

# 1 Custodial Rehabilitation and Public Security in Nigeria's Fourth 2 Republic

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## 6 **Abstract**

7 The study examines the functionality of custodial rehabilitation as a means of improving  
8 public security in Nigeria's Fourth Republic. A qualitative exploratory approach was  
9 employed during the research, and data was collected from seven correctional facilities, six  
10 selected from each of the six geopolitical zones in the country. In contrast, the seventh facility,  
11 Agodi Correctional Center was purposely selected to complement information from the other  
12 selected facilities. The study population included correctional officers, inmates, exinmates,  
13 and non-governmental organizations. Data collected were descriptively analyzed using  
14 thematic and content analysis. The study identified incongruence between rehabilitation  
15 programmes and services on the one hand, and offenses committed by the inmates and other  
16 risk factors on the other as the main cause of the poor performance of the rehabilitation  
17 mandate of the Nigerian Correctional Service (NCS) and by extension, the raging crisis of  
18 insecurity in the country. Lack of attention on behavior modifying services, and poor  
19 socio-economic conditions in the country are also identified as factors militating against  
20 effective inmate rehabilitation and re-integration. For the possible improvement of  
21 rehabilitation programmes of the NCS and public security in Nigeria, the study advocates  
22 assignment of rehabilitation programmes and services to inmates based on the offenses  
23 committed, recruitment of more professionals, better focus on behavior modifying programmes  
24 for the inmates, and enhancement of the participation of non-governmental organizations in  
25 the provision of support services in the correctional centers.

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27 **Index terms**— fourth republic, inmates, public security, rehabilitation.

## 28 **1 Introduction**

29 As a unique human creation, the state has remained the fulcrum of interpersonal, group, and societal relationships.  
30 This makes the state to be at forefront of almost everything pertaining to the wellbeing or otherwise of the citizen  
31 and continues to set not only the pace but also the tone of political and socio-economic development. Ghani,  
32 Lockhart and Carnahan (2005) identify the key functions of the state to include: protection of its territorial  
33 integrity, the enablement of opportunities for citizens' capacity enhancement and actualization, delineation  
34 of citizen rights and duties, international relations etc. However, effective performance of these roles and  
35 responsibilities is a direct function of state capacity; the ability of state institutions to effectively implement official  
36 goals in the functions of contemporary states, namely extractive A capacity, coercive capacity and administrative  
37 capacity (Hanson and Sigman, 2013).

38 Meanwhile, the centrality of effective security to the survival of every modern state justifies the attention  
39 and investment on the criminal justice administration as a whole and the prison system, particularly because  
40 the coercive capacity of the states is mainly built and expressed through rules and regulations. Individuals who  
41 contravene these legal provisions are sanctioned and, or corrected through various sentencing options, among  
42 which imprisonment is most prominent (Bamgbose, 2010). Correctional institutions are therefore, a primary

### 3 RESEARCH QUESTIONS

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43 instrument of punishment and its establishment and maintenance are some of the public policy options for  
44 maintenance of peace and security in modern nation-states. Efforts to maintain law and order through criminal  
45 justice decisions through interrelated processes. As observed by Lyons and Scheingold (2000), crime control  
46 policy is politically constructed. Therefore, laws are made, enforced, and interpreted through processes in which  
47 politics is at play. It is on this basis that Martin (2015) maintains that crimes are politically related to politics.  
48 More so, in democracies, laws are made and passed by representative bodies called the legislative assemblies.

