

THE  
STATE  
IN CONTEMPORARY  
NIGERIA  
Issues, Perspectives and Challenges



Essays in Honour of **Professor Ben O. Nwabueze**

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# Nigerian Prisons Service and Internal Security Management in Nigeria

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## INTRODUCTION

The primary duty of any government is the protection of national interest, security of its people, maintenance of peace and the protection of the territorial integrity of the nation. Security therefore, becomes the core duty of the government. This is basically because security affects not only the attainment of human aspirations, but also the fundamental issue of national interest and integrity. It is only in a secured atmosphere that individuals within the state can engage in meaningful and productive activities to meet their needs. Similarly, it is only under such a situation that the state can mobilise its human and material resources for meaningful national development. Thus the history of man throughout the ages has been dominated by how to build a peaceful state and secure it from being destroyed by hostile internal or external forces.

Accordingly, during the Cold War period, the approach by most nations to national security was essentially in terms of militarism. This was a period where other forms of threats were relegated to the background. Conversely, as soon as the Cold War ended, it became apparent that the military oriented approach to matters of security was parochial and no longer adequate to guarantee national security. This paradigm shift in security thinking became necessary after the realisation that there are other non-military threats to nations within and outside their territories that affect the national security of nations. Some of these non-military threats include, among others, poverty, political strife, unemployment, lack of social justice and equity, the proliferation of SALWs and terrorism. These non-military threats have completely altered the shape of global security equation today.

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Just as the world was basking in the euphoria of peace at the end of the Cold War, it suddenly woke up to its rudest shock of international terrorism in dimensions and proportions never experienced in human history. The attacks of 11 September, 2001 on the US World Trade Centre and the Pentagon dramatically demonstrated to the US and the rest of the world the international ramifications of terrorism. The implication of the attack showed that if the US could be hit in their homeland, no nation was immune from the scourge of international terrorism. By this singular action, al Qaeda's supremacy as the world's most deadly terror organisation became manifest. This further threw open the floodgates for the sprouting of sundry terrorist groups which drew inspirations, sponsorship and endorsements from al Qaeda.

Nigeria's history is replete with different types and kinds of security challenges since independence in 1960. These security challenges range from organised crime, drug trafficking, small arms proliferation, ethnic and religiously motivated crises, cultism, militancy and the present terror attacks by the Boko Haram insurgents. It is therefore, clear that the new security challenges Nigeria is experiencing are predicated on the re-emergence of democracy in the country.

The current state of insecurity in Nigeria has been exacerbated by the failure of previous governments in the areas of lack of good governance, poor state of infrastructure, weak institutions at state and national levels, corruption and

national indiscipline, among others. The consequences of these are that there is total breakdown of law and order in the society as armed gangs, militia groups, thugs, cultists and other groups have continued to make the security situation vulnerable.

The decay in the security equation in Nigeria has seriously challenged the strategies of the security agencies in the country within the democratic system making them hapless in many instances. This paper therefore examines the security condition in Nigeria and assesses the role of the security agencies particularly the Nigerian Prisons Service in the management of the security challenges in Nigeria bearing in mind the role of the state in liberal democracy.

### THEORETICAL BASIS OF ANALYSIS

This chapter adopts the libertarian theory to explain the rationality in the role of the security agencies and the rationality in the action of the people involved in the breach of security in the country. It is clear that Nigeria seems to be practising a liberal democracy even although she has not met all the qualities of a core democratic system which emphasis on the right of the individual. Libertarianism upholds individual worth to the extent of making it the criterion for determining the legitimacy of government. It argues that satisfaction of the individual's wellbeing, freedom, preferences and priorities are the benchmarks of good governance. According to one of the proponents of the theory, Nozick Robert (1974), libertarianism emphasises the primacy of the individual choice and liberty. The core argument of this theory is that, the use of coercion in protecting ones general right to liberty is considered just as proper, however, ones individual right and liberty should not violate that of another person. It argues that the power of free choice an individual has should not assault, hurt, kill or violate the rights and dignity of another person, but instead mutual reciprocity in terms of respecting the rights and dignity of others should be upheld. Even though libertarianism does not accept the use of coercion, it observes that in reality coercion cannot be eliminated but it can be curtailed. To the theorist, the state is responsible for the usage of coercion based on the provisions of the constitution. However, the state should not use its coercive powers and apparatus against the liberty of the individual but should only use it on the negative functions as to maintain law and order. Kane (2009) therefore, argues that despite the fact that the individual rights is sacrosanct, it does not deny the freedom from coercion and compulsion. He insists that freedom of will implies the responsibility for action one takes. People must therefore, be punished for the acts they commit that have negative function. It is within these arguments that this chapter adopts this theory for its analysis. We can argue therefore, that the state is mandated to create structures and agencies that will

