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Keywords: *fourth republic, inmates, public security, rehabilitation.*

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Custodial Rehabilitation and Public Security in Nigeria's Fourth Republic

Oyekunle Oluseye Oyewo

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

Keywords: fourth republic, inmates, public security, rehabilitation.

I. Introduction

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

Meanwhile, the centrality of effective security to the survival of every modern state justifies the attention and investment on the criminal justice administration as a whole and the prison system, particularly because the coercive capacity of the states is mainly built and expressed through rules and regulations. Individuals who contravene these legal provisions are sanctioned and, or corrected through various sentencing options, among which imprisonment is most prominent (Bamgbose, 2010). Correctional institutions are therefore, a primary instrument of punishment and its establishment and maintenance are some of the public policy options for maintenance of peace and security in modern nation-states. Efforts to maintain law and order through criminal justice decisions through interrelated processes. As observed by Lyons and Scheingold (2000), crime control policy is politically constructed. Therefore, laws are made, enforced, and interpreted through processes in which politics is at play. It is on this basis that Martin (2015) maintains that crimes are politically related to politics. More so, in democracies, laws are made and passed by representative bodies called the legislative assemblies.

The Nigerian Fourth Republic is instituted based on the principle of libertarianism and democratic ethos which is associated with rights, and opportunities for all categories of citizens, including those already kept behind bars. Under these principles, corporal punishment and other forms of inhuman treatments are de-emphasized, and the penal philosophy adopted now is that which is based on custody, rehabilitation and re-integration (Oyewo, 2014). However, custodial rehabilitation programmes goal is to ensure that inmates invest their time positively during incarceration for reformation and re-integration after discharge but this has remained ineffective in Nigeria. Although, inmate rehabilitation function of the Nigerian Correctional Service (NCS) is premised on: (i.) Identifying the causes of inmates' anti-social dispositions; (ii) Setting in motion mechanism for their effective treatment and training for eventual reintegration into society as normal law-abiding citizens on discharge (iii) Administering Prison Farms and Industries (Nigerian Prisons Handbook, 2012). However, the high rate of reoffending which further endangers public security in the country, does not suggest that existing rehabilitation programmes and

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policy in reality, address inmates' rehabilitative needs. The study, against this background, examines custodial rehabilitation programmes and services in the Nigerian correctional centers as a means of improving public safety in the country.

II. Research Questions

i. What are the problems affecting effective inmate rehabilitation in Nigeria?
ii. What are the types of available correctional services and programmes in the Nigerian correctional centers?
iii. What are the roles of non-governmental organizations in the Nigerian correctional centers?

III. Literature

Drawing upon works on prison system such as Rothman's Discovery of the Asylum (1971), Michael Foucault's Discipline and Punish (1975), Wacquant's Deadly Symbiosis (2001), and Rusche and Kirchheimer's Prisons and Social Structure (1933), imprisonment could serve different purposes in a society. Prisons or correctional institutions may reflect class structure/power in which the ruling class uses it to isolate and punish the disadvantaged population. In countries whose penal principle is skewed in this direction, the emphasis is on harsh prison labor and enforce compliance rather than teach any practical skills. The Eighteen century England, colonial and military governments in Nigeria were founded and operated on this principle. Coyle (2005) similarly recognizes that other factors influence imprisonment policy aside from crime.

Foucault (1971), for example, notes that a prison is a form of social and political control for the wider society and not just an institution that controls crime and criminal behavior. Wacquant (2009) observes that although crime cuts across every class of the society but punishment hardly does; this makes imprisonment a lower-class phenomenon. It is on this basis that Coyle (2005, p.20) maintains that an increase in the prison population reflects high rates of 'social exclusion'. Inmates are therefore, most likely, the marginalized members of the society. In the rare event of incarceration of 'high profile' persons, they spend lesser time behind bars and often usually accorded 'unusual humane' treatment.