49 The Nigerian Fourth Republic is instituted based on the principle of libertarianism and democratic ethos  
50 which is associated with rights, and opportunities for all categories of citizens, including those already kept  
51 behind bars. Under these principles, corporal punishment and other forms of inhuman treatments are de-  
52 emphasized, and the penal philosophy adopted now is that which is based on custody, rehabilitation and  
53 reintegration (Oyewo, 2014). However, custodial rehabilitation programmes goal is to ensure that inmates invest  
54 their time positively during incarceration for reformation and re-integration after discharge but this has remained  
55 ineffective in Nigeria. Although, inmate rehabilitation function of the Nigerian Correctional Service (NCS) is  
56 premised on: (i.) Identifying the causes of inmates' anti-social dispositions; (ii) Setting in motion mechanism  
57 for their effective treatment and training for eventual reintegration into society as normal law-abiding citizens  
58 on discharge (iii) Administering Prison Farms and Industries (Nigerian Prisons Handbook, 2012). However, the  
59 high rate of reoffending which further endangers public security in the country, does not suggest that existing  
60 rehabilitation programmes and policy in reality, address inmates' rehabilitative needs. The study, against this  
61 background, examines custodial rehabilitation programmes and services in the Nigerian correctional centers as  
62 a means of improving public safety in the country. ??1933), imprisonment could serve different purposes in a  
63 society. Prisons or correctional institutions may reflect class structure/power in which the ruling class uses it to  
64 isolate and punish the disadvantaged population. In countries whose penal principle is skewed in this direction,  
65 the emphasis is on harsh prison labor and enforce compliance rather than teach any practical skills. The Eighteen  
66 century England, colonial and military governments in Nigeria were founded and operated on this principle. Coyle  
67 (2005) similarly recognizes that other factors influence imprisonment policy aside from crime. ??oucault (1971),  
68 for example, notes that a prison is a form of social and political control for the wider society and not just an  
69 institution that controls crime and criminal behavior. ??acquant (2009) observes that although crime cuts across  
70 every class of the society but punishment hardly does; this makes imprisonment a lower-class phenomenon. It  
71 is on this basis that Coyle (2005, p.20) maintains that an increase in the prison population reflects high rates  
72 of 'social exclusion'. Inmates are therefore, most likely, the marginalized members of the society. In the rare  
73 event of incarceration of 'high profile' persons, they spend lesser time behind bars and often usually accorded  
74 'unusual humane' treatment. This further reinforces Rusche and Kirchheimer's (1933) claim that the history of  
75 punishment is simply a history of class relations between the bourgeoisie and the proletariat. Carlen (2006, cited  
76 in Cavadino and Dignan, 2007) concludes that correctional centers in present day societies still fulfil its old age  
77 function of catering for the homeless, the mentally ill, the stranger, the non-compliant poor, the abused, and the  
78 excluded. The United Nations ??2006) corroborates the idea of imprisonment being a class affair. It notes that  
79 the majority of prisoners worldwide come from economically and socially disadvantaged backgrounds. Poverty,  
80 unemployment, lack of housing, broken families, history of psychological problems and mental illness, drug and  
81 alcohol abuse, domestic violence are realities likely to be found in most offenders' lives.

## 82 2 II.

### 83 3 Research Questions

84 An early account of imprisonment policy indicates that it centers on corporal punishments such as torture, public  
85 execution, dismemberment, whipping, and other inhuman practices ??Faucault, 1975), which is different from  
86 the idea of rehabilitation. It is perhaps, on this basis, that Weschler (1991) concludes that prison culture has  
87 always been ruled by violence, contrary to the values of humanness, softness, and openness. In an earlier but  
88 related development, Kant (1790) maintains that retribution is the sole consideration in fixing the amount and  
89 kinds of punishment. He says:

90 Punishment can never serve nearly as a means to further another good either for the offender himself or  
91 for society, still it must always be inflicted simply and solely because he has committed a crime. The law of  
92 punishment is Categorical imperative (p.1).

93 Meanwhile, correctional institutions in many developing countries are associated with punishment and  
94 inhumane conditions leading to health challenges, which in most cases goes beyond intended punishment for their  
95 criminal behavior. Studies on correctional centers in Nigeria, for example, Obioha (1995) and Adetula and Fatusin  
96 (2010) showed that contact with the correctional centers in Nigeria, for example, is essentially punitive. According  
97 to Sch?"§nteich (2015), correctional centers in developing countries serve as agents in the spread of communicable  
98 diseases and exacerbate existing health problems, producing broader public health challenges as released inmates  
99 spread diseases to the rest of the populace. Sch?"§nteich's position seems to have corroborated that of Weilandt  
100 and Greifinger (2010), and Ikuteyijo and Agunbiade (2008). According to them, prison populations exhibit much  
101 higher rates of transmissible diseases than does the populace at large.

