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Library Services to Prisoners in the State of Rio de Janeiro

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Abstract

*This article briefly describes the situation in Brazil in regard to education, literacy, and the prison system. The author informs about the efforts of a group of library professionals to establish library services and promote literacy in two prisons in Rio de Janeiro. The project, **Establishment of Libraries in Penitentiaries and other Institutions in the Correctional System of the State of Rio de Janeiro**, is sponsored jointly by IFLA's Advancement of Librarianship (ALP) Core Activity and the Section on Latin America and the Caribbean (LAC). The group is proceeding in accordance with mandates of the Law of Penal Executions (LEP), Brazilian Federal Law no. 7.210/1984. The project objectives are also based on the 1995 IFLA publication **Guidelines for Library Services to Prisoners** and its premise that "...[t]here is widespread evidence from different countries that books and reading play a positive role in the lives of prisoners, even though many have limited education and life skills and do not come from a background where reading was very popular..."*

Key words: Prison Library – Rio de Janeiro Prison System – Prisoners Rehabilitation – Disadvantaged Persons

BRAZIL: Background Information

For a better understanding of this paper, it is necessary to point to the many regional realities in Brazil which make it very difficult to enforce legal mandates in a nation consisting of 26 states and a Federal District, covering more than 8.5 million square

kilometers. Brazil is a federal republic with Brasilia as its capital. According to the latest census, the country has a population of 170 million; the official language is Portuguese. Almost 80% of Brazilians live in the urban areas. The migratory flow from the rural areas to the cities continues, with people seeking better living conditions. Brazil is a “cauldron of races” with the main ethnic influences coming from indigenous Indians, Caucasians and Afro-Blacks. In the 19th century, these populations were supplemented with other ethnic groups composed of Swiss, Italian, Japanese, Russian, Ukrainian, German, Syrian, Lebanese, and other groups.

Blacks and Mulattos constitute 43.3% of the Brazilian population. The Black population, while providing a large part of the workforce, still suffers from disproportionately high rate of unemployment. Brazil has approximately 360.000 indigenous Indians, according to the National Foundation of the Indian (FUNAI). The growth of the Indian population is one (1) percent per year, higher than the average Brazilian rate. Contributing to this increase is the demarcation of the lands for the indigenous communities, stipulated in 1988 by the Federal Constitution of Brazil. The indigenous people, however, are faced with encroachment attempts and economic exploitation of their lands by farmers, lumbermen and gold prospectors.

At the end of the 1960s, Brazil reached an urban population of 55.92% and ceased being a predominantly agricultural society. This change was brought about by the mechanization of plantation and field work, leaving a large number of rural workers idle. Many of these individuals were drawn to the cities, looking for better opportunities for employment, health services, education, and better living conditions in general.

An important indicator of a country's stage of development is its literacy rate. In 1999, over 22.8 million Brazilians were illiterate, corresponding to 13.8% of the population above the age of 15. In addition to those who are totally illiterate (not knowing how to read or write), 30.5% of the population are functionally illiterate (possessing rudimentary reading and writing skills but unable to understand the meaning of the most texts). The geographer Josué de Castro wrote that the roots of the illiteracy are located in the poverty areas and locations excluded from the mainstream of society. As already mentioned, the exodus of rural worker for the big cities, the proliferation of urban slums, the large number of illiterate people, and the lack of employment are all major factors contributing to social inequality. These factors, when seen in connection with the reality of “destribalização” (a process where people lose their sense of community and belonging), create conditions of disappear and desperation that often lead individuals to commit crimes.

According to modern theories, the causes of criminal behavior are numerous and the results of both psychological and societal factors. The judicial system specifies punishment and sanctions according each type of criminal offense. In modern civilized societies, penalties are usually seen as more than just punishment: ideally also as the opportunity for rehabilitation and re-education of the offender. The sentence must be individualized and be commensurate with the crime committed. In Brazil, sentences that deprive the offender of freedom are referred to as “closed regime” (high security prison).

There is also a “semi-open regime” (work and farm camps) and an “open-system” (halfway house). The sentencing judge has the option to impose the most appropriate prison regime according to the nature of the crime. It should be emphasized that Brazil does not have capital punishment.