utilise its coercive powers to maintain law and order. This means that the state can use coercion to compel people who perform negative functions in the state to take responsibility for their negative actions. This may include incarceration to reform and re-integration into the society for positive functions. This is the role that the Nigerian Prisons Service is mandated to perform in managing the security challenges in the Nigerian society.

### CONCEPTUALISING NATIONAL SECURITY

According to Nnoli (2006:1), as a concept national security seems to have acquired a mystique even mysterious perception. This is because nations and empires construct it to suit their quest for action especially for action of self-preservation, which is carried out by arbitrariness, secrecy, spying, repression, and behind the scene of operations.

Deduced from theatrical presentations, Nnoli (2006:3) presents a picture which makes us to conclude that national security is not a theatre for the faint-hearted, the scrupulous, the person of conscience, one that is respectful of law and morality. But instead, it is a theatre where deceit, doublespeak, manipulation, blackmail, intimidation and dare devilry take prominence.

Nnoli notes that during the Cold War national security was conceived in the form of protecting the pattern of politics, which made it easy for enemies to be clearly identified and arms procured to deter the visible enemy. With the end of the Cold War, many problematic issues such as terrorism, insurgency, ethnic conflicts, and activities of armed criminalised groups have continued to shape the national security question.

Since the issue of security is very dynamic, we can argue that national security can be considered to be the protection of the people in their physical, mental and socio-political conditions. It is a process of guaranteed safety which is intended to prevent the citizen not only from elimination but from maltreatment, deprivations, social inequality and general instability. National security is therefore, a product of security which begins with the individual as he/she desires and works towards protection and preservation, so he/she transform this to the societal or national realm. This action of man that describes his desire for safety is what made Lasswel and Kaplan (1950) to describe security as high value expectancy. This clearly means that, the individual expectation that makes him scared is limitless depending on the factors and influences that assure him of his safety in all ramifications. To maintain security, the individual or state is prepared to mobilise all the resources at its disposal. These resources could be hard or soft, military or non military provided it has the capacity of maintaining internal and external safety.

National security is the summation of the security of individuals, their

environment and the preservation of independence of a nation state. McNamara (2011) stresses the importance of development to national security and stated thus:

... any society that seeks to achieve adequate security against the background of acute food shortage, population explosion, low level of productivity and per capita income, low technological development, inadequate and insufficient public utilities and chronic problems of unemployment has a false sense of security. Security is not military force though it may involve it, security is not traditional military activity though it encompasses it, security is not military hardware though it may include it, security is development and without development, there is no security.

Discussing the security question in Nigeria, Obasanjo (2013) defines national security as:

The aggregation of the security interests of all individuals, communities, ethnic groups, political entities and institutions, which inhabit the territory of our great country, Nigeria.

The primary objective of the above statement is that, the whole gamut of national security is to strengthen the nation, advance her interests and objectives, contain instability, control crime, enhance development and improve the wellbeing and quality of life of her citizens. Ensuring national security is a major concern of every government, as it is a critical element in its stability, development of a nation and the preservation of its sovereignty. Solution to national security problems therefore, ought to be broad based and beyond conventional measures as it includes the safety of the people, the protection of the country's sovereignty and development which are prerequisites for national security.