This further reinforces Rusche and Kirchheimer's (1933) claim that the history of punishment is simply a history of class relations between the bourgeoisie and the proletariat. Carlen (2006, cited in Cavadino and Dignan, 2007) concludes that correctional centers in present day societies still fulfil its old age function of catering for the homeless, the mentally ill, the stranger, the non-compliant poor, the abused, and the excluded. The United Nations (2006) corroborates the idea of imprisonment being a class affair. It notes that the majority of prisoners worldwide come from economically and socially disadvantaged backgrounds. Poverty, unemployment, lack of housing, broken families, history of psychological problems and mental illness, drug and alcohol abuse, domestic violence are realities likely to be found in most offenders' lives.

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

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

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

The struggle against inhuman treatments in the name of punishment in prisons is of historical significance and traceable to the early writers on the prison system such as Beccaria (1738-1794), and Bentham (1748-1832), among others. For Beccaria, (1819:75) "the degree of punishment, and the consequences of crime, ought to be so framed in a way to have the highest possible effect on others but with the least likely pain on the offenders. With this, Beccaria set the background for deterrent and rehabilitation rather than punishment as the essence of prison institution. The practical and intellectual strength of rehabilitation as the basis of imprisonment has ushered in an era in

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which prisons and corrections are now being used undifferentiated. For example, Nwolise (2010) notes that corrections implies "the organization and administration of prisons as a form of social clinic in which psychologist, medical doctors, social workers, researchers, spiritual workers, and others operate hand in hand with the correctional personnel to achieve the best results of transforming the inmates away from being deviants to being disciplined, productive, useful and patriotic citizens". This approach to imprisonment negates all forms of inhuman treatment in the name of punishment. Adetula and Fatusin (2010) corroborate this position. According to them, punishment and all forms of inhumane treatments bring about breeding and enhancing criminal behavior and recidivists than serving, deterrence, repentance, reformatory, and reconciliatory attitudes between ex-convicts and people in a free society to boost confidence in physical and conceptual security.

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

IV. Methods

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

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

V. Limitations

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

VI. Findings

Demographic information of the inmate respondents revealed that 64% of the respondents were below the age of forty while 70% claimed to be educated up to primary school level and only 53 % of the inmates respondents claimed to have post primary education. Findings in respect of the challenges of effective rehabilitation in the Nigerian Correctional Service were multi-dimensional. For example, rehabilitation programmes and services are not tailored to inmate rehabilitation needs. The study found out that there is a widespread mismatch between the reasons

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why inmates were incarcerated and the programmes offered, this indicates that inmates' criminogenic needs are not considered when programmes are being assigned. Similarly, available programmes and services such as tailoring, carpentry, and educational programmes are not well funded. At best, most rehabilitation programmes that relate to skill acquisition programmes are being delivered with obsolete equipment, this also, agrees with earlier studies on the Nigerian correctional system, such as Nwolise (2012), Ekpenyong N. S. and Undutimi J. D. (2016).

Further, the study observed that rehabilitation programmes in the Nigerian Correctional Service vary across correctional centers without any common indices for performance appraisal. Some of the programmes and services offered across the sampled facilities in the country include the following:

Table 1: Rehabilitation Programmes in Selected Correctional Facilities in Nigeria

Rehabilitation programme	Badagry	Okigwe, Imo State	Kano Kano State	Lafia Nassarawa State	Port- Hacourt Rivers State	Bauchi Bauchi State
Shoe Making	✓	✓	✓	✓	✓	✓
Education Programme			✓		✓	
Elect. Work		✓	✓	✓	✓	✓
Carpentry	✓	✓	✓	✓		✓
Faith-based programmes & Counselling	✓	✓	✓	✓	✓	✓
Barbing	✓		✓		✓	✓
Welding/Elect Work		✓	✓		✓	✓
Laundry			✓		✓	
Sewing/weaving	✓	✓	✓	✓	✓	✓

(Fieldwork, 2019)

The table 1 shows that tailoring and faith based programmes were the most subscribed rehabilitation programmes in the Nigerian correctional centers. The table also shows that the education programme is not available in many of the correctional centers despite the preponderance of inmates with poor educational background.