Prison Library Standard and Guidelines

In 1995, the International Federation of Library Associations and Institutions (IFLA) published the second edition of *Guidelines for Library Services to Prisoners*, developed by the Section of Libraries Serving Disadvantaged Persons. This document adheres to the philosophical framework of *Rule 40 of the United Nations Standard Minimal Rules for the Treatment of Prisoners*, which states: “Every institution shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and the prisoners shall be encouraged to make use of it.” The IFLA Guidelines also reference the *Charter for the Reader* (1994) by the UNESCO International Book Committee and the International Publishers Association that argues that reading is a universal right. The *UNESCO Public Library Manifesto* (1995) also stipulates that public libraries have an obligation to serve prisoners.

The IFLA Guidelines were developed with the assumption that all citizens, including prisoners, are entitled to have access to information, and that libraries providing this access should be located within the prison facility. Further that the prison library should be an essential part of the social and cultural environment of the prison and that prisoners should be given sufficient time to use it. The prison library should be an integral factor in the educational, social, and cultural life of the institution and serve to stimulate the intellectual, social and cultural development of the prisoners. Where the education program is a high priority, library staff should work jointly with the teachers to integrate library resources and materials into the curriculum and to stimulate additional independent study. Further, the library should encourage a climate of intellectual freedom, curiosity, responsibility, creative inquiry and cultural sensitivity, and should assist prisoners in preparing for re-entry into society. Vibeke Lehman writes in her article *The Prison Library: A Vital Link to Education, Rehabilitation and Recreation*:

“The IFLA Guidelines for Library Services are meant to serve as a guide in the development of national guidelines in individual countries, where they can be easily modified to conform to local circumstances. Under these general principles, the document addresses all aspects of good library service and operation, including policies & procedures; staff levels and qualifications; collection development; physical facilities & equipment; funding; user services; and library promotion.” (Education Libraries, vol. 24, no. 1, 2000. Special Issue on Prison Libraries).

The Brazilian Prison System and Current Legislation Concerning Services to Prisoners

In the State of Rio de Janeiro Prison System, eighteen (18) facilities have small collections of books, which cannot quite yet be defined as “libraries”. One major problem throughout the prison system is the severe overcrowding – a persistent

problem that not only worries the Public Administration but also affects society as a whole. The lack of space for the prison population causes riots, sometimes resulting in hostage taking and deaths. The crowded conditions also lead to constant escape attempts. The overcrowding also contributes to inadequacy of food service, supervision, and coordination of work and leisure activities besides jeopardizing prison discipline. (ROMEU FALCONI, *Prison System: Social Reintegration?* 1998. São Paulo. Ed Ione).

Obviously, some of the prisons have a fairly well functioning administrative structure that provide basic services, including religious, educational, and leisure activities. Some facilities have workshops for vocational training and rehabilitation. It is important to keep in mind here that in Brazil the majority of prisoners come from marginalized social groups, who have had little access to education and guidance.

The government spends an average of six hundred and sixty reais (approximately 200 euros) per month for each incarcerated person, and even so, the recidivism rate is more than 40%. In regard to prison education, it is important to pay attention Article 1 of Law no. 7.210/84, which reads as follows:

“1st article - the penal execution has as an objective to put into effect the dispositions of sentences or criminal decision and to provide conditions for the convict's harmonious social re-integration.”

Likewise, the Law of Penal Executions (LEP), Law no. 7.219/84, establishes in its 10th article:

“10th article - It is the obligation of the State to provide services to prisoners and to the institutionalized in Custody and Psychiatric Treatment facilities with the following purpose: to assist the prisoners and the interned in the Hospital of Custody and Psychiatric Treatment, having as purpose:

- a. To prevent crime
- b. To prepare the offender for full integration in to society.

The types of services provided to the prisoner under this law include:

- Material assistance: Food, clothes, personal care items, etc.
- Health Services: Both prevention and treatment, medical assistance, dental services, etc.
- Legal assistance: Prisoners who have no money to obtain a lawyer have access to the Public Defender or Legal Assistance;
- Educational Services: Formal academic programs, informal learning, and vocational education.

The Penal Executions Law (LEP) in its 36th article of the Law 7.210/84, states:

36th article – Under education services, a high priority is:
I - Organization and maintenance of libraries;
and

VI - In cooperation with the social services, programs and activities that promote culture and recreation.

