



**Research Article**

**A STUDY OF THE INDIAN AND CANADIAN MODES OF PRISON REHABILITATION**

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**ABSTRACT**

The paper looks into the prison discourse and consequent trauma that the inmates undergo in such conditions. Taking into consideration two films, *The Spirit Within* in the Canadian context and *Muktodhara* in the Indian scenario, this paper looks into the rehabilitation of prisoners in the prison space in India and Canada. The paper tries to elucidate on the discourses that stems from the prison space and on measures taken by the prison and how Canada and India has subsequently strategized rehabilitation of prisoners. Following an analytical methodology it seeks to understand the comparative methods in the Indian and Canadian prison systems and questions the relevance of literature and other art forms in the rehabilitation.

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**INTRODUCTION**

Incarceration is a long and tiresome process. It tends to affect a person in multiple ways. The ‘body’ of the prisoner is subject to liminality both in terms of the biological and the metaphorical. The apparent reductive nature of prison life and its consequent inhibitions to the bodily self in absolute terms affect the expression and quality of life once the tenure is over for prisoners. Many of them are ostracized, and some again fall into the vicious circle of criminal decadence. “Indeed, whether called rehabilitation, reform, treatment, or something else, efforts to change people have long been central to the state project of punishment, albeit in ways that vary greatly across time and place.”<sup>1</sup> This paper aims to read the rehabilitation procedures that prison systems offer in both India and Canada respectively as also engage in a comparative mode in understanding them.

India and Canada are novices when it comes to rehabilitation programs of the prisoners. A large number of the prison population consists of the deprived, a result of segregation at various levels. While in India the numbers soar when it comes to the lower castes, in Canada, the indigenous people suffer at the hands of the system. Both in India and Canada, rehabilitation forms a necessary part of the prison process so that these prisoners do not go back to their same old criminal records. Suvarna Cherukuri in her book "Women in Prison:

An Insight into Captivity and Crime" talks about the dilemma of representation of prisoners, "How should feminist scholars represent women who abuse, harm or hurt others?"<sup>2</sup> This becomes a pertinent question when it comes to rehabilitation of these prisoners, be it men or women. Discrimination and societal unacceptance are more than evident when it comes to relocation.

**COMPARATIVE METHODS**

In Canada, the process of healing within the community is the *leitmotif* of most of the indigenous population. Canadian indigeneity is conscious of their local identity and landscape and fall back upon nature for their psychological well-being. A large part of their daily activities is dependent on community living. Nature is the way of life. One of the major institutions that deal with reworking with prisoners is the Correctional Service Canada (CSC). With a fully functional webpage, it also offers a virtual tour of the Canadian penitentiary and the services they offer. The Correctional Service Canada provides empirical evidence as to half, or more of the inmate population belong to the native communities. Eight out of ten people released from imprisonment return to the system within a few years. Inside the prison, non-natives enjoy certain religious freedoms and have a constant support system of priests and chaplains, while native people lack so, often leading to an identity crisis and lack of communication in understanding their knowledge systems and betterment of the future.

Recently natives have been given access to the cultural programs introduced by CSC which works on their spiritual

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<sup>1</sup> Philip Goodman. “Another Second Chance”: Rethinking Rehabilitation through the Lens of California

<sup>2</sup> Cherukuri Suvarna, *Women in Prison: An Insight into Captivity and Crime*, Cambridge University Press India Pvt. Ltd, First Published in 2008

identity and helps them in realizing their different realities. The idea of these correctional services is to do away with the politics of constant exclusion and overcome the barrier of distance which they have or might have grown with their indigenous practices, faith, and beliefs. Community elders reach out to these people to offer solace and hold regular sessions encouraging their spiritual upliftment and preserve the voice within.

In India, rehabilitation is still a namesake concept and is still probably in developmental stages in many places. The idea of the responsibility of a crime and the status of a victim is often at conflict with one another. In the same context, a social reformer, Alakananda Roy, working with inmates of Presidency Jail, Kolkata talks about prison inmates, "They had given up all hope of ever returning to the light outside, and the hopelessness reflected on their faces."<sup>3</sup> Roy has been working with inmates and has conducted several dance drama programs involving prison inmates. In suggesting a public concert, she had empowered the inmates and done away with the self-denial. "For the first time escorts were arranged and the convicts got an opportunity to step out of their high vault prison to see the world."<sup>4</sup>

The National Film Board of Canada (NFBC), in a documentary film called 'The Spirit Within' directed by Will Campbell and Gil Cardinal touches upon the delicate topic of the incarcerated and how traditional methods are employed to bring them back to normalcy. Community elders not only work with inmates but also try and sensitize authorities to bring about a healthy environment in the federal penitentiaries. Bobby Woods, a Saskatchewan (an indigenous community in Canada) is one of the many elders who is fighting for the cause of the incarcerated. He conducts workshops and other ceremonies making up for the loss of cultural identity. The Canadian indigeneity is not a homogeneous concept, and hence inclusion into mainstream Canada is a primary responsibility in order to survive the brutality of prison life and thereafter.