### SECURITY CHALLENGES CONFRONTING THE NIGERIAN STATE

Nigeria is presently faced with severe security challenges. These security challenges can be discussed under the following headings:

#### **Kidnapping and Hostage-taking**

This commenced in the South-south region of Nigeria and it cuts across states in the Niger Delta region and the Southeastern states. Kidnapping and hostage-taking are notorious acts in oil rich Niger Delta. Agu and Nwajiri (2012: 6) argue that it originated as a result of the quest of the people of the region to address the wanton neglect of their communities by successive governments. This is why Nwankwo (2012) observes that for the Southeast, kidnapping and

hostage-taking are now tools for settling personal and political scores. Youths in the region utilised the tools to make huge amount of money as they call the families of their victims to pay ransom. Politicians equally use it to deal with their political opponents and perceived enemies. Many officials of multinational oil companies in the region have been victims thereby portraying Nigeria as a no-go and unsafe area.

### **Hired and Political Assassination**

This is another nefarious security challenge facing Nigeria and it is one of the security crisis that is stretching the country to its limit. A look at Nigeria democracy since 1999 reveals many unresolved high profile political killings. For instance, former Attorney-General and Minister of Justice, Chief Bola Ige was killed on 23 December, 2001 in his home at Ibadan. This marks the first of such after the rebirth of democratic rule. Other prominent politicians such as Ayo Daramola and Funso Williams, Peoples Democratic Party's (PDP) gubernatorial aspirants in Ekiti and Lagos state respectively were assassinated while Philip Olorunwape, Kogi State chairman of State Independent Electoral Commission was killed in 2004 (Nwanegbo and Odigbo, 2013:4).

Also killed was Harry Marshall, the National Vice Chairman of All Nigeria Peoples Party, as well as the former president of the Nigerian Bar Association (NBA) Onitsha in Anambra State Barnabas Igwe and his wife, who were killed on 1 September 2002. Not quite long, a serving Senator Dantong Daylop and the majority leader of Plateau state House of Assembly, Honourable Gyand Filani were also murdered by assassins. Amujiri and Agu (2012:7) observe that the wave of assassinations is sweeping across the country and the perpetrators have not been brought to book. Ahmed Pategi, a former PDP chairman of Kwara State was killed in 2005 while Godwin Agboroko, a former editorial board chairman of *ThisDay* newspaper was also murdered in December of the same year. The fact that the perpetrators of these killings escaped prosecution has continued to add to the insecurity in Nigeria.

### **Ethno-religious Violence**

This chapter adopts Salawu's (2010: 346) definition of ethno-religious violence which describes ethno-religious violence as a situation where relationship between members of one ethnic or religion group, multiethnic or multi-religious society is characterised by lack of cordiality, mutual suspicion, fear and a tendency towards violent confrontation. Ethnic cum religious violence has always been a troublesome tension facing Nigeria security. Northern Nigerian states and Plateau state in particular has become the hot-bed of ethnic and religious violence with regular report of maiming and killings of innocent citizens which

informed the emergency rule during the Obasanjo administration. Religious intolerance has been identified as the prominent causes of ethno-religious crises and the incidents have been noticeable in great portions in Nigeria.

Salawu is of the opinion that a major cause of present-day ethno-religious conflict in Nigeria has to do with accusation and allegation of neglect, oppression, dominations, exploitation, victimisation, discrimination and marginalisation, among others.

In recent times, Nigeria National security had been threatening by a religious gang that believed that western education and culture were forbidden (Boko Haram). This group has killed many innocent citizens and even security operatives to the extent that Nigeria Police could not manage the attack and necessitated the involvement of armed forces which have not been able to subdue their attacks and activities 12 months after the declaration of State of Emergency in the 3 states of Borno, Adamawa and Yobe in the Northeast geopolitical region of the country.

### **Smuggling and Trans-Border Crimes**

Another great security challenge threatening Nigeria is smuggling and trans-border crimes. Smuggling and circulation of contraband goods such as small arms and light weapons, human and drug trafficking manifest in other forms of internal security. This is because smuggling encourages proliferation of arms, ammunitions, and drugs which exacerbate criminality and insecurity in the society.

The porosity of Nigeria's borders makes it easy for smuggling as Nigeria has over 1,000 illegal routes through which aliens from neighbouring countries infiltrate the country. This equally informs the high rate of crime and public disorder in Nigeria. The influx of non-Nigerians and illegal immigrants mixing up with the teaming unemployed youths in Nigeria adds to the insecurity in Nigeria.

