Effects of Imprisonment on Inmates of Nigerian Prisons

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ABSTRACT

A prison is supposed to be a place for reformation in behaviour of an individual whose life pattern is not in tandem with accepted norms, values or behaviors in the society or persons who by omission and commission have violated the criminal laws of the land which attract prison terms. The current philosophical trend in prisons operations today is that of the twin concepts of reformation and rehabilitation of inmates. However, the Nigerian prisons instead of fulfilling this primary and manifest objective, they are found to impact negatively in the lives of inmates both while in the prison and after discharge. This paper therefore examines some of these impacts the imprisonment has on the inmate. The paper utilizes secondary data and it recommends, among other things, that the Nigerian correctional institutions should also subscribe to other community correctional measures such as probation and parole so as to reduce the trauma of solitary life of imprisonment. And that adequate provision should be made for proper placement and reintegration of discharged prisons inmates.

Introduction

A prison is supposed to be a place for reformation in behaviour of an individual whose life pattern is not in tandem with accepted norms, values or behaviors in the society or persons who by omission and commission have violated the criminal laws of the land which attract prison terms. The essence of such punishment is for reformation or correction in behavior of such offender and to also serve as a deterrent to would be offenders of such laws. Nigeria as a country is faced with the challenge of prison management considering the figure of awaiting trial persons (ATPs) which was put at 36,000, representing over 65 per cent of

the estimated prisoners-population of 48,000 (Ogwezzy, 2011). Indeed, a large percentage of Nigeria prison inmates have stayed for five to seven years in detention without trial under very deplorable conditions. This upsurge trend is an eye opener, and it portrays the ugly state of the Nigeria prison services (Onike 2011), this article, therefore will examine measures that will lead to the sustainability of the prisons system in Nigeria. Though before seeking solutions to the poor conditions of the prisons system, this paper will seek answer to some imperative questions that will address the subject matter of this research such as who is a prisoner, what is a prison and then will discuss the theories of Punishments viz: transcendental theories of punishment and the penal theories of the eighteenth century and beyond before examining the main issues involved in Nigeria Prison such as the history and functions of prison system and how penal reforms will help in achieving sustainability of the prison system.

A Review of the Meaning and Philosophy for Establishment of Prisons

McCorkle and Korn described a prison as a physical structure in a geographical location where a number of people living under highly specialized condition adjust to the alternatives presented to them by the unique kind of social environment (Obioha, 2011:95-109). Also other scholars conceived prison as where people are highly secluded from the rest of the world with entirely new order of control. (Goffman, 1961:22)

The above conceptualizations as advanced by scholars are limited towards an understanding that a prison is a physical environment, and could be described geographically or spatially. Quite different from the physical conception, there are other schools of thought that are based on function, framework and label. From the functional perspective, a prison is perceived as a place to punish offenders, where criminals that are removed from the society are dumped to protect the society from further criminal activities of the offenders; and a palace to rehabilitate, and teach offenders to be law abiding and productive after their release.

Prisons are also perceived as a total institution, from the perspective of framework. While Okunola sees a total institution as a place unlike free environment or community that houses those who are socially rejected, insane or mentally retarded (Okunola, 1986:16), Goffman on the other hand conceptualized total institution as where there is a basic split between a large class of individuals who are restricted contact with the outside world and stereotypical behavioural pattern where social mobility is restricted. So from these points of view it could be conceived that the

prison is a place for vagrants, who may pose actual danger to social life in the larger society, which pre-supposes that every person in the prison is a vagrant and irresponsible person (Obioha, 2011:96).

In a small number of countries, both developed and developing, the terms 'corrections' and 'correctional reform' are used in place of the 'penal system' and 'penal reform'. The term 'corrections' encompasses custody, parole and probation, but whether a state refers to its penal system as 'correctional' does not any longer correlate with the rehabilitative emphasis of the system. UN documents, norms, standards and rules refer to the penal or prison system rather than corrections (Bastick, 2010:9).