102 The struggle against inhuman treatments in the name of punishment in prisons is of historical significance  
103 and traceable to the early writers on the prison system such as Beccaria (1738-1794), and Bentham (1748-1832),

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104 among others. For Beccaria, (1819:75) "the degree of punishment, and the consequences of crime, ought to be  
105 so framed in a way to have the highest possible effect on others but with the least likely pain on the offenders.  
106 With this, Beccaria set the background for deterrent and rehabilitation rather than punishment as the essence  
107 of prison institution. The practical and intellectual strength of rehabilitation as the basis of imprisonment has  
108 ushered in an era in Custodial Rehabilitation and Public Security in Nigeria's Fourth Republic which prisons  
109 and corrections are now being used undifferentiated. For example, Nwolise (2010) notes that corrections implies  
110 "the organization and administration of prisons as a form of social clinic in which psychologist, medical doctors,  
111 social workers, researchers, spiritual workers, and others operate hand in hand with the correctional personnel to  
112 achieve the best results of transforming the inmates away from being deviants to being disciplined, productive,  
113 useful and patriotic citizens". This approach to imprisonment negates all forms of inhuman treatment in the  
114 name of punishment. Adetula and Fatusin (2010) corroborate this position. According to them, punishment and  
115 all forms of inhumane treatments bring about breeding and enhancing criminal behavior and recidivists than  
116 serving, deterrence, repentance, reformatory, and reconciliatory attitudes between ex-convicts and people in a  
117 free society to boost confidence in physical and conceptual security.

118 Prisons in many countries in modern times have therefore, grown into correctional institutions. According  
119 to Foucault (1975) prisons became concerned with the offender's personality, seeking to understand the reasons  
120 behind the criminal action in order to intervene and put an end to any further disobedience and by extension,  
121 insecurity. It is on this basis that prisons have experienced the proliferation of experts, such as social workers,  
122 psychiatrists, and criminologists in the correctional institutions ??Foucault, 1977). Hence, the goal of punishment  
123 by imprisonment in many countries has become custodial rehabilitation.

## 124 4 IV.

## 125 5 Methods

126 A qualitative exploratory approach was employed during this research. Data in respect of rehabilitation  
127 programmes available in the Nigerian Correctional centers were collected from seven correctional centers. Six  
128 of these facilities were selected from each of the six geopolitical zones in Nigeria. These include North-  
129 Central: Nassarawa (Lafia Correctional Center), North-West: Kano (Kano Medium Correctional Center), North-  
130 East: Bauchi (Bauchi Correctional Center) South-West: Lagos (Badagry Correctional Center), South-East: Imo  
131 (Okigwe Correctional Center) South-South: Rivers (Port Harcourt Correctional Center). The Nigerian  
132 Correctional Service has 36 State and 1 Federal Capital Territory Commands. To this extent, Lagos, Imo,  
133 Rivers, Nassarawa, Kano, and Bauchi states were selected for the inmate population of the study. The choice of  
134 Lagos, Imo, Rivers, and Kano states was based on their position as the states with the highest number of inmates  
135 from the South-West, South-East, South-South, and North-West in that order (See NPS Annual Report, 2013).  
136 While Benue, and Adamawa states have the highest inmate population in the North-Central and North-East in  
137 the period under review, they were not selected due to the precarious security situation. Nassarawa, and Bauchi  
138 states which are next to these two states in terms of inmate population were selected in their place. In contrast,  
139 Agodi Correctional Center, Oyo State was purposely included to complement information from other selected  
140 facilities.

141 A total of 36 semi-structured interviews were conducted based on voluntariness and the snowball methods.  
142 Sampling method: the study adopted area, and purposive sampling given the size and nature of the study  
143 population. Interviews and participant observation were used to complement secondary data from the selected  
144 correctional centers. Generated data were descriptively discussed. Four different sets of openended question  
145 guides were used for the four categories of respondents. These respondents included correctional officials, inmates,  
146 ex-inmates and nongovernmental organizations. In all, 70 (Seventy) inmates, 14 (Fourteen) correctional officials,  
147 6 (Six) nongovernmental organizations and 10 (Ten) ex-inmates participated in the study. Justification for the  
148 selection of these categories of respondents was primarily based on their position as the major role-players in  
149 the correctional industry. Interview location varied from correctional centers, offices, and religious centers. An  
150 informed consent form was administered on every category of respondents, and other ethical issues such as  
151 confidentiality were adhered. Data generated were content-analyzed based on the objectives of the research.