### **Armed Attack and Robbery**

With the number of security formations put in place by Nigeria Government, there is no fact to show any appreciable drop in the incidents of armed robbery. Thus with the increase in security outfits and private security organisations, cases of armed attack are on the increase. It seems Nigeria security agencies are helpless in the face of rising wave of criminality in Nigeria. In 2011, in the first half of the year, about 5,000 cases of armed robberies were recorded, 2700 arrested, 700 killed and 800 assorted weapons recovered from hoodlums (Abolurin, 2011; 189). The figures above reveal the wave of the menace. In fact, the annual report of National Bureau of Statistics has proved the trend.

The situation now is such that every Nigerian now resides inside barricaded compound with personal security devices or self-employed guards. There are other challenges like subversion, sabotage and public infrastructure vandalism, among others.

### **Mismanagement of the Nation's Resources**

Mismanagement of the nation's resources affects internal security to the extent that it impinges on the very important issue of creating the right internal atmosphere for the promotion of national security. Resources management within this national context has to do with organising and directing the total resources of men and materials towards the realisation of national goals. Proper and judicious resource management will seek to utilise the available resources in a way to maximise the benefits accruing to the nation and satisfy the basic aspiration and needs to the people. Since we live in a world of limited resources, efficient and judicious management of the country's resources is necessary, if we are to eliminate hardship in Nigeria.

So far experience at national resources management has been marked by inefficiency, corruption, pursuit of elitist taste, discriminatory utilisation of the nation's talents, foreign penetration at the commanding heights of the economy and other vices in high place. Nigeria economy in the words of General Sani Abacha has been hopelessly mismanaged to the extent that we have become a beggar and a debtor nation. Unemployment has reached an embarrassing proportion; there is an unacceptable level of poverty in the land, corruption and uneven distribution of national wealth characterises management of Nigeria's resources. These are at the very heart of Nigeria's development challenges. As Ngoa (2012) points out, Nigeria leaders should recognise the fact that mass poverty and under development interact with and exacerbate crime. In the words of President Nelson Mandela.

... crime can only be effectively dealt with in the context of successful socio-economic programmes, but economic growth and programmes which will banish poverty are themselves subverted by crime and corruption.

Thus most people believe that Mandela's wise counsel should be seen as a clarion call to Nigeria leaders that promoting the wellbeing of the people and good governance can together create a virtuous circle of continuous improvement and reduce insecurity.

### **Implications of Security Challenges to the Nation's Development Efforts**

The multi-dimensional but dangerously evolving security challenges in Nigeria especially as manifested by terrorism, ethno-religious orgies of violence,

kidnapping, armed militancy and other acts of criminality have continued to generate national and international concerns due to its implications to our nation. The followings are some of the implications of those security challenges:

### **Exposed Level of Poverty in Nigeria**

Experts in security matters are of the opinion that terrorism germinate, takes root and festers in an environment of abject poverty, mass illiteracy, corruption, and a yawning gap in socio-economic parity. The socio-economic thesis can be used to explain Nigeria situation. By this, it is argued that poverty, begets terrorism and other crimes. This argument is not new especially when located within the context of the theories of revolution and social change as encapsulated in the rising expectation-frustration thesis. Simply put, when people expect that a lot but merely gets a little, the platform for violence is laid. In Nigeria, the return to democracy in 1999 gave Nigerians hope but as at today, the society has not changed for good. Poverty continues to rise, standard of education drops, the best brains are drained by more serious countries, power is under-produced and life expectation and standard of living remains sympathetic. Thus, for proponents of the socio-economic thesis, Nigeria has all the conditions for violent dangerous outburst against the state.

### **Conservative Defence Policy**

Scholars like Mohammed (1986), Danjuma (1979) Braithwaite (1988) and Nweke (1985), among others, have argued that given Nigeria's conservative doctrine of national security, it is understandable why the general tendency is for national security planners to respond security challenges by strengthening the coercive apparatuses of government anytime the nations faced with internal security challenges. Braithwaite (1988) notes that in most cases, little attention is paid to the non-coercive responses which at times, are most cost-effective, apart from the fact that they have the salutary effect of saving the nation the unnecessary anxiety of partial, if not full, mobilisation of the country's security forces.

