

JOS JOURNAL OF SOCIAL ISSUES

WEB SITE: www.jjsi.org.ng
E-MAIL: josjournalofsocialissues@yahoo.com
josjournalofsocialissues@gmail.com

Published by

**DEPARTMENT OF SOCIOLOGY
UNIVERSITY OF JOS, JOS, NIGERIA**



at:



**PrimeGLAMOUR
PUBLISHERS**

0703-461-1606, 0813-591-4359

CONTENTS

Roles of Pre-trial Detention on the Rate of Recidivism in Nigeria
Penitentiaries.

Sunday Ojuguwa Ameh, Ph.D, Plangshak Musa Suchi Ph.D.. 1 - 11

Gender Influence and Parents Preferences for Girl Child Education in
Kebbi State, Nigeria. **Dr. Mairo Danjuma (Mrs.).** 12 - 23

Assessment of Decent Work and Job Satisfaction on Labour Turnover in
Organization.
Micah, Damilola John, Omoudu, Monica O. 24 - 36

Language, Culture and the Gender of Nigeria: A Study of the Nigerian
National Anthem and Pledge.
Bassey A. Okon, Ihuoma, I Akinremi. 37 - 49

Reserve Force: A Neglected Component of Security Sector in Nigeria.
**Abdullahi, Muhammad Maigari, Uthman Abdullahi Abdul-Qadir,
Muson, Mohammed Yelwa, Ibrahim Arafat** 50 - 61

Prison Reformation and Rehabilitation of Convicts in Oke-Kura
Prisons, Ilorin, Nigeria. - **Fagbamila Olumide D, Aina J.M.,
Akinfenwa, O.S., Fagbamila Olawande.** 62 - 70

✓ The Perception of Legal and Financial Institutions on Money
Laundering in Kwara State. **Monsurat Isiaka** 71 - 85

Incidence of Mental Disorder and Resilience in Families of the Person
with Mental Disability.
Omoroguiwa, Tracy B.E & Omosuvbe Joy I. 86 - 95

Factors Influencing the Prevalence of Substance Abuse Among
Undergraduate Students in Nigeria Universities.
**Dr. Iguodala-Cole Hope, Ishaya Daniel L., Anto Jacob B.,
Obiabunmuo, Adaobi N.** 96 - 112

The Role of Social Workers in the Prevention of Adolescent Pregnancy
in Oyo East Local Government Area, Oyo State.
Dr. Abimbola Afolabi. 113 - 127

Causes, Effects and Remedies of Sexual Harassment in Tertiary
Institutions. **Lucky Osaretin Odia Ph.D.** 128 - 139

Prison Reformation and Rehabilitation of Convicts in Oke-Kura Prisons, Ilorin, Nigeria.

Fagbamila Olumide D¹, Aina J.M.², Akinfenwa, O.S.¹, Fagbamila Olawande¹

1. Department of Sociology, University of Ilorin.

2. Kogi State University, Ayingba

ABSTRACT

This paper focuses on the role of the prison in the rehabilitation and reformation of offenders. In recent times emphasis has been placed on the need to advance the rights of prisoners in Nigeria through influencing policy actions and frameworks to reverse the state of inefficiency in which the Nigerian prisons has found itself. Triangulation was used to generate data for this study, which includes; unbiased observation, documentary evidence and a structured questionnaire. The study revealed a tripod imbalance in the prisons system which is the mitigating factor to achieving the objective of rehabilitation and reformation; the personnel, policies and prison facilities are at the core of this deficiency. Recommendations for both short term and long term prison overhaul were proffered. It was concluded that, required policies and actions be implemented for the prison system to efficiently carry on its task of reformation and rehabilitation and adequate line of action be followed to control criminality at its socio-economic base.

KEY WORDS:

Prison; Reformation;
Rehabilitation; Convicts

INTRODUCTION

The essence of imprisonment is to reform and rehabilitate offenders before they are integrated into the society. Prison is a place for reformation and rehabilitation of individuals who are not given to conforming to the accepted ways of behaving in any particular society, such non-conformance may be manifest when criminal laws are violated and these violations attract jail terms. The objective of imprisonment is to properly integrate the offender into the society and to also deter other offenders from violating such laws. The sociology of the prison as a social system has been the epicentrum of most prison studies with extensive analysis on the values and norms orientation of prisoners as well as the social structure found in the prison system (Asipa, 2012). The studies found institutional correlations between the society and value orientations of inmates. However, inadequate attention has been given to the challenges faced by convicts in the rehabilitation process. The research question is, what is the extent to which reformation and rehabilitation of inmates can be achieved by prisons?. To obtain answers to this question, the experiences of convicts would be empirically examined involving a

holistic facility assessment as perceived by convicts and prisoner's view of the prison social structure and operations. Perceptions of the convicts on the attitudes of prison officials will also be examined. The focus of this paper is to assess the reformation and rehabilitation drive of prisons as a social system while the objective is to evaluate reformation and rehabilitation as perceived by convicts.

Incarceration has philosophies which are to reform, deter and met out retribution. Each of the philosophies has objectives. The philosophy of deterrence is enshrined in its focus to discourage criminals or would-be criminals from committing crime, while at the heart of the retribution philosophy is the idea that no crime should go unpunished and all criminals must be made to face the full wrath of the law for the society to be adequately compensated, the reformists agenda is to integrate the offender into the society after convicts have been taken through the rehabilitation process (Olumuyiwa, 2008). Is the Nigerian prison system capable to handle the objectives? What are the strategies and structures for achieving convicts reformation and rehabilitation? And what are the convicts view of the rehabilitation process? This paper hopes to find answers to these questions.

LITERATURE REVIEW

A review of the body of knowledge on the prison system reveals disenchantment with the styles and strategies adopted by prisons in Nigeria. The historical trend of prisons in Nigeria today which was first pre occupied by the administration colonial government with the mandate to protect legitimate trade, guarantee the profit of British merchants as well as guarantee the activities of the missionaries, further justifies the perception trailing the prison system as inefficient, ill-disposed, ill-motivated and unfunded to carry out the task of orchestrating any significant reformation and rehabilitation of convicts (Osayi, 2015).

As part of its important objectives, the Nigerian Prison Service has the core responsibility to reform and rehabilitate convicts for proper integration into the society (NPS, 2018). However, perceptions point to the rhetoric of reform and rehabilitation without due demonstration of cognate understanding of what is required for reformation and rehabilitation to be achieved, this has made the core objective of reformation and rehabilitation to be almost utopia.

Reformation entails deliberate efforts geared towards moral, norms and values advancement in the character of any convict which makes such an offender less motivated to commit crime again. Rehabilitation aggregates the efforts made in the post release stage targeted at fully integrating the prisoner into the society. This thus justifies the why the Nigerian prison is built on the two cardinal objectives of reformation and rehabilitation (Shajobi, 2014). With the afore definition and the rhetoric of reformation and rehabilitation, numerous challenges continue to confront the Prison system in Nigeria. The prison system in Nigeria is believed to be a colonial legacy, reminiscence of the experiences of the operation of the criminal justice system in Nigeria, as an offshoot of the imperial legacy, it continues with the

mentality of the colonial era (Akinfenwa et al, 2013), it was noted that, as a technical extension of the colonial and imperial overlords, the criminal justice system is rendered ineffectual in curbing crime as it sets out to hunt the proletariats in the capitalist enclaves, different weights and measures abound in the enactment of laws and operational differentials of the application of sanctions when broken, demonstrating an inherent socio-economic and political disparity in the application of the penal codes.

The mode of operations of the prison personnel and other sub-systems of the criminal justice system sometimes make worse, rather than deplete crime, the criminal justice system certifies the bourgeoisie to legal innocence, while only members of the proletariat social class are seen off to the political cemetery of incarceration (Erasmus, 2012), and the implication of this as noted by Akinfenwa et al, (2013) is that recidivism tends to be on the rise with the prison serving as a second home to half of those that had been reformed and freed by the criminal justice system.

The course of action of prisons in Nigeria towards reformation and rehabilitation of convicts is a deviation from the declared objectives demonstrating a horrendous disconnect between ideal ethos, philosophy and practice. The state of prisons in Nigeria explicitly points to sheer connivance and conspiracy to deprive, ravage and dehumanize convicts, modern prisons in Nigeria are seen as just mere four corner wall restrictions with no facility, personnel and capacity to carry on the task of reformation and rehabilitation (Osayi, 2015). With this background information, this paper seeks to empirically investigate convict's experience in Oke-kura Ilorin. To achieve this, an evaluation of the capacity for rehabilitation by Oke-kura prison will be done.

THEORETICAL FRAMEWORK

Under this subheading, the philosophy underpinning reformation and rehabilitation of convicts is explained. This paper focuses on two broad theories: the transcendental theories of punishment and the penal theories.

Transcendental Theories of Punishment

Five basic principles underlies the transcendental theories of punishment, firstly, is the perspective which points to the religious obligation of punishing crime subsumed under the rubric of the theological view. The second orientation is that punishment is a mystical order instructed by nature and must be meted out on offenders, this orientation falls under the expiatory perspective. The third view believes crime should be an end in itself, as such a moral absoluteness originating from intuitive source should be operational, this view was expressed in Kant's moral law. Fourthly Hegel proposed that to ameliorate the injury of crime, punishment was inevitable, a demonstrated direct relationship was offered, and suggesting the need for symbiosis between crime and punishment, this view is subsumed under the Hegelian Perspective. Lastly is the orientation which points to

the beauty of punishment, the aesthetic component of punishment was amplified in this view, and it further suggested that it is more beautiful to punish crime, as unpunished crime is not a beauty to behold- The Aesthetic perspective succinctly captures that view (Usoh, 2010)

Transcendental theories and its application to prison reformation and rehabilitation focuses on the rationale for punishment in Nigeria, and gives an eloquent explanation for punishment in the 21st century Nigeria emphasizing the place of social norms and perceptions in the realization of the objective of reformation and rehabilitation.

Penal Theories

The principal proponent of the utilitarian school of philosophy is Jeremy Bentham. Bentham believed that men have opportunity to choose and make rational decisions between course of actions, an opportunity between pleasure and pains, he opined that punishment should be commensurate with the pleasures derived in any crime committed, and when men becomes conscious of the commensurate measures, they will be well guided to choose what course of actions to take bearing in mind the consequence of their actions which has formed the very foundation upon which modern day graduated and differential penalty for offences is based. Bentham went further to stress the role of the criminal justice system in the prevention of crime, with swift justice; crime can be prevented (Olumuyiwa, 2008).

Rossi and Garraud, proposed the neoclassical component of penal theories, their analysis commenced with the enunciation of the principles of free will as advanced by Bentham, the exception made was for extenuating circumstances including juvenile cases and insane people since the actus reus and mens rea elements of crime is negated, though there might be physical element for the crime but there will be no mental element as such is not a negligent action or inaction which causes harm. In the history of punishment, penal theories are important to the effect that it proposes that the degree of culpability should be a direct measure of involvement in crime, secondly, it has provided the legal foundation upon which modern practice and penal law is based (Erasmus, 2012).

The principle of graduated penalties for crimes committed, and the need to prove culpability beyond logical grounds is an eloquent rendition of the relevance of penal theories, it also keeps us focused on the different type of reformation agenda and strategies needed to integrate offenders.

RESEARCH METHODOLOGY

Data was derived from the Nigeria Prisons, Oke Kura, Ilorin, Nigeria, situated in Ilorin metropolis. There were 11 short term prisoners in Nigeria Prisons Oke-kura during the time of this study, the 11 short term prisoners were all males, while the total number of long term prisoners was 23; 21 males and two female. Two male prisoners were on life sentence, and the 13 condemned convicts were all

male. On awaiting trial list were 201 inmates, with 199 males and 2 females. There was a total number of 250 inmates in Ilorin prison with 199 males and 4 females awaiting trial. Stratified sampling was used to choose 56 males and questionnaire was administered on all female. Madala Maximum Security Prison Ilorin is located in Kwara state with 135 inmates.

The instruments of data collection used in the study were questionnaire, secondary sources and observation. Visitors entrance, medication feeding and the living conditions of the convicts were observed and further information was derived from secondary sources. The qualitative analysis of data collected through observation and secondary sources was done, while a quantitative analysis was done for data gathered through the questionnaire instrument.

DATA PRESENTATION AND FINDINGS

Table 1: Demographic and Social Characteristics of Prisoners Number = 60

Chronological age	Frequency in Percentages
18-24	49.6
25-2	31.4
31 Years and above	19
Sex	Frequency in Percentages
Female	6.66
Male	93.33
Marital Status	Frequency in Percentages
Married	28.6
Single	69
Widowed \ divorcee	2.4
Educational Attainment	Frequency in Percentages
Not Educated	21.2
Elementary/Islamic Education	36.5
Secondary	40.5
Higher Institution	1.8
Employment status	Frequency in Percentages
Unemployed	60.1
Self-Employed	38.9
Civil Servants	1
Total	100

Source: Field Work 2018

From the data above, most of the prisoners were between age 18-29 years (49.6%), which shows that the youth population within that age range is more disposed to a life of crime. The youth convict is more likely to be convicted for violating laws such as theft, advance fee fraud or property pilfering. The data shows that a typical convict in Oke kura prison is either unemployed or self employed with next to nothing to cater for his/her own economic well being. The implication is that the proletariat belonging to the lower socio-economic stratum is an exemplar of what a criminal is in Nigeria. Deliberate attempt has been made to focus understanding on prisoners social and demographic characteristics which is the appropriate template to situate discussion on the inefficiency of the prisons in Nigeria to reform and rehabilitate offenders.

From the secondary sources of data, the Nigerian prison Oke-Kura was built to accommodate 120 inmates, at the time of field study, it housed 250 inmates. Insignificant percentage (6.66%) represents the female prison population while 93.33% represents the population of the male convicts. The implication of this statistics is that the cells provided for the male convicts were overcrowded, and convicts had to take turn to sleep, in some cases a roaster was drawn by inmates specifying who sleeps, when and how, which often results to quarrels and fisticuffs. The absence of hygiene was at its peak as the cells were stuffy, the human waste disposal was done through defecating in plastics and nylons for onward deposit to the soak away

Due to the stuffy conditions of the cells caused by overcrowding, crawling and infectious insects were present, these unhygienic situation justifies the prevalence of dermal diseases seen in the prison. To further exacerbate the health challenges faced by convicts is the dearth of medical personnel and gross inadequacy of medical facilities. As at the time of this study, Oke-kura prison had a dearth of medical personnel with the requisite medical knowledge and experience. The clinic operated by the prison suffered immense lack of drugs and required facilities, there were no ambulances to handle emergency situations and convey them for onward treatment in more medically functional hospitals. From observation, sick convicts had to pay their way through to good health as it has financial implications on their purse, they had to pay the transport fare of themselves and that of the accompanying prison warder if any treatment is to be received from any medical facility outside the prison. This observation calls attention to why death rate is on increase in Nigerian prisons. In this study, it was also observed that prisoners were not adequately clothed, most of the prisoners had never received any clothing from the Nigeria prison. Table 2 captures the findings through a cross tabulation of gender and if they had been provided with clothing.

Table 2: Gender and Convicts Response on Clothing.**Gender Responses**

	Yes I received uniform %		No I did not receive uniform %		Total %	
Males	11	18.7	45	65.8	56	93.33
Female	3	5.45	1	10.0	4	6.66
TOTAL	14	24.15	46	75.8	60	100

Source: Field Work 2018

The data in the table above shows that most of the respondents did not receive the required clothing (65.8%) while the female prison convicts with lesser population were provided with adequate clothing (5.45%). Most of the male convicts stressed that they bought uniforms from discharged convicts or used their personal clothing, this explains the half-naked and shabby dressing known with the typical male convict.

In the course of conducting an interview for this study, the convicts gave their account of feeding in the prison system; the food lacked the requirements needed for it to be regarded as food such that we will be doing extreme violence to language when we talk of quality. 81% of convicts perceived the quantity of food served to be inadequate and 71.6 rate the quantity of food served as unsatisfactory. These findings is in tandem with previous studies which noted that food served in the prison is not well prepared, recurring menu, inadequate quantity, and insipid.

Another area evaluated in this research is prison work. The convicts pointed out that work to be assigned varies and is dependent on the crime committed necessitating incarceration. Convicts who had limited time to spend in prisons are assigned the menial duties while those with vocational ability are pushed to serve in their area of focus, although most convicts claimed that prison work is hardly assigned. Convicts view on penal objectives and general life in the prison was also evaluated with findings contained in table 3 below.

Table 3: Objectives of the Prison as Perceived by Convicts

Responses	Relative frequency (%)
Oppression	55.7
Reform/Rehabilitation	33.3
Others	11
Total	100

Source: Field Work 2018

Data revealed 57.7% of the respondents believed that the core instrument for oppression is the prison. Only 33.3% perceive the prison as reformatory. The implication of this finding is that convicts believe the objective of the criminal justice system is to criminalize proletariat behavior and deal with the poor. In the

analysis on corruptibility, convicts perceived officials of the Nigerian prison as extremely corrupt, 76.2% agree in affirmation with the corrupt nature of the officials of the Nigerian prison, while 37.2% believed tribal and religious inclination forms the basis of whether a prison official would be nice or not and it aligns with Akinfenwa, et al (2016) findings that religion is at the center of human interaction in closed institutions such as the prison. These findings are exciting for two reasons, first is that the convicts knows what is going on in the prison, the wanton corruption prevailing and the anomalies, convicts can get dangerous or banned drugs from the outside world once he or she can afford to bribe a prison official, prison officials make themselves prison traders and create the missing link between convicts the outside world of crime. Aggression rather than mentorship described the relationship between convicts and prison officials, the poor inmates were unjustly punished whenever any law was broken, convicts were beaten and brutalized and this explains why convicts are always brutal and sniff out lives of the officers of the Nigeria Prison during jail breaks. When inmates were asked what their view was on the prison system, they expressed deep hatred for the system as it lacks the capacity to reform or rehabilitate them. All these findings point to the low quality of life in the Nigeria prison which contradicts the efforts at reformation and rehabilitation of convicts.

DISCUSSION OF FINDINGS

In analyzing the findings in a work of this nature, attention should be drawn to the inconclusive programs which characterize the criminal justice system in Nigeria, the programs are not only outdated but also grossly incompetent to meet the needs of reformation and rehabilitation which has precipitated many unwholesome practices in the guise of reformation. Convicts pretend to have fully imbibed the correctional diets so as to be certified corrected and escape inconclusive sentencing which may facilitate their release on grounds of been reformed. This study unveils the inadequacy of the prison system to reform and rehabilitate convicts and centers the argument on the parallel divergence continuum of state objectives and action plans

CONCLUSION AND RECOMMENDATIONS

Based on our findings and analysis in the preceding sections of this work, we are inclined to conclude as follows. The prison should strive hard to bring its influence to bear on the convict while in custody, so as to help the convicted individual on the day of his discharge to have turned a new leaf, ready to abide by the laws, values, orders and conventions which guides our existence in the society.

Facilities and programs must be put in place if the objective of reformation and rehabilitation is to be achieved. Apart from the above, we are suggesting the following measures for prison reformation and the rehabilitation of convicts in Nigeria, the recommendations include inter-alia: implementation of the reports of

commission on prison decongestion, adoption of custodial sentencing to discourage overcrowding, drastic reduction in pre-trial detention, ministry of health should introduce health programs, human rights of prisoners should be valued, prevent torture and degrading treatment on convicts, improved feeding and improved vocational facilities so that convicts can learn skills and may be economically self-reliant upon release from the prison.

References

- Akinfenwa O.S., Fagbamila O.D & Abdulganiyu I.A (2013). The Role of Religion in Modern Society: Masses Opium or Tool for Development. *International Journal of Sociology and Anthropology*. Academic Journals Inc.
- Asipa, O.M. (2012). The Prison System in Nigeria: A Social Perspective. Paper presented at a National Conference on Convicts and the Prison System).
- Erasmus, E. (2012). Humans in Social Institutions. In Domingoes T. (ed) *Lawless Society* N.Y.: Free Press.
- Nigeria Prison Services (NPS) Annual Report. (2018). Federal Ministry of Internal Affairs, FTC, Abuja.
- Olumuyiwa, A. (2008). Shades and Perspectives of the Prison System in Nigeria. In Ogunjobi, M.O. *Rehabilitation in Nigeria prisons*, Kraft Books.
- Osayi, K (2015). Socio-cultural factors affecting reintegration of discharged prisoners in Anambra State, South East, Nigeria. *International Journal of Social Science and Humanity*, 5(1)
- Shajobi, D, (2014). Challenges of imprisonment in the Nigerian penal system: The way forward. *American Journal of Humanities and Social Sciences* 2, (2)
- Usoh, V.(2010). *The Sociology of Punishment and Correction*, Course Guide CSS 212 Lagos, National Open University.