In India, as we have moved into the 2000s, the questions shifted to the legal and political framework of the judicial and an interrogation into the penal code of the country. During recent years the idea of incarceration has given rise to an entire genre of literature called the 'Pris Lit', throwing light on a mode of life hitherto unknown to the public eye. Memoirs such as Arun Ferreira's 'Colors of the Cage' or Iftikhar Gilani's 'My Days in Prison' focused on the social dimension and psychological description of the incarcerated self but never the rehabilitation part of it. Films like those of *Muktodhara* brought to the fore how prisoners are given a new chance at life and to explore their artistic abilities in general. This emphasis on the self, the incarcerated subject questions the attempted impositions of norms dictated by the legal framework and Indian prison policies. Over the years as a countermeasure, prisons have ceased to be called jails or prison houses but rather Correctional Homes and

<sup>3</sup> Mukherji Rina. The Weekend Leader. Kolkata. Published 17 September 2010

<sup>4</sup> Mukherji Rina. The Weekend Leader. Kolkata. Published 17 September 2010

Rehabilitation Centers. At this intersection lies the importance of films like 'Muktodhara' which gives us an insight into a new dimension of prison discourse. While political prisoners engaged in the life writing process, there is a continuous shift from reading or writing literature about their own lives to creating arts inside the prison space. The specific use of theatre space in the film as also the offering of various courses in prison facilities is an effort to inculcate the aesthetic and literary function.

The prison is a bizarre and unfamiliar territory for the outsider, and there is a constant need to justify his or her location by the inmate. Over the labeling of 'Protest Literature' there is an urgent requirement for assimilation and to overcome the barrier of distance between the inside and the outside. Apart from political prisoners, there is always a number who are convicts and criminals. However, instead of practicing the politics of exclusion, films like 'Muktodhara' opens up newer avenues for the genre of prison writing and bringing to the fore the lived experience of prison life.

Ferreira puts it in simple words, "Indian prison policies are security centric rather than correctional. The state's priority is to tighten restrictions rather than to upgrade facilities for prisoners".<sup>5</sup> Alokanda Roy emphasizes on prison facility programs which to an extent subverts this very idea of restrictions and allows prisoners a minimal space for the free flow of ideas.

Another feature of prisons is that of the distinct separation from human contact, even one's own family members. Prisons stand for an unknown and foreign life, one which stands for suffering and humiliation. In his article 'The Self and the Cell, Indian Prison Narratives as Life Histories' David Arnold talks of Nehru in these terms, "prison" wrote Nehru of his first term of incarceration in 1921-2 "was still an unknown place, the idea of going there still a novelty (Nehru 1936:79)".<sup>6</sup> Muktodhara breaks this stereotype of the ostracized and harps on the human quality of the prisoners.

It offers us a teleological, a historical and cultural insignia to the internalization of drama as knowledge and power structure, here reflecting the nature of the prison society and an effort to posit a normalization of the guilty. "Teaching in prison was a chance to see the value of literature outside the structure of the university where the worth of art is one of the givens. This class reaffirmed the values, appeal, and worth of literature for a whole spectrum of students."<sup>7</sup>

Two prison or penitentiaries which have been taken into consideration here are those of Presidency Jail in Kolkata and is the Regional Psychiatric Centre Saskatoon, Saskatchewan. The RPC is one of three such institutions in which correctional services are provided in Canada.

<sup>5</sup> Ferreira Arun, Colours of the Cage, Aleph Book Company, 2014

<sup>6</sup> Arnold David, The Self and the Cell, Indian Prison Narratives, Pages 29-53

<sup>7</sup> Literature and Prison John White *English Education* Vol. 8 (White, 173)

The Correctional Service of Canada offers a virtual tour of the penitentiary and in its own words “The Correctional Service of Canada (CSC) is responsible for managing institutions of various security levels and supervising offenders under conditional release in the community.”<sup>8</sup>

Staff training is an integral part of the incarcerated locale for it is in them to take care of the prisoners. One of the Canadian prison inquiries states that “Admittedly, the Task Force is aware of the importance of staff training; however, there is no detailed account of staff concerns when dealing with federally sentenced women or of the needs of correctional personnel.”<sup>9</sup> In similar circumstances, Indian prison houses do not work for the redressal of mental security and well-being of the prisoner. Like Native Elders, social reformers like Alokandanda Roy help the prisoners stabilize through artistic redemption and community engagement.

Spirituality in Canadian Aboriginal culture is different from what we understand of religious undertones in India. However, the staging of “Valmiki Pratibha” is also suggestive of the use of the religio-spiritual mode of enlightenment combined with ethics and morality.