The views of above scholars were in total agreement with that expressed by participants at the National security summit held in Abuja, Nigeria's capital recently. Without mincing words, the participants, agreed that Nigeria has no national security policy that has clearly defined objectives of protecting its national assets, delineating the roles of the different security agencies to avoid duplication of agencies and overlapping function as well as inter-agencies competition for supremacy. This was brought to the fore during the presentation by General Sarkin Bello who represented the National Security Adviser (NSA) at the recent Abuja Security Summit.

### **Lack of National Security Data**

Etiowo and Oshodi (2012) posit that another major missing link in Nigeria security issue is the absence of a functional national data base that will facilitate co-ordination of intelligence about crime and possible breach of security in the county. The summit participants argued that in redefining our national security there is the need to look beyond the present acts of terrorism to articulate a national security policy that will take all aspects of our national lives into consideration. According to the participants, our national security therefore, comprises both tangible and intangible assets, hard and soft security, natural resources and human capabilities. Once there is a crisis in any of these areas, it will trigger off serious social discontent that will threaten our national security. This realisation will provide the government the basis to embark on full citizen's awareness of the need for them to be proactive and protect these assets as a mark of their obligations to the state, their own welfare and survival. The relative absence of a common perception of doctrine of internal security policy has resulted in security lapses. In fact, it is due to lack of well articulated internal security policy that made Nigerian to be taken unaware by Boko Haram sect.

Poor security data gathering, security experts have argued results in lack of central national intelligence gathering centre similar to the national counter-terrorism centre in the United States where intelligence reports are gathered for analysis and distributed to the relevant agencies for action. This has compounded the security challenges in Nigeria. The central activities of such a centre will include interception of communications and tracing of persons connected with acts of terrorism, analysis and management of intelligence report gathered by different security agencies, initiation of action through the relevant agencies, etc.

Nweke (1985) argues that as a result of paucity of intelligence report on the strength and capability of the insurgents, security operatives have been caught unawares. Yaki-Bello (2012) advocates for the establishment of national security data gathering centre. According to him, building counter-terrorism strategies include intelligence gathering, management and analyses, effective security information management to counter the propoganda and indoctrination that is the core of terrorism understanding their profile and functions which in turn, increases ability to counter-terrorism more effectively. The continuing Boko Haram insurgency has exposed the poor intelligence gathering culture by security agencies in Nigeria.

Ngoa (2012) argues that the absence of efficient lines of communication and the lack of clearly understood internal security doctrine have resulted in situations of near-anarchy, with more lives lost than when a quicker intervention by military would have brought the security under control faster. More often

than not, criminals usually take Nigeria's security agents unaware not due to the absence of intelligence gathering network but lack of prompt response to the information gathered.

### THE SECURITY AGENCIES AND THE MANAGEMENT OF INTERNAL SECURITY IN NIGERIA

As a result of the challenge of insecurity as propelled by issues of armed robbers' attacks, kidnappings, political assassinations, trans-border crimes, espionage, smuggling, insurgency, oil bunkering and incessant vandalisation of public infrastructures among others, it became pertinent for the Nigerian government to create security agencies to fight and curb these threats to the nation's security. Listed below are the major security agencies involved in the management of internal security in Nigeria:

- (1) The Nigeria Police Force
- (2) Nigeria Security and Civil Defence Corps
- (3) Nigeria Immigration Service
- (4) Nigeria Prisons Service
- (5) Nigeria Customs Service
- (6) Federal Road Safety Corps
- (7) Nigeria Fire Services,
- (8) Directorate of State Services
- (9) National Drug Law Enforcement Agency
- (10) Defence Intelligence Agency
- (11) The Media (both electronic and print)
- (12) National Intelligence Agency
- (13) State Peace Corps in some states and numerous registered private security organisations.

In spite of the existence of these security agencies charged with the responsibility maintaining and preserving internal security in the country, the Nigerian military is often called upon to fight internal security breaches because these agencies are in most cases overwhelmed by the tactic and asymmetric methods used by the insurgents in the Northeast and the activities of the militants in the Southeast and South-South.