Project Establishment of Libraries in the Prisons and Other Facilities that Constitute the Penitentiary System in the State of Rio de Janeiro

While taking into account the precarious state of the Brazilian Penitentiary System, including the lack of space and the unavailability of staff with the required qualifications, our group has decided to go ahead with the prison library and reading project. The promotion of reading and the improvement of writing skills are important steps toward social re-integration and the exercises of full citizenship. Paulo Freire, the great Brazilian educator, states in his book *A Importância de Ler*, (The Importance of Reading) that *“to speak of making adults literate is to speak of public libraries and, among other things, of the problem of reading and writing”*. Freire adds that *“it should be emphasized that literacy and post-literacy entail efforts to understand completely what the written word is, and language, and how this relate to the context of the speaker and the reader and the writer; and understanding, then, of the relationship between reading the world and reading the world.”*

The State of Rio de Janeiro has twelve (12) penitentiaries, three (3) penal institutes, four (4) prisons, one (1) house of custody, three (3) hospitals and three (3) psychiatric hospitals.

The following definitions are meant to provide a clearer understanding of the facilities that constitute Brazil's prison system:

- Penitentiary – a penal establishment where those definitively sentenced (that is, without the right to procedural appeal) fulfill their sentences deprived of freedom and in a closed system of maximum security. The term, is derived from Canon Criminal Law.
- Penal institute – the generic name given to farming colonies, halfway houses and centers for observation of offenders.
- Prison – a medium-security unit for those sentenced to the semi-open system.
- House of custody – an establishment where defendants are preventively held while awaiting trial.
- General hospital – designed for treatment of prisoners who are ill.
- Psychiatric hospital – a detention unit for inmates who exhibit present mental and incapacitating symptoms.

The well known Brazilian penal expert ALVARO MAYRINK DA COSTA writes that *“it is through studies of offenders that data can be obtained for the development of reliable criminal statistics that can provide information for the future Center for Criminal Observation. The initial criminological examination (this expression is adopted in many countries including Brazil) of the offender will be carried out by a team composed of a physician, a psychologist, a psychiatrist, and a social worker. Questionnaires will be used to obtain data about the individuals, their childhood, development, and adult life*

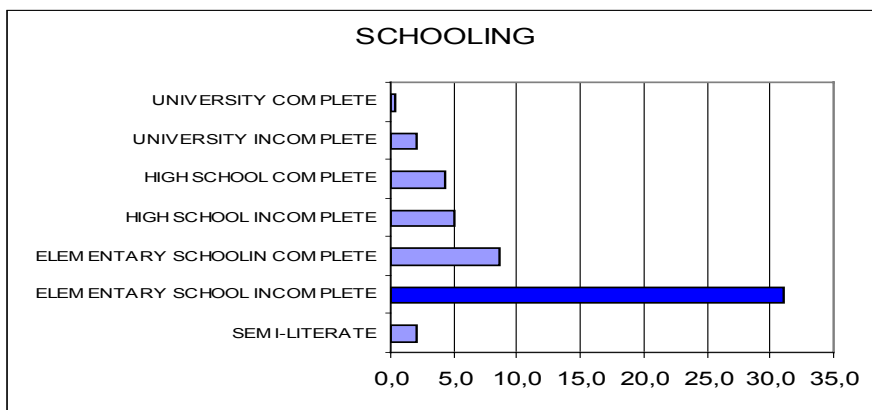
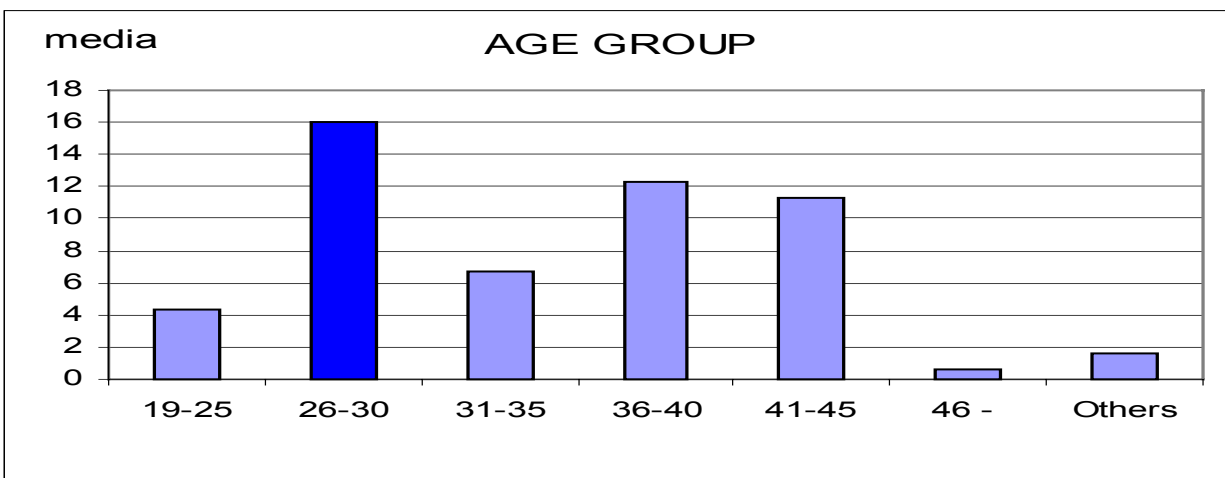
experience prior to incarceration, the nature of crime, and their plans for the future. The result of this interdisciplinary examination will help develop the individualized penal treatment plan for the inmate."