***Sam Gill (1983:107), in summarizing the elements of Aboriginal & Religion noted that***

“Quite clearly, matters of health and healing are not restricted to conditions of a simple physiological and biological order, but rather these matters are laden with meanings and concerns that reach the highest cultural, and even cosmological, levels. The state of health speaks to Native Americans of the conditions of the world in which they live. Consequently, matters of health and healing are commonly central to the religious concerns of many Native American tribes.”<sup>10</sup>

“A 1988 report for the Solicitor General’s office noted that; there seems to be an increase in Native culture and spiritual awareness among Native inmates;(Canada 1988a:5). Further, the report noted: Many Native offenders have special social, cultural and spiritual needs. These include the observation of such traditional group ceremonies and rituals as pipe ceremonies and the sweat lodge. For Native offenders who have not had much prior contact with traditional culture and spirituality, the opportunity for instruction and participation in these areas can become an important part of their incarceration experience (Canada 1988).”<sup>11</sup>

Out of the many ceremonies which elders conduct in the presence of the prisoners are those of the sacred pipe ceremony and the sweat lodge. In the documentary, we see that these ceremonies part a crucial part of connecting with fellow inmates, their own traditional culture and a restoration of faith

in their belief system. The sacred pipe ceremony represents one of the most powerful and spiritual rituals. “The pipe symbolizes unity and harmony of the world, the bowl of the pipe represents truth, and the stem represents the way we are to live in harmony and balance its all of the creation, smoking the pipe stresses the unity of everything.”<sup>12</sup>

Punishment methods in prison involve being stripped naked, spanking and being singled out by those in power, whether the guards or other inmates. A body of shame forms around the victim as supported by one of the eyewitnesses who saw the same happening to two younger boys, leading to a massive loss of confidence. In one of his articles, Charles Richmond Henderson writes in one of his articles, “the essential feature of the modern treatment of offenders by incarceration is noted in the phrase; ‘deprivation of liberty’ (Freiheitsstrafe of the Germans) Prison punishment does not primarily mean torture or slow death, as by starvation, but merely and solely the restriction of liberty of action.”<sup>13</sup> Movement, as it might be called, which is a natural biological phenomenon becomes a state apparatus, readily at their disposal to be done away with. In India the immobile nature of punishments, with devices like a hand being tied with belts or being blindfolded or fettering and handcuffing marks the crippling nature of the system.

In such cases ceremonies by sweat lodge or artistic impressions like dance, dramas are needed to channelize the anxiety and pain imposed by the system on these prisoners. “The sweat lodge ceremonies purifies the body, mind, spirit, and heart and restore right relationships with self, others, and the creator. and then hot stones are brought to the center of a small pit. Water is poured in to create steam which purifies the mind and body, prayers and sometimes scared pipe are shared. The propose for this ceremony is to connect people with themselves, the world and each other.”<sup>14</sup>

## CONCLUSION

Over the years rehabilitation has become an important process in realizing the long term effects of prison trauma. In western prisons, as presented, “Solitary confinement is occasionally used in most prison systems as a means to maintain prison order: as disciplinary punishment or as an administrative measure for inmates who are considered an escape risk or a risk to themselves or to prison order in general.”<sup>15</sup> The changing needs of prisoners who come from different cultures and their accommodation to normal life needs a heretical response on the part of policy makers. “The mainstream view

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<sup>12</sup> Rituals. The Story of Canadian Aboriginal Spirituality. Accessed on 3 May 2019. Web

<sup>13</sup> Charles Richmond Henderson, The Cell: A Problem of Prison Science, *Journal of the American Institute of Criminal Law and Criminology*

<sup>14</sup> Rituals. The Story of Canadian Aboriginal Spirituality. Accessed on 3 May 2019. Web

<sup>15</sup> The Effects of Solitary Confinement on Prison Inmates: A Brief History and Review of the Literature, Peter Scharff Smith, *Crime and Justice*

<sup>8</sup> Correctional Service of Canada, Webpage

<sup>9</sup> Moffat, Kelly (Hannah). Creating Choices or Repeating History: Canadian Female Offenders and Correctional Reform Social Justice

<sup>10</sup> Waldram, James B. Aboriginal Spirituality in Corrections: A Canadian Case Study in Religion and Therapy

<sup>11</sup> Waldram, James B. Aboriginal Spirituality in Corrections: A Canadian Case Study in Religion and Therapy

of rehabilitation among sociologists, criminologists, and other students of punishment is nicely summarized by David Garland in his opus *The Culture of Control* (2001): However, today, rehabilitation programs no longer claim to express the overarching ideology of the system, nor even to be the principal purpose of any penal measure. Sentencing law is no longer shaped by correctional concerns such as indeterminacy and early release. Also, the rehabilitative possibilities of criminal justice measures are routinely subordinated to other penal goals, particularly retribution, incapacitation, and the management of risk.<sup>16</sup> In negation to these traditional approaches, rehabilitation should be one of the primary concerns among other penal goals.

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<sup>16</sup> Philip Goodman. "Another Second Chance": Rethinking Rehabilitation through the Lens of California Prison Fire Camps.