### INTERNAL SECURITY MANAGEMENT: THE ROLE OF THE NIGERIAN PRISONS SERVICE

The Nigerian Prisons Service derives its operational powers from CAP 366 Laws of the Federation of Nigeria 1990. The basic provisions of the Law include:

- (1) take into lawful custody all those certified to be so kept by courts of competent jurisdiction;
- (2) produce suspects in courts as and when due;
- (3) identify the causes of their anti-social dispositions;
- (4) set in motion mechanisms for their treatment and training for eventual reintegration into society as normal law-abiding citizens on discharge; and
- (5) Administer Prisons farms and industries for this purpose and in the process generate revenue for the government.

In addition to these constitutional duties and functions, the imprisonment serves as deterrence to potential deviants. This is designed for the protection of the society as well as providing justice for victims of the crime committed by these deviants. By playing this role successfully and effectively, there is assurance of law and order in the society. Another very important role of the Prisons in IS/LIC is that of intelligence gathering which is aimed at checking the gaps in security information. The basic conditions of the Nigerian Prisons as it relates to the prisons include:

### **Corrections and National Security Management**

The Nigerian Prisons Service on one end is the hub of national security, holding in its bosom, a captive audience whose summary and spontaneous release could topple the state. At the other end, it is an agency that provides another opportunity for those who fall foul of the law to get their acts together again. The role of Correction is so strategic to national, social and economic development and this can be clearly seen in its rehabilitation and reintegration services offered by the Service. These services include:

#### *Counselling*

The realisation of the fact that to change a deviant to a better person that would be acceptable to the society is to counsel him to first of all accept self-change and this process we try to achieve the following:

Self-change is the key to successful reintegration, hence the following secrets of success:

- (1) Do not fear change, do not live in the past, but rather live in the present and embrace change;
- (2) Prepare to adapt to a world outside of prison that may be cruel, unwelcoming, unforgiving, and unwilling to forget past misdeeds;
- (3) Discard old ways of thinking and acting by accepting that honesty and courage are absolutely essential character traits;

- (4) Refuse to surrender by maintaining control over emotions;
- (5) Be prepared for the triggers that often lead to relapse, particularly because dependency is one of the strongest predictors of re-incarceration;
- (6) Constantly think, re-think, examine, and re-examine every situation before acting;
- (7) Always strive for self-improvement because it is an endless process;
- (8) Focus on positive relationship building, and accept that trust and respect will not occur immediately but over time;
- (9) Be prepared to handle fear, anxiety, uncertainty, stress, and other hardships by remaining confident and determined;
- (10) Redefine yourself and accept that society does not owe you, but rather that you owe society;
- (11) Establish short-range and long-range goals, but ensure that both are realistic and attainable;
- (12) Your criminal past is forever a part of yourself – accept it and move forward not backward;
- (13) Maintain faith and recognise that everything in life must be earned;
- (14) Accept that success is possible and within your grasp, but change must come from within.

#### *Education and Vocational Training*

*"He who opens a school door, closes a prison"* – Victor Hugo

Crime has significant costs and consequences for the victim, society as a whole, the economy, the individual offender and his/her family. Prisons have a key role to play in addressing crime and in promoting the rehabilitation of their inmates, thereby reducing the chances that they might relapse into criminality.

A significant proportion of crime is a result of recidivism. A prison sentence in itself may not be enough to prevent re-offending and it is therefore crucial to ensure that time spent in prison is used to the best effect in terms of addressing the key factors that influence the prisoner's chances of returning to crime, such as level of education, employment status, drug and alcohol misuse, mental and physical health, attitudes and self-control, institutionalisation and life skills, housing, financial support and debt, and family networks.

Education is thus one key aspect of the important rehabilitative role of prisons and has an important, even if often indirect, role to play in many of the other rehabilitative processes in which a prisoner can engage while in prison. It is not just a means of keeping the prisoner occupied. Education has the capacity to form a stepping stone in the pathway towards inclusion for prisoners, who face social exclusion often before they enter the prison as well as after they

leave. By providing positive learning environments, prisons can support their inmates to make good use of their sentence, to address gaps in their learning and skills, to improve their employability and to change their personal attitudes and perceptions – including the development of new perceptions and attitudes which can help them to understand the reasons for and consequences of their actions. All of these factors can reduce their chances of relapsing into criminality. Moreover, access to education is a fundamental human right according to the UN Standard Minimum Rules for treatment of offenders and prisoners should not be denied the chance to exercise this right.

