

Incarceration and Ex-Convict Status from Islamic Perspective: The Story of Prophet Yusuf (Joseph) A. S.

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Abstract

A universal penal principle provided that from the beginning of prisoner's sentence, consideration should be given to his future release to at least maintain his social relations with people outside the prison institution. A successful social integration implies efforts of providing counselling services in terms of social, psychological, legal and vocational training assistance to inmates. The paper examined the story of Yusuf (Joseph) as narrated in the Holy Scripture, Qur'an chapter 12 with a view to find out lessons to be learned and use in the present day counselling service. Prophet Yusuf was incarcerated in many stages of his lifespan. He was psychologically incarcerated right from his dreaming to throwing into well and later to real imprisonment as a convict. Prophet Yusuf (AS) as a role model from his imprisonment sentence up to his freedom and becoming the highest among the ranks in Egypt land. Recommendations were made on how to socially integrate the present day ex-convicts from Islamic viewpoint. The measures outlined would create room for inclusion of these people into the society to avoid social exclusion such as stigma and above all becoming vulnerable in the family, group, community, society and country at large.

Keywords: Incarceration, Prisoner, Ex-convict, Islam, Inclusion, Social

Introduction

The Judicial system in Nigeria has various forms of punishments for criminals; most commonly among them is incarceration of an offender. According to Picken (2012), a judicial process is a legal process by which justice is administered to the people in a country. Justice could be for or against an individual. Incarceration is supposed to serve as a reforming social institution and a correctional measure rather than penalty. Incarceration is an aspect of criminal punishment, which ranges from days, weeks, months and years, for all intent and purposes, to provide inmates with knowledge, experience and life skills to equip them to be conforming members of the society after their prison sentence (Tor-Anyiin, 2009). Durosaro (2002) reported that the prison is set out to punish person(s) who violate criminal laws of the land by restricting their freedom and keeping them in a place of confinement. The period of incarceration takes many out of the society and act as a factor of de-socialization as it

separates the victims from their families, friends and the rest of the society. Nwobi (2019) considered a convict as a person serving a sentence in prison; a former convict, especially one recently released from prison is tagged as “ex-convict”. Hence, this paper aimed at encouraging and assisting to maintain or establish a kind of counselling and social relations with persons or agencies outside the prison institutions to promote the best interest of social rehabilitation from Islamic point of view.

Concept of Social Integration

Social integration of ex-convict means bringing back the incarcerated individuals to take up social roles in the society as exemplified by the King of Egypt in Yusuf's case. The Chief appointed him as minister and custodian of storehouses of the whole land of Egypt. It also implies the removal of any stigma and discrimination that might have been associated with the cause of the incarceration. Yusuf was released later on and brought to the king who even said to him “You have assumed an exalted status with us and are indeed fully trusted”.

Social reintegration makes an individual to understand himself properly, and to understand why he had to be incarcerated at the first instance and to adjust in order to become a more responsible and respectful and even functional member of the society. In this case, Yusuf appraised himself and asked the king to appoint him as minister for the land saying: Q12:55: *Set me over the storehouses of the land; I will indeed guard them with full knowledge.*

Social integration entails helping inmates so that as they leave the prison, they are better than they came and will be properly integrated in the society. It is therefore to be done both in prison and out of prison by counsellors and authorities or other NGOs concerned. One of the strategies for social integration as used by Yusuf in prison was penitentiary as narrated in Qur'an 12:36: *And there entered with two young men in the prison,...* and in verse 42 says *And he said to the one whom he knew to be saved: "Mention me to your King." But Shaytan made him forget to mention it to his master. So (Yusuf) stayed in prison a few (more) years.*

Another social integration programme is After Care Programme (ACP) which includes vocational training scheme where prisoners are allowed to practice their profession even while in prison. This kind of scheme will enable them gain ‘experience’ and even acquire more skills and qualifications. Education and Training as part of incarceration programmes should not be a reason to deny a prisoner who wishes to undergo other educational pursuits. Not only because education is a right, but also because with higher education acquired during incarceration period, the possibility of social re-integration will be higher. This is because it will help in the inculcation of more social values and make the ex-prisoners more self-reliant.

The Yusuf example

Yusuf was sold to the King by the Caravans as a slave in meagre amount. The King assigned him to his Maid in the house and she admonished the new slave to herself

when something followed as narrated in the Holy Scripture. In Islam, in the Holy Qur'an 12:111 it stated that: *Indeed in their stories, there is a lesson for men of understanding. It (Qur'an) is not a forged statement but a confirmation of that which was before it and a detailed explanation of everything and a guide and a mercy for the people who believe.*

In Ibn Kathir Tafsir Series (2003: 228) he elaborated the part of this ayat: *...that as a guide and a mercy for the people who believe. With which their hearts are directed from misguidance to guidance and from deviation to conformity, and with which they seek the mercy of the Lord of all creation in this life and on the Day of Return.*

Yusuf in Egypt: The beginning of his trouble

Allah mentions the favours that He granted Yusuf, peace be on him, by which He made the man from Egypt who bought him, take care of him and provide him with a comfortable life. Qur'an 12:21:

And he (the man) from Egypt who bought him, Said to his wife: 'Make his stay comfortable, maybe he will profit us or we shall adopt him as a son'. Thus did we establish Yusuf in the land, that we might teach him the interpretation of events. And Allah has full power and control over His affairs, but most of men know not.

He also ordered his wife to be kind to Yusuf and had good hopes for his future, because of his firm righteous behaviour. He said to his wife, *Make his stay comfortable, maybe he will profit us or we shall adopt him as a son*'. The man who bought Yusuf was the minister of Egypt at the time, and his title was Aziz.

Wife of the Aziz lusts after Yusuf and plots against him

Qur'an chapter 12 verse 23 narrated that:

And she, in whose house he was, sought to seduce him (to do an evil act), and she closed the doors and said: 'come on, O you.' He said: 'I seek refuge in Allah! Truly, he is my Rabb! He made my living in a great comfort! Verily, the wrongdoers will never be successful.'

Allah states that the wife of the Aziz of Egypt, in whose house Yusuf resided and whose husband recommended that she takes care of him and be generous to him, tried to seduce Yusuf. She called him to do an evil act with her, because she loved him very much. Yusuf was very handsome, filled with manhood and beauty. She beautified herself for him, closed the doors and called him, and where she said to him: 'come on, O you. But he categorically refused her call; He said: 'I seek refuge in Allah! Truly, he is my Rabb! He made my living in a great comfort!' They called chief and master a *Rabb*. Yusuf said to her, 'your husband is my master who provides me with comfortable living and was kind to me, so I will never betray him by committing immoral sins with his wife,' as *Verily, the wrongdoers will never be successful.*'

Islamic scholars differ in presentation of ‘*come on, O you.*’ Whereby Ibn Abbas, Mujahid and several other scholars in At-Tabari 16:27 said that it means that she was calling him to herself. Other scholars in Fathu Al-Bari 8: 214 read it with the meaning, “I am ready for you”.

Another narration from the Holy Scripture runs as

And indeed she did desire him, and he would have inclined to her desire, had he not seen the evidence of his Lord. Thus it was, that we might turn away from him evil and immortal sins. Surely, he was one of our pious servants. Q12:24.

This is about the thoughts that cross the mind. Al- Hadith of Abu Hurayrah in Muslim 1:117 reported that from the messenger of Allah:

Allah the Exalted said, ‘If my slave intends to perform a good deed, then record it for him as one good deed; if he performs it, then record it for him multiplied ten folds. But if he commits it, then write it as one evil deed.

The wife then responded by deceit and evil plots, trying to exonerate herself and implicate him.

She said: ‘What is the recompense (punishment) for him who intended an evil design against your wife, except that he be put in prison or a painful torment?’ Q12:25.

In reference to illegal sexual intercourse, *except that he be put in prison* was the kind of punishment for such evil act at that period in Egypt. The Holy Qur'an further narrated that in chapter 12:32-33, then the woman threatened him in the follows verses:

She said: “This is he (the young man) about whom you did blame me, and I did seek to seduce him, but he refused. And now if he refuses to obey my order, he shall certainly be cast into prison, and will be one of those who are disgraced. He said; ‘O my Lord! Prison is dearer to me than that to which they invite me. Unless You turn away their plot from me, I will feel inclined towards them and be one of the ignorant’.

So when Yusuf prayed and sought refuge with Al-Mighty Allah from their evil and wicked plots, He answered him as mentioned in the narration:

So his Lord answered his invocation and turned away from him their plot,... Q12:34.

Ibn Kathir stated that Yusuf preferred prison, rather than accept the woman's illicit call. This indicates the best and most perfect grade in this case, for Yusuf was youthful and full of manhood. His master's wife was calling him to herself, and she was the wife of the Aziz. She was also very beautiful and wealthy, as well as having a great social rank. He refused all this and preferred prison, for he feared Allah and hoped to earn His reward.

Yusuf imprisoned without justification

Allah says *then it occurred to them, after they had seen the proofs (of his innocence), to imprison him for a time* even after they were convinced of his innocence and saw the proofs of his truth, honesty and chastity. They wanted to pretend that Yusuf was the one who tried to seduce the wife and that they punished him with imprisonment. The then Egyptian leader asked Yusuf to leave jail a long time afterwards, Qur'an 12:50 stated as follows:

And the King said: 'Bring him to me'. But when the messenger came to him, (Yusuf) said: 'Return to your king and ask him, 'What happened to the women who cut their hands? Surely, my Lord (Allah) is Well-Aware of their plot.'

Yusuf refused to leave until his innocence was ascertained and the allegation of betrayal was refuted as the narration goes:

(Then Yusuf said; 'I asked for this inquiry) in order that he may know that I betrayed him not in (his) absence.' And, verily, Allah guides not the plot of the betrayers. Q12:52.

When this was successfully achieved, Yusuf left the prison with his honour intact.

Yusuf's rank with the King of Egypt

Yusuf was released later on and brought to the king by his order where Allah states that when he became aware of Yusuf's innocence and his innocence of what he was accused of, the king said:

And the king said: 'Bring him to me that I may attach him to my person.' Then, when he spoke to him, he said: 'Verily, this day, you are with us high in rank and fully trusted.' Q12:54.

The king said 'that I may make him among my close aids and associates'. When the king spoke to Yusuf and further recognized his virtues, great ability, brilliance, good conduct and perfect mannerism, he stressed that "You have assumed an exalted status with us and are indeed fully trusted".

Then Yusuf praised himself and asked the king to appoint him as minister for the land saying: Q12:55: *Set me over the storehouses of the land; I will indeed guard them with full knowledge.* The king accepted Yusuf's offer, for he was eager to draw Yusuf close to him and to honour him. So Allah said,

Thus did We give full authority to Yusuf in the land, to take possession therein, when or where he likes. We bestow of Our mercy on whom We will, and We make not to be lost the reward of the good doers. Q12:56.

Yusuf's reign in Egypt

Allah says "We did not let the patience of Yusuf, from the harm his brothers exerted on him and being imprisoned because of the wife of the Aziz, to be lost. Instead, Allah rewarded him with His aid and victory: *We bestow of Our mercy on whom We*

will, and We make not to be lost the reward of the good doers. Ibn Jarir At-Tabari 16:151 expanded that it means, “He used to move about freely in the land of Egypt after being imprisoned, suffering from hardship and the disgrace of slavery”.

Implications of Yusuf’s story

In order to establish sound rehabilitation and inclusion of ex-convicts into normal life in the society today the following lessons were drawn from the story as indicated in bold fonts below. In Qur'an 65:2 Allah commanded that “*thus when they fulfill their term appointed ...and for those who fear Allah. He (ever) prepared a way out*”. Convicts are to be released as soon as they completed their jail terms. Also in chapter 65:5, it stated that “*...and if any one fears Allah, He will remove his evil deeds from him, and will enlarge his reward.*” One is required to fear the Almighty Creator and put trust to Him. Those who patiently leave everything to Allah will surely see Him in everything they do and **all worries end** where faith begins. This is the good recommendation to believers to see God above everything and as problem solver.

Conclusion

The purpose and objective of reformation and rehabilitation during incarceration period is to see that ex- convicts are able to settle down and do something to sustain themselves outside the four walls of the prison. It is also to enable the ex-convict to have a normal life. The paper studied precisely how Yusuf was raised over his plotted brothers by giving him the better end, triumph, the sovereignty and above all wisdom (i.e. Prophethood) after attempted trial to harm and even kill him. As social inclusion, Yusuf was appointed minister and take charge of storehouses of Egypt. He was at last acquitted and moved about freely after imprisonment term appointed to him and become one of the chiefs in the land as the best interest of social inclusion and rehabilitation to be adopted in the present day time.

Recommendations

Based on the foregoing narration of the Prophet Yusuf (AS), the following were considered as recommendations for social inclusion and rehabilitation of ex-convict into normal life in the society:

- 1) Poor funding of prisons custody should be addressed to meet the statutory needs of incarceration and correctional centers.
- 2) Congestion and overcrowding of prisons cells should be avoided or at least reduced to the barest minimum.
- 3) Curtail the increasing rate of different crimes committed on daily basis.
- 4) There is need to prepare ex-convicts for subsequent release and re-integration into the society as law-abiding citizens.
- 5) There is need for providing personal-social counselling services, by professional counsellors, to the prisoners before their subsequent release.
- 6) Governments and Non-Governmental Organizations (NGOs) are to address the issue of poverty rate and unemployment in the society.
- 7) Provision of vocational skills trainings and courses during incarceration period towards self-employment and independent entrepreneurship.

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