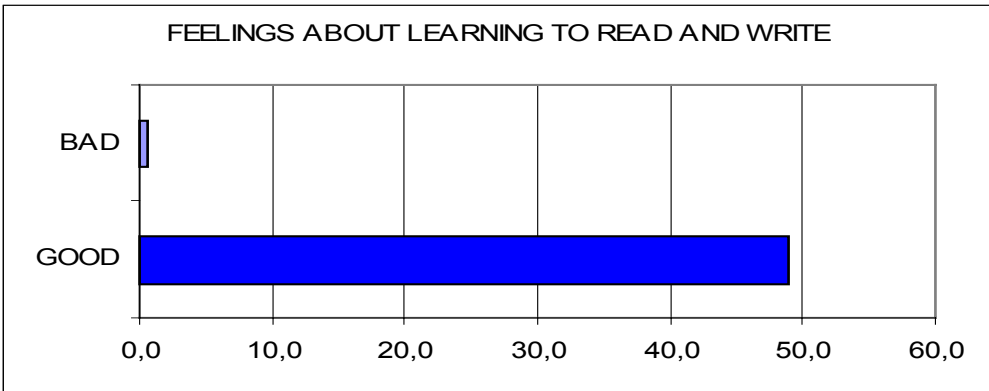
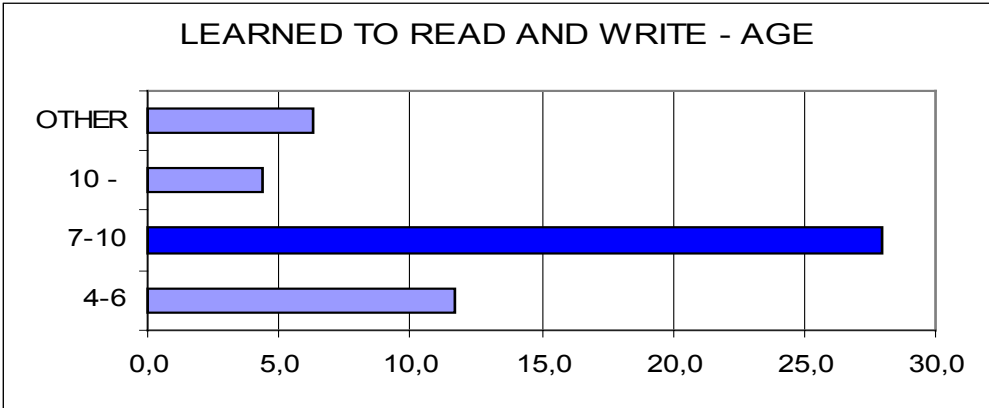
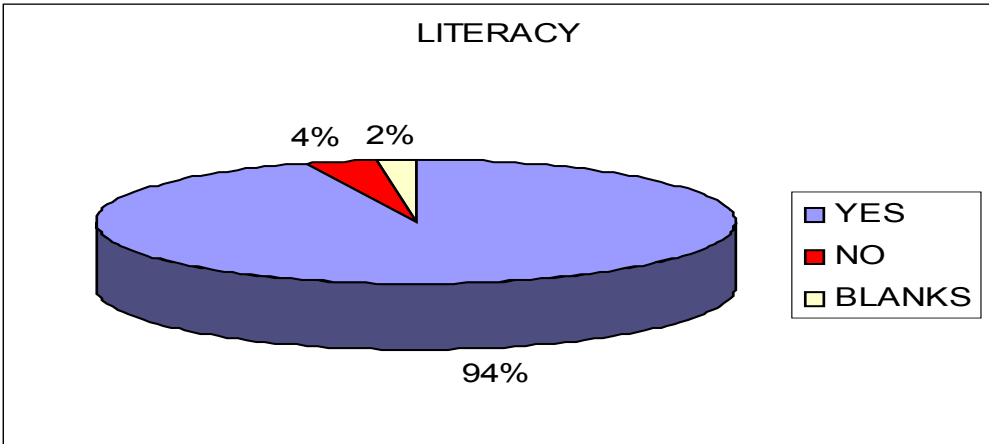
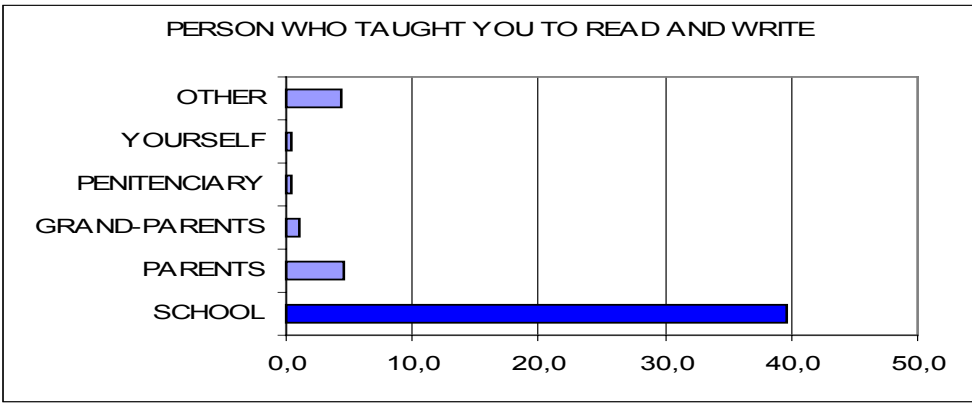
In the initial phase of the project to establish libraries in three (3) of the Rio de Janeiro prison facilities, the Prison Administration will work closely with the State Public Library System and State Secretary of Culture. Initially three (3) facilities were selected:

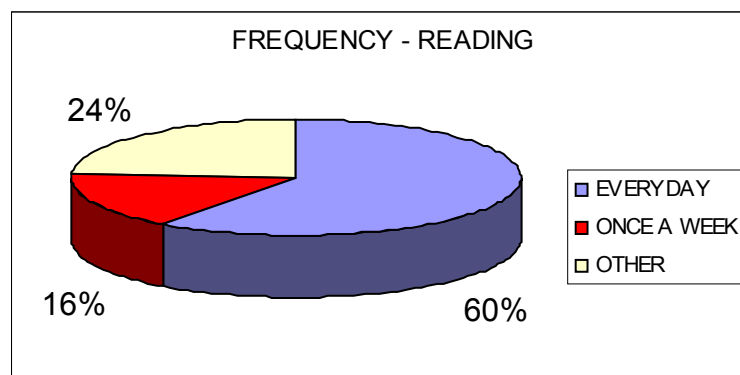
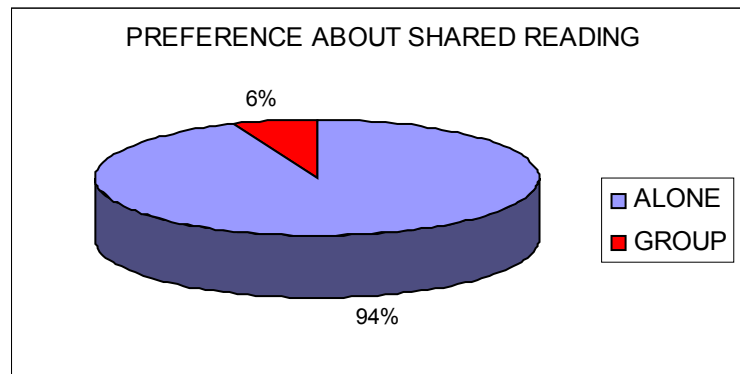
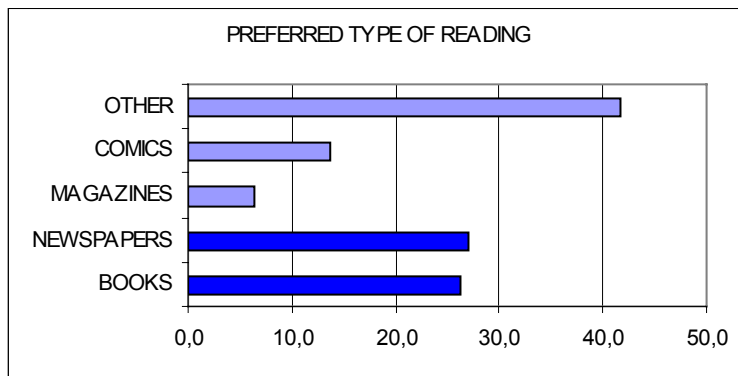
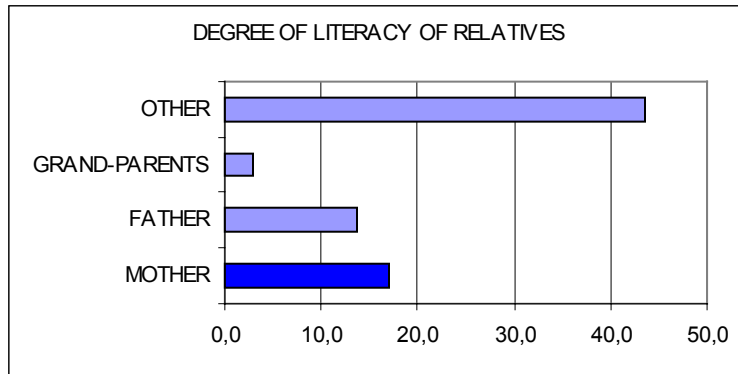
- Talavera Bruce Penitentiary (female institution)
- Lemos de Brito Penitentiary (male institution)
- Laércio Pellegrino Penitentiary (male institution - maximum security)