152 V.

## 153 6 Limitations

154 The study was impeded at the early stage by administrative bottleneck in the correctional service, but this was  
155 overcome through the assistance of some correctional officers in the selected study facilities. Similarly, owing  
156 to the high rate of stigmatization of individuals who have experienced the country's correctional facility, it  
157 was very difficult to come across ex-inmates in the course of the research. Nevertheless, this challenge was  
158 also overcome with the assistance of a non-governmental organization, the Justice Peace and Development  
159 Commission, Bashorun Ibadan.

### 160 7 VI.

### 161 8 Findings

162 Demographic information of the inmate respondents revealed that 64% of the respondents were below the age  
163 of forty while 70% claimed to be educated up to primary school level and only 53 % of the inmates respondents  
164 claimed to have post primary education. Findings in respect of the challenges of effective rehabilitation in the  
165 Nigerian Correctional Service were multi-dimensional. For example, rehabilitation programmes and services  
166 are not tailored to inmate rehabilitation needs. The study found out that there is a widespread mismatch  
167 between the reasons Custodial Rehabilitation and Public Security in Nigeria's Fourth Republic why inmates  
168 were incarcerated and the programmes offered, this indicates that inmates' criminogenic needs are not considered  
169 when programmes are being assigned. Similarly, available programmes and services such as tailoring, carpentry,  
170 and educational programmes are not well funded. At best, most rehabilitation programmes that relate to skill  
171 acquisition programmes are being delivered with obsolete equipment, this also, agrees with earlier studies on the  
172 Nigerian correctional system, such as Nwolise (2012), Ekpenyong N. S. and Undutimi J. D. (2016).

173 Further, the study observed that rehabilitation programmes in the Nigerian Correctional Service vary across  
174 correctional centers without any common indices for performance appraisal. Some of the programmes and services  
175 offered across the sampled facilities in the country include the following:Table 1: Rehabilitation Programmes in  
176 Selected Correctional Facilities in Nigeria

177 The table ?? shows that tailoring and faith based programmes were the most subscribed rehabilitation  
178 programmes in the Nigerian correctional centers. The table also shows that the education programme is  
179 not available in many of the correctional centers despite the preponderance of inmates with poor educational  
180 background.

181 Similarly, the preponderance of pre-trial inmates constitutes another main challenge to effective inmaterehabil-  
182 itation in Nigeria. Even though pre-trial detainees are not statutorily required to offer correctional programmes  
183 and services because of the presumption of their innocence until a competent court decides otherwise, a very  
184 high percentage of both human and material resources of the country's correctional system is dedicated to  
185 the management of this category of detainees, thereby, inhibiting the process of effective rehabilitation. The  
186 average ratio of convicted inmates to awaiting trial inmates in the selected correctional facility is 1-12. Similarly,  
187 the average Nigerian correctional center is overcrowded by 60%. Below is the basic inmate information in  
188 the selected correctional centers: Table 2 shows the preponderance of awaiting trial inmates in all sampled  
189 correctional facilities. This reveals that a larger percentage of the inmates in the Nigerian correctional centers  
190 are not statutorily qualified to participate in rehabilitation because they were yet to be pronounced guilty for  
191 offenses for which they are incarcerated. This finding agrees with previous work such as Onimajesin (2013) and  
192 Tsuwa and Okoh (2016) on the impact of awaiting trial inmates on the performance of the rehabilitative objective  
193 of the Nigerian correctional service. However, helping inmates to cope with idleness as the teleological function of  
194 rehabilitation programmes in Nigerian correctional institutions is a major motivating factor for the participation  
195 of both awaiting trial and convicted inmates in the rehabilitation programmes. This agrees with the position of  
196 Craig (2004) that inmate rehabilitation programmes are largely used as a control mechanismto kill time rather  
197 than treatment for effective rehabilitation.