Challenges currently faced by prison staff and educators are manifold. These include the diversity and ever-changing profile of the prison population; the need to keep pace with changes in mainstream education and training systems; and the adoption of new technologies for learning, which presents particular challenges in relation to security issues in the prison environment. The Prison authorities provide both formal education – adult literacy, secondary and tertiary – proficiency training – welding and fabrication, tailoring and fashion designing, soap making, tie and dye, electrical and electronics, agriculture, building, to mention but a few.

### *Substance Abuse*

Although statistics vary, more than 80 percent of the nation's prisoners have an extensive history of alcohol and drug abuse, and many are classified as poly-drug abusers who abuse and are dependent on more than one drug. Of those with a documented history of drug abuse, more than one quarter are intravenous drug users (Petersilia, 2005). According to Petersilia (2005), less than one third of those preparing to reenter society received substance abuse treatment while incarcerated. Virtually every research study to date has shown an exceptionally strong correlation between substance abuse and dependency and recidivism. For example, one study showed that 33 percent of recently released prisoners reported some type of substance use or intoxication during the first three months of release (Visher, Kachinowski, La Vigne and Travis, 2004).

The research has also showed that prisoners who consistently participates in treatment programmes for substance abuse are less likely to reoffend on release in comparison with those who did not participate in such programs (Solomon, Dedel-Johnson, Travis and McBride, 2004). The two treatment modalities that have been found to have the most positive effects are cognitive behavioral interventions and in-prison therapeutic communities (Travis et al, 2001). Collectively, these programmes assume that criminal behavior is learned; therefore, prisoners can unlearn such behaviors by focusing on their interpersonal coping skills and ability to adapt to the outside world and by receiving help

abstaining from drugs and alcohol. Internal prison therapeutic communities are appreciably more effective when coupled with and followed by community-based after-care programmes (Travis et al 2001).

### *Other Social Support Systems*

Closing the gap in programming between prison and the community is critical to the offender's successful reintegration, because it provides for and maintains the continuum of care that ex-offenders desperately need and require to live a crime-free lifestyle.

This alienation and absence of social connectedness community members foster can have a profound effect on the ex-prisoners' likelihood of success in the community. An offender's ability to cope with such alienation by learning self-survival tactics and strategies to combat or deal with an antagonistic community is a measure of his or her success. Rollo (2004) strongly recommends that soon-to-be-released prisoners confront the harsh fact that society expects them to fail, and they must prepare to confront these social and legal barriers by forging ahead. The determination to succeed when all expect you to fail can deter even the most motivated ex-offender. In the light of this the Nigerian Prisons Service have put in place the after-care services, to cater for discharged inmate – housing, provision of tools for those who had undergone vocational training, admission into appropriate institutions for those undergoing formal education, community relations

### **Challenges**

This practical intervention in the lives of inmates is being threatened by the dominance of pre-trial detainees in the prisons. Currently, the total inmate population of the Nigerian Prisons Service is 41,106 out of which 29,105 are pre-trial detainees (Prison Records, 2014). Some of these persons have been pre-trial detainees for upwards of 10 years. About 90 percent of them face trial for very serious offences, such as armed robbery, murder, arson, treasonable felony, etc.

We are concerned that for some inexplicable reasons, the dominance of pre-trial detainees in our prisons has come to assume the permanence that was not intended for it in our original design. A look at the Prisons figures from 1985 will show a gradual change in the composition of the inmates of our prisons in favour of pre-trial detainees or Awaiting Trial inmates as we tend to refer to them. In 1985 the total number of prisoners in our prisons was 53,786 and out of this number 21,515 or 40 percent were awaiting trial. By 1990 the figure has changed slightly to 55,331 inmates, comprising of 27,665 or 50 percent awaiting trial. By 2000 the total number of inmates in prisons was 43,312, with a total of

26,485 ATPs representing 61 percent. Today the pre-trial detainee population is increasing while the convict population is decreasing (Tsuwa and Okolie-Osemene, 2012).