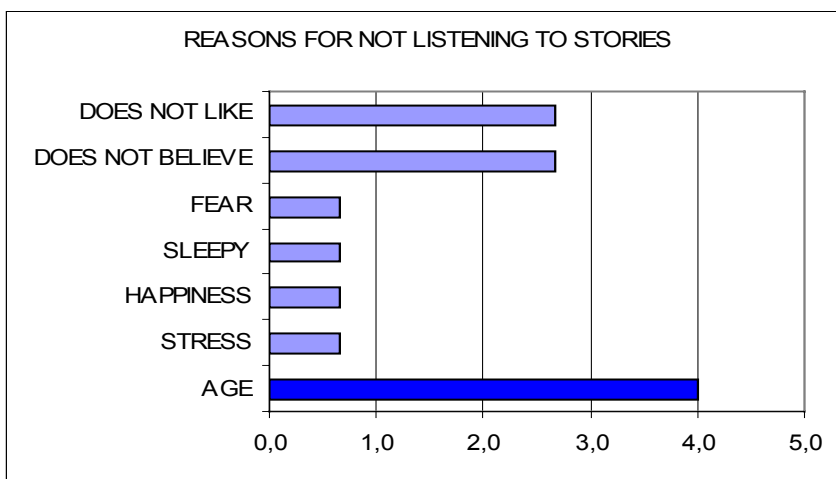
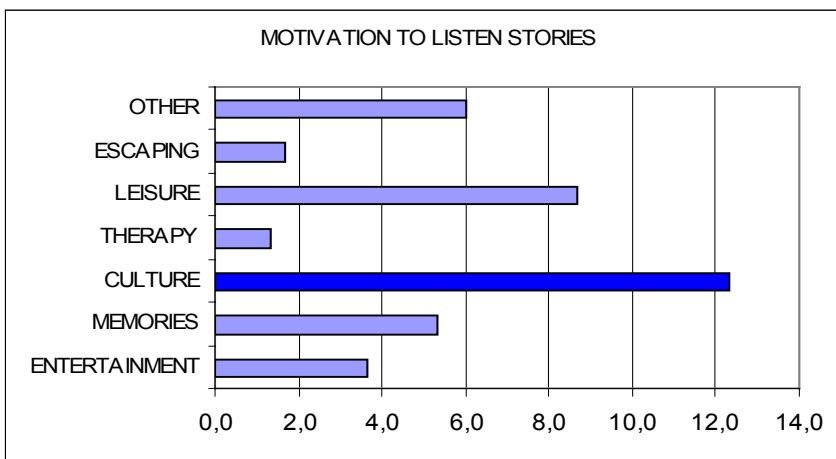
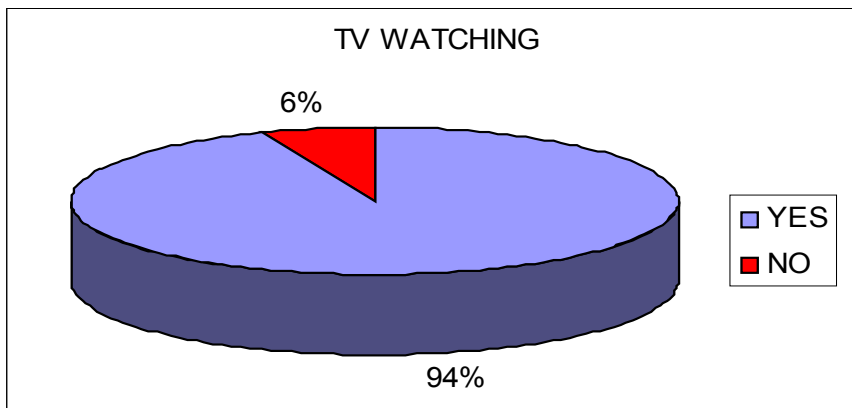
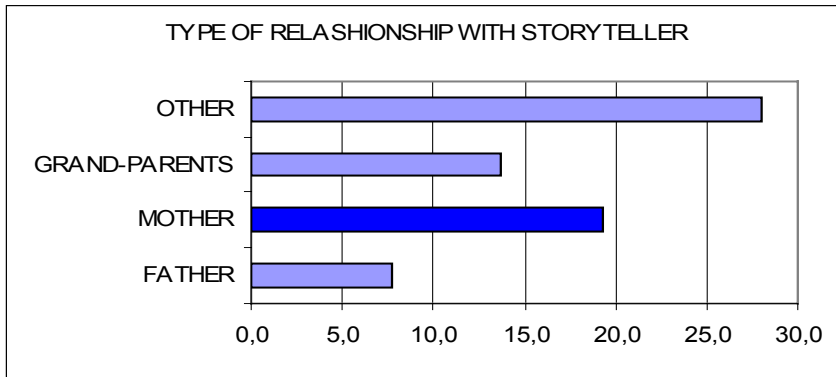
Unfortunately, one of the facilities eventually had to be excluded due to a prison riot. This was a political decision made by the Prison Administration. The Library Project Team made several visits to the institutions accompanied by prison staff, and several useful discussions took place. Later in 2002, the team created a questionnaire/interview tool to be administered to the inmates in order to develop a profile of the information needs and the reading interests of these potential library users. Soon after, the survey was conducted among the inmates who were enrolled in school classes.