198 Interview with ex-inmates of Nigerian prisons about the challenges of their effective re-integration into the  
199 society shows a lack of congruence between offenses committed except in the case of economic offenses, thereby  
200 reducing the possibility of reformation and eventual re-integration. Meanwhile, treatments/ interventions that  
201 target the known predictors of crime and recidivism for change have been argued as having a positive influence on  
202 all categories of offenders (Andrews 1995; Andrews and Bonta 1998). Further, skillbased/vocational interventions  
203 were over-focused in the bid to reform offenders in Nigeria at the expense of programmes capable of eliciting  
204 behavioral changes among the inmates. According to Andrews (1995), such behavioral interventions that  
205 would employ cognitive behavioral and social learning techniques of modeling, graduated practice, role-playing,  
206 reinforcement, extinction, resource provision, concrete verbal suggestions (symbolic modeling, giving reasons,  
207 prompting) and cognitive restructuring have also been found to have a positive influence on rehabilitation.  
208 Similarly, socio-economic challenges also impact the efforts towards the re-integration of ex-inmates. The failure  
209 of the state in Nigeria to provide basic needs and services to the general populace also impacts negatively on  
210 offenders released from the Nigerian correctional centers as they are confronted with the problem of homelessness,  
211 lack of capital to start a new business, among others. This finding agrees with Borzyki (2005) that offenders  
212 released from prisons are confronted by a range of socio-economic and personal challenges. Similarly, Heroux  
213 (2011) maintained that among the post-release challenges of prison inmates are accommodation, medical care,  
214 and employment.

215 Findings in respect of non-governmental organizations' involvement correctional programmes in Nigeria reveals  
216 that there are several non-governmental organizations such as Prisoners Rehabilitation and Welfare Action  
217 (PRAWA), Muslim Umar of South-West Nigeria (MUSWEN); Justice, Development and Peace Commission  
218 (JDPC); Prison Rehabilitation Ministry International (PREMI) involved in the provision of support services  
219 to prison inmates. According to Imhabekhai (2002), ' non-governmental organizations' attraction to assisting  
220 prison inmates was influenced by the deplorable conditions of prisoners' welfare in Nigeria. Non-governmental  
221 organizations, therefore provide numerous support services towards inmate rehabilitation across correctional

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222 service in Nigeria. These include welfare services in the area of counseling, health care services, provision of  
223 water, financial support, and aftercare services. These organizations also provide legal services and support  
224 staff for rehabilitation programmes and services, especially in the area of education. Findings of the study also  
225 showed a preponderance of faith-based nongovernmental organizations in the correctional centers. However, for  
226 the factors of distance and accessibility, the involvement of all categories of non-governmental organizations in  
227 correctional programmes and services were more pronounced in the urban centers. This agrees with the position  
228 of Oyewo (Forthcoming) that infrastructure problems plaguing Nigerian society at large also impact on the  
229 performance of its correctional institutions. Correctional centers that are located in the rural areas are not easily  
230 accessible for nongovernmental organizations.

231 **9 VII.**

232 **10 Concluding Remarks**

233 Correctional centers, like other rule of law agencies of the state, play a crucial role in the provision of public  
234 security across the world. A substantial Custodial Rehabilitation and Public Security in Nigeria's Fourth Republic  
235 percentage of inmates return to the society upon the expiration of their term or through jail delivery efforts either  
236 as a reformed persons or a hardened criminals, this indicates that whatever happens behind bars has a way of  
237 affecting the society in the long run. However, the major finding of the research indicates that lack of effective  
238 inmate rehabilitation in the Nigerian correctional centers is rather a security risk to the society. The rate at which  
239 ex-inmates re-offend in Nigeria is a clear indication that correctional institutions in the country need to rejig their  
240 efforts toward inmate rehabilitation, particularly in terms of behavioral modification and skill acquisition. Doing  
241 this, the paper identifies the need for a greater congruence between rehabilitation programmes and services offered  
242 on when hand and crimes for which offenders are incarcerated as well as other risk factors that may pre-dispose  
243 inmates to crimes after discharge on the other. Recruitment of more professionals into the correctional service,  
244 allotment of more time for correctional programmes and services are also considered as means of improving  
custodial rehabilitation programmes and services, and by extension, public security in Nigeria.

**2**

Badagry	360	Nil	43	Nil	290	Nil	333
Okigwe	504	Nil	65	02	305	07	379
Kano	750	Nil	60	02	1300	18	1380
Lafia	300	Nil	104	Nil	494	09	598
Port-Harcourt	804	1	124	08	3445	73	4052
Bauchi	500	Nil	134	02	786	09	931
	3218	1	530	14	6620 116 7673		

Source: Fieldwork, 2019

Figure 1: Table 2 :

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