The term 'prison' is used to define places where people are physically confined on charge of having committed a crime or after sentencing for commission of a crime. Other terms for a prison include 'remand centre', 'correctional facility', 'detention centre', 'jail/gaol', 'penal colony' and 'penitentiary'. Use of these different terms in some countries can denote whether a place of detention holds people who are awaiting trial, who have been convicted or who are subject to different conditions of security, and/or a prison under a particular jurisdiction. In the United States, for example, places which hold persons who are awaiting trial at minor courts or who have been sentenced to short sentences are usually described as 'jails'; those holding convicted prisoners are often called 'correctional institutions'(Bastick, 2010:9).

There are other places where people are deprived of their liberty that are not called prisons. These include police lock-up cells, where people are held (ideally) for short periods before being released or transferred to a prison, closed psychiatric wards and immigration detention facilities. Military prisons and prisoner-of war camps are commonly administered by military authorities quite separately from the mainstream, usually civilian, penal system.

Prisons remain one of the public institutions in Nigeria that need urgent reform. The call for the reform of the Nigeria prison services is a recurring phenomenon as successive governments have failed to do anything tangible in that direction. The major problem confronting the Nigeria prison system is congestion caused by persons awaiting trial in prisons across the country (Amnesty International, 2008:1).

Nigeria's prisons are filled with people whose human rights are often violated. Approximately 66% of the inmates are awaiting trial most of whom have been waiting for their trial for years. Living conditions in the prisons are appalling. They are damaging to the physical and mental well-

being of inmates and in many cases constitute clear threats to health. Conditions such as overcrowding, poor sanitation, lack of food and medicines and denial of contact with families and friends fall short of UN standards for the treatment of prisoners. The worst conditions constitute ill-treatment. In many Nigerian prisons inmates sleep two to a bed or on the floor in filthy cells. Toilets are blocked and overflowing or simply nonexistent, and there is no running water. As a result, disease is widespread (Ogwezzy, 2011).

Theoretical Framework

This paper is domicile within the Differential Association theory. This a sociological theory of criminal behavior which uses the social – process approaches. It is concerned with the process by which people become criminalised through interactions with others. It tries to delineate, how and under what circumstances people learn criminal behaviour. Differential Association theory is thus a process theory because it details the experiences a person must go through in order to become a delinquent. It tries to explain why any given individual does or does not become a criminal (Conklin, 2007).

The theory was developed by Edwin Sutherland (1949), a sociologist of the famous Chicago school on his contribution to the study of delinquency. He emphasised that criminal behaviour is learned in interactions with others in a process of communication within intimate groups For instance, Children learn techniques, motivations, and attitudes along with definition of criminal code as being favourable or unfavourable. Children became delinquent because of an excess of definitions favourable to violation of law over learning definitions unfavourable to the violation of law. Learning to become delinquent involves all of the mechanisms involved in any type of learning.

Situating this argument in the context of this paper, the prisons in Nigeria provide a fertile ground for the training and graduation of perpetual and more dangerous criminals in the society. This is discernable in the increasing rate of recidivism in the Nigerian prisons. In an analysis of the rate of recidivism among convicted inmates of Nigerian prisons, the cumulative prevalence of recidivism in the Nigerian prisons from 2001-2005 was estimated to be 37.3% (Soyombo, 2009). While the subsequent estimation from 2006-2008 put the cumulative prevalence rate of recidivism to be 52.4% (Abrifor, Atere &Muoghalu, 2012). These reveal a constant increase in the rate of recidivism among inmate of Nigerian prisons.

In addition, following from the above theoretical orientation, this development or the tendency to relapse into crime, even in a more dangerous pattern, is elicited and orchestrated by the advanced orientation inmates received from the perpetual criminals in the prisons. Due to the frequency and intensity of contact between the first offenders and the perpetual inmates, the inmates are indoctrinated into accepting the values of criminal tendency.

Functions of Nigerian Prisons

The cardinal essence of prison is reformation. It is hoped that within the time the convict passes through the prison, he or she would be reformed and be accepted back to the society. At this point, the convict is called a prisoner (Olisa Agbakoba, 2011). Prison in Nigeria and other parts of the world are established to keep in safe custody of persons legally interred to identify the causes of their inherent anti-social behaviours, treat and reform them to become law abiding citizens of a free society, to train them towards their rehabilitation on discharge and to generate revenue for government through prison farms and industries (Agomoh & Ogbozor, 2006:31). A Government White Paper in 1971 outlined the functions of the prison service to include: custody, diagnosis, correction, training and rehabilitation of incarcerated offenders. The Nigerian Prison Service Staff Duties Manual listed an additional function, which includes generation of funds for the government through prison farm and industries. Similarly, the colonial ordinance of 1916 and the Laws of Nigeria 1948 and 1958 identified the function of the prison to also include the safe custody of a prisoner. A close study of colonial and post colonial laws seem to emphasize the custodial functions of the prison while silent on correctional functions of the modern prison (Eze, 2010: 114-121). The deficiencies of the Nigerian Prisons will lead one to look into the meaning of Penal reforms and how it could be applied to see that the prisons are not turned to places of deformation instead of reformation which it is ordinarily supposed to be.

Effect of Imprisonment on Inmates

The prison service has not justified their expected rehabilitative and reformative functions because of high rate of recidivism (Edi-Agi, 1992). The government has not been able to design an appropriate rehabilitative programme and parameters for the implementation. The prisoners go through the process of depersonalization and denied good

food, clothing, sanitation and health services, exposure of prisoners to harsh conditions that often lead to death.

The effects of imprisonment are of negative values to the inmate. The behaviour of the inmate completely changes as a result of the psychological breakdown during incarceration. For example Daniel (1988: 21) studies six month and life time prevalence of psychiatric disorder among one hundred (100) imprisoned female inmates. He found a high prevalence rate of schizophrenia, major depression substance, use disorders, antisocial, personality disorders and psychosexual dysfunction. These disorders were found to be significantly higher in them than those of general population.

Egwu, (1990) revealed that a lot of detainees, show evidence of post-traumatic disorder. Elias, (1968) also compared the depression and general emotional disorders during the psychological symptoms are higher pre-detention and detention period and found to correlate with worries and cognitive stress. They go through a lot of worries and cognitive stress.

According to Berillinda and Mcccarthy (1986: 44), other effects include decline in vocational and support services. Smart (1979: 30) remarked that the female prisoners would be worried about how she would be received by the people around her. This could also be true also of the male inmates.

Goffman (1961) concluded that the Nigerian prisons are the most neglected arm of the criminal justice system. Etlzioni (1961) in his submissions corroborated when he remarked that the Nigeria prisons are glorified animal cages where people are sent to get a taste of what hell looks like, that prisoners are walking corpses without any visible sign of physical transformation.

Conclusion

Research have revealed that that in countries whose penal philosophy is motivated by the rehabilitative philosophy, inmates are treated first as citizens with certain inalienable rights despite being in prison and not just as criminals who the society is better without. The introduction of specialists like psychologists, social workers, and medical doctors as prison officers was a significant symbolic step in this direction, underscoring the point that inmates are human beings in contrast to the prevailing policy of identifying inmates by numbers.

Consequently, if the role of the prison officers could change from being a guard or "strict disciplinarian" to being a reformer and a change

agent, the prison situation in Nigeria will change for good. Again the Prison authorities also had to change their recruitment policies as the right people had to be employed to do the job. In Nigeria however, the prison system is changing gradually as demonstrated by the several reform policies the institution has been subjected to over the years. But these changes are more pronounced on papers than in actions. Again for the proper functioning and sustainable development of the prison system in Nigeria, efforts to be made require the involvement of health, education, training and welfare services within prisons and in non-custodial programmes. Poor health conditions in prisons undermine public health in the entire community. Overuse of imprisonment has a dire impact upon families, its adverse effects affecting the development of children long after a parent's prison term is served. The amounts spent on prisons services and their success in rehabilitating criminals' impact upon a Nigeria's economic productivity.

Based on the above it becomes very imperative for the government to provide adequate reformatory and rehabilitative facilities to the Nigerian prisons in order to ensure effective reformation and rehabilitation of inmates. Furthermore, there is also the need for the correctional institutions to also try and explore other measures in offender correction such as probation and parole.

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