The population of awaiting trial persons is a major challenge to the realisation of the goals of corrections. This is because it leads to abuse of the judicial process. The person who is taken into custody and later released without trial either is punished unjustly if he is innocent or released untreated back to society if he were guilty. Either way the society is the ultimate loser. Here we have on one hand a person who is detained for a crime he apparently did not commit. After staying for the period he would have served, he is released, frustrated and angry at him and the society. No one knows what he will become. On the other we have a guilty party who stays for the same period as a pre-trial detainee. When he is released to go for want of prosecution, he goes away and most certainly commits another crime.

There is really no alternative to going through the whole process of administration of justice. When anyone is arrested for any crime, it is necessary for the process of trial to take place expeditiously so that the guilty could go to prison while the innocent is freed. The guilty is now confined for institutional treatment while the innocent party who is sent home reaffirms his belief in the rule of law. That is the scenario that encourages the building of the structures for Corrections and assures a safe and secure society. When it is not done properly, prisoners will not be sufficiently treated, and community safety will eventually be compromised.

Other challenges include:

#### *Employment*

Obtaining and maintaining lawful employment is essential to the ex-prisoners' rehabilitation, the availability of the Internet and other sophisticated technologies has given employers relatively easy access to criminal history records on prospective employees. As a result, many ex-prisoners are denied employment and, regrettably, limited to mostly low-wage employment opportunities that make it incredibly difficult, but not impossible, to support themselves and their family.

In addition to accepting that such stigma exists and that respect is earned and forgiveness for one's past wrongdoing is unlikely, ex-offenders can do much to change the perception of others by abstaining from crime, substance abuse, and other problematic behaviors. The offender can break the cycle of criminality only by willingly changing his or her unlawful ways.

It should also be noted that any attempt to improve the employment outcomes of ex-prisoners must also address the individual's physical, mental,

and substance abuse needs, which hamper the ex-prisoner's ability to garner and maintain steady employment (Solomon, Dedel-Johnson, Travis and McBridel, 2004). Relapsing to drugs and alcohol use has a profound influence on the ex-prisoners' ability to remain in the community.

### *Education*

According to Petersilia, (2001) 11 percent of prisoners have a documented learning disability compared with only 3 percent of the adult general population. To compound matters, only one third of all prisoners participate in any type of educational programming while incarcerated, including those specific classes that focus on GED preparation, adult basic education, and learning English as a second language.

### *Physical and Mental Health*

More than three quarters of prisoners released annually have an extensive history of substance dependency, 16 percent have a debilitating mental condition, and the number of prisoners who are HIV positive or have AIDS is five times greater than that of the general population (Petersilia, 2003). In a recent study, 40 percent of study participants reported having a number of serious physical ailments that have had an adverse affect on an already strained health care system (Petersilia, 2003). For example, a 1997 Urban Institute study revealed that nearly 26 percent of the nation's prisoners were infected with HIV, the virus that causes AIDS; nearly 16 percent were infected with the Hepatitis B virus; roughly 32 percent were infected with Hepatitis C; and approximately 38 percent had contracted tuberculosis (Travis, Solomon and Waul, 2001). Collectively, these percentages suggest that the infection rates for prisoners and ex-prisoners are five to ten times greater than that of the general population. Reintegration of these individuals into society further burdens the health care system by increasing healthcare costs and potentially jeopardises the health and well-being of community members with whom they come in direct contact (Travis et al, 2001). The prevalence of mental illness among inhabitants of the nation's correctional system is staggering since the deinstitutionalisation movement of the 1960s (Travis, 2005).

### *Substance Abuse*

Even when substance abuse programming is available, only about 10 percent of those with an addiction to drugs or alcohol take advantage of such programming. Virtually every research study to date has shown an exceptionally strong correlation between substance abuse and dependency and recidivism. For example, one study showed that 33 percent percent of recently released

prisoners reported some type of substance use or intoxication during the first three months of release (Visher, Kachinowski, La Vigne and Travis, 2004).

#### *Lack of Treatment Programmes and Other Social Support Systems*

There is an obvious deficiency in effective social service support systems, but such support is virtually nonexistent at the local level, particularly in those neighbourhoods deemed the most disadvantaged, yet home to a large majority of the nation's returning prisoners. The desire to change is diminished when one is surrounded by such pessimism. Survival within prison depends on adapting to an environment in which trickery, disloyalty, and violence are not only condoned but encouraged. The phrase – survival of the fittest – is appropriate because to survive