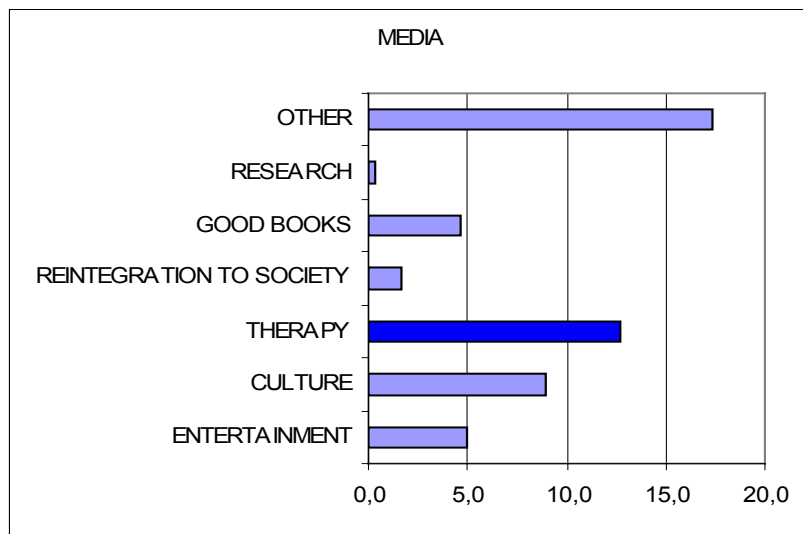
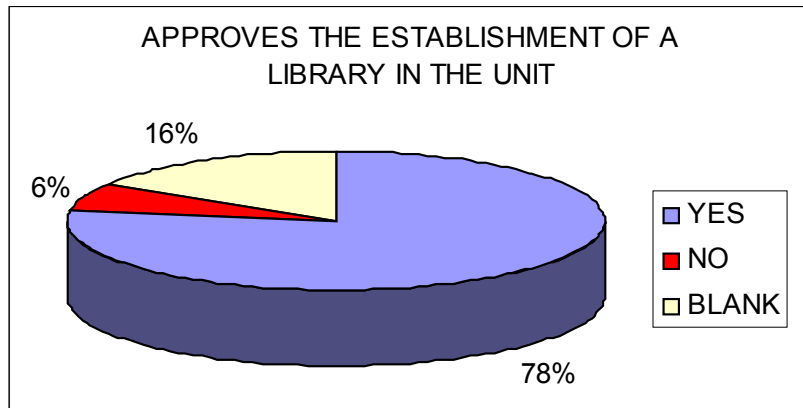
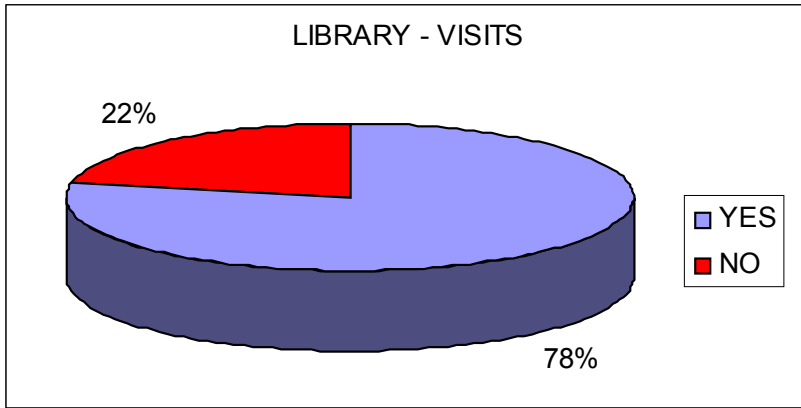
The data collected will serve as the basis for a database aimed at the information of the acervo and the promotion of reading in the prisons. The results of questionnaire/interview answers are illustrated in the following tables and charts:











As pointed out by Vibeke Lehman, Library Services Coordinator, Wisconsin, Department of Corrections: *"Because of limited civilian staff, funding, and space, no single prison library can perform all the roles described by McClure et. al. and Rubin's Planning Process for Wisconsin Institution Libraries: A Workbook (1997):*

The possible roles are:

- Popular reading materials center (i.e. circulation of recreational reading materials)
- Independent learning centers (e.g. assistance in self-directed reading for lifelong learning and personal needs, information on careers and vocational skills, reference services and assistance with correspondence courses)
- Formal education support center (i.e. information on educational opportunities, and materials and services, supporting adult basic education, vocational education, and post secondary education courses)
- Leisure and recreation activities center (e.g. book discussions, film showings, cultural programs, and chess clubs)
- Legal information center (e.g. legal research tools, case, materials, legal forms)
- Treatment program support center (e.g. resources to support substance abuse and anger control programs)
- Information center on outside community (e.g. re-entry information, contact information, social service agency referrals)
- Personal retreat center (i.e. place for patrons to find privacy, quiet, and independent choice)
- Staff research center (i.e. resource provider or clearinghouse for work-related materials and information)
- School curriculum support center (in juvenile facilities, provide materials that supplement textbooks and enhance classroom activities study).

Vibeke Lehman, in *The Prison Library: A Vital link to Education, Rehabilitation and Recreation* (p. 7) states: *"Factors that impact on the number and types of roles chosen include the size and security level of the institution, the method of library access (restricted or free movement within the institution), the demographics of the inmate population, the length of sentences the inmate are serving, and the range and nature of other activities and services available, such as the treatment and education programs, social services, and inmate employment opportunities."*

Due to several practical problems, specifically the lack of space and money, the Rio de Janeiro library team opted for moveable bookshelves models. And, because of the change in government at the beginning of this year, including the Secretary of Justice and the Secretary of Culture of the State of Rio de Janeiro, implementation of the library project suffered several interruptions. The team is now working with the new administration on building the collection of reading materials and arranging the bookshelves. Several workshops have also been conducted on how to carry out this work. Further details will be included in the new publication, *Manual for Libraries in the Prisons of Rio de Janeiro*

This is just the beginning

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