire Préville |
| 1960-83 | Fr. Lionel Dupuis |
| 1983-84 | Fr. Gilles McDuff |
| 1984-88 | Fr. Normand Voisine, OFM, CAP |

HALIFAX PENITENTIARY

| | |
|---|---|
| 1845* | Rev. W. Cogswell |
| 1855-76* | Rev. Henry Pope |
| 1869-77 | Fr. Thomas U. Daly |
| 1877-80 | Rev. Alex Romans |
| 1878-80 | Fr. John Canon Carmody |

ST. JOHN PENITENTIARY

| | |
|---|---|
| 1865-80* | Rev. George Schofield |
| 1869-72* | Fr. Thomas Connolly |

1873-80* Fr. Antoine Ouellet (assistant in 73, 74, 76)
1875-77* Fr. Joseph F. X. Michaud

DORCHESTER PENITENTIARY (OPENED 1880)

1880-83* Rev. Richard Simonds
1880-89* Fr. Edward E. Labbé
1883-05* Rev. John Roy Campbell
1891-14* Fr. A. D. Cormier
1906 Revs. Edwin Hall, Byron H. Thomas*, C. H. Manaton, Joseph McNeil, acting
1907-16*# Rev. Byron H. Thomas
1914-15* Fr. Dismas J. LeBlanc, CSC
1977-85* Rev. Pierre Allard

MANITOBA PENITENTIARY (STONY MOUNTAIN)

1872-81* Rev. Samuel Pritchard Matheson
1875-80* Fr. Albert Lacombe, OMI
1875-76* Rev. W. H. Moore
1876 Rev. Abraham Cowley
1881-82* Fr. J. B. Baudin, OMI
1882-86* Rev. Frank T. W. Greene
1883-04* Fr. G. Cloutier
1886-97* Rev. Arthur William Goulding
1898-1907 Rev. F. M. Finn
1905-13* Fr. Arthur Beliveau
1908-16*# Rev. S. W. L. Stewart
1914-16# Fr. Joseph Victor Joubert
1940-68* Harold Bedford, SJ
1976-85 Fr. Camil Dufort, SMA

B.C. PENITENTIARY (OPENED 1878)

1878-79* Rev. Charles Robert Bashett
1879-88* Fr. Edward M. J. Horris, OMI
1879-92* Rev. R. Jamieson
1889-91 Fr. Frederic Guerin, OMI, BC
1892-93* Fr. W. M. I. Morgan, OMI
1894-96 Rev. Herbert H. Gowan
1895-96 Fr. J. J. Whelan, acting
1896-97* Fr. J. M. Fayard, OMI
1897-03* Rev. Thomas Scouler
1898-02* Fr. Charles DeVriendt
1903-07 Fr. Edmond Peytavin, OMI
1904-16*# Rev. A. E. Vert
1908-10* Fr. E. Lambot, OMI
1911 Fr. W. F. M. McCullogh, OMI
1912-14 Fr. Ed. Maillard
1915 Fr. L. Choinet, OMI
1916# Fr. H. P. Bressette
1949-78 Fr. Jim M. Barry
1966-80 Rev. Tom Speed

ALBERTA PENITENTIARY (EDMONTON)

1907 Fr. A. Thérien
1907-16*# Rev. D. G. McQueen
1908* Fr. Alphonse Desmarais, OMI
1909-10 Fr. P. Cozanet
1912* Fr. A. Daridon, OMI
1913 Fr. J. A. Ouellette
1914-16# Fr. J. A. Ethier

SASKATCHEWAN PENITENTIARY

1914-16*# Fr. Emile Pascal, OMI
1914-16# Rev. James Taylor
1925-30 Fr. L.J. Daoust (ass. 1925-26)
1934-61 Fr. L.J. Daoust
1961-89 Fr. Ghyslain Gaudet
1966-74* Rev. W. F. Payton

COLLINS BAY INSTITUTION (OPENED 1928)

1928-33 Fr. J. G. Clancy & Fr. M. J. Brady (part-time)
1933-69 Frs. Hector Daly, SJ, F. X. Boyle, SJ, Norbert Bradley, SJ, F. P. Devine, SJ
1949-54 Rev. Minto Swan
1966-67* Rev. Malcolm Stienburg
1969-73 Fr. G. McCormick, CSsR
1973- Fr. Joseph Crawford, CSsR

PRISON FOR WOMEN (OPENED 1930)

-62 same Catholic Chaplain as at Kingston Penitentiary
1962-68 Fr. R. J. Fleury
1968- Fr. Jerome Rozon

LECLERC INSTITUTION (OPENED 1961)

1961-88 Fr. Gérald Primeau

COWANSVILLE INSTITUTION
(OPENED 1964)

1964-74* Rev. David McCord

WARKWORTH INSTITUTION
(OPENED 1966)

1966-69* Rev. Ted Van Petegem

SPRINGHILL PENITENTIARY

1968-75* Rev. Paul Crosby

JOYCEVILLE INSTITUTION (OPENED 1960)

1960-68 Fr. Henry Smeaton, SJ
1968- Fr. A. C. Hendrikx

MILLHAVEN INSTITUTION (OPENED 1971)

1873-74 Fr. A. Gadouas, OMI
1974- Fr. Joseph Crawford, CSsR

REGIONAL HEADQUARTERS ATLANTIC

1977-87* Rev. Pierre Allard
1987- Rev. Alf Bell (acting till 1988)

REGIONAL HEADQUARTERS QUEBEC

1975-80 Fr. René Dufort
1980-84 Fr. Robert Sauvé
1981- Fr. Gabriel Savignac
(acting till 1984)

REGIONAL HEADQUARTERS ONTARIO

1976-87* Rev. Ron Nash
1987- Rev. N. Barton

REGIONAL HEADQUARTERS PRAIRIES

1973-79* Rev. W. F. Payton
(on contract from 1975)
1979-81 Rev. Alf Bell
1981- Rev. A. Bablitz

REGIONAL HEADQUARTERS PACIFIC

1976-78 Rev. James M. Barry
1978-88 Rev. Tom Speed
(acting until 1982)
1988- Rev. David Hilderman

NATIONAL HEADQUARTERS

1968-79 Rev. John Nickels
(Chaplain General from 1969)
1975-81 Rev. Paul Crosby (Assistant Chaplain General – Training until 79, acting Chaplain General 1979-81)
1981-82 Fr. Gabriel Savignac
(acting Chaplain General)
1982-87 Fr. R. M. Tardiff
(Director, Chaplaincy)
1982-86 Rev. J. T. L. James
(Associate Director – Training)
1986- Rev. Chris Carr
(Associate Director – Training)
1987- Rev. Pierre Allard
(Director, Chaplaincy)

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Back cover photo: W. Alan Newell

## THE AUTHOR

Before settling in Bracebridge, Ontario, in 1988, the Reverend Canon J.T.L. James served in Ottawa as Associate Director of Chaplaincy for the Correctional Service of Canada. Ordained in Gravenhurst in 1959, he served as Incumbent of the Lake of Bays Mission before undertaking non-parochial ministry. He served as the Provincial Chaplain for Corrections in the Province of Manitoba, and then directed volunteer programs for Manitoba Corrections. Later he was Program Director for the Diocese of Edmonton. He is now the Anglican member of the Ontario Interfaith Committee on Chaplaincy and Secretary-Treasurer of the Correctional Service of Canada's Interfaith Committee. Canon James is a member of the Citizens' Advisory Committee for Beaver Creek Institution and is Honorary Assistant at St. James' Church, Gravenhurst.

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