Similarly, the preponderance of pre-trial inmates constitutes another main challenge to effective inmate-rehabilitation in Nigeria. Even though pre-trial detainees are not statutorily required to offer correctional programmes and services because of the presumption of their innocence until a competent court decides otherwise, a very high percentage of both human and material resources of the country's correctional system is dedicated to the management of this category of detainees, thereby, inhibiting the process of effective rehabilitation. The average ratio of convicted inmates to awaiting trial inmates in the selected correctional facility is 1-12. Similarly, the average Nigerian correctional center is overcrowded by 60%. Below is the basic inmate information in the selected correctional centers:

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Table 2: Basic Information about Inmates of Selected Correctional Centers

Correctional Center	Capacity	Detainees	Convicted Male	Convicted Female	ATM	ATF	Total
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

Table 2 shows the preponderance of awaiting trial inmates in all sampled correctional facilities. This reveals that a larger percentage of the inmates in the Nigerian correctional centers are not statutorily qualified to participate in rehabilitation because they were yet to be pronounced guilty for offenses for which they are incarcerated. This finding agrees with previous work such as Onimajesin (2013) and Tsuwa and Okoh (2016) on the impact of awaiting trial inmates on the performance of the rehabilitative objective of the Nigerian correctional service. However, helping inmates to cope with idleness as the teleological function of rehabilitation programmes in Nigerian correctional institutions is a major motivating factor for the participation of both awaiting trial and convicted inmates in the rehabilitation programmes. This agrees with the position of Craig (2004) that inmate rehabilitation programmes are largely used as a control mechanism-to kill time rather than treatment for effective rehabilitation.

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

Findings in respect of non-governmental organizations' involvement correctional programmes in Nigeria reveals that there are several non-governmental organizations such as Prisoners Rehabilitation and Welfare Action (PRAWA), Muslim Umar of South-West Nigeria (MUSWEN); Justice, Development and Peace Commission (JDPC); Prison Rehabilitation Ministry International (PREMI) involved in the provision of support services to prison inmates. According to Imhabekhai (2002), ' non-governmental organizations' attraction to assisting prison inmates was influenced by the deplorable conditions of prisoners' welfare in Nigeria. Non-governmental organizations, therefore provide numerous support services towards inmate rehabilitation across correctional service in Nigeria. These include welfare services in the area of counseling, health care services, provision of water, financial support, and aftercare services. These organizations also provide legal services and support staff for rehabilitation programmes and services, especially in the area of education. Findings of the study also showed a preponderance of faith-based non-governmental organizations in the correctional centers. However, for the factors of distance and accessibility, the involvement of all categories of non-governmental organizations in correctional programmes and services were more pronounced in the urban centers. This agrees with the position of Oyewo (Forthcoming) that infrastructure problems plaguing Nigerian society at large also impact on the performance of its correctional institutions. Correctional centers that are located in the rural areas are not easily accessible for non-governmental organizations.

VII. Concluding Remarks

Correctional centers, like other rule of law agencies of the state, play a crucial role in the provision of public security across the world. A substantial

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percentage of inmates return to the society upon the expiration of their term or through jail delivery efforts either as a reformed persons or a hardened criminals, this indicates that whatever happens behind bars has a way of affecting the society in the long run. However, the major finding of the research indicates that lack of effective inmate rehabilitation in the Nigerian correctional centers is rather a security risk to the society. The rate at which ex-inmates re-offend in Nigeria is a clear indication that correctional institutions in the country need to rejig their efforts toward inmate rehabilitation, particularly in terms of behavioral modification and skill acquisition. Doing this, the paper identifies the need for a greater congruence between rehabilitation programmes and services offered on when hand and crimes for which offenders are incarcerated as well as other risk factors that may pre-dispose inmates to crimes after discharge on the other. Recruitment of more professionals into the correctional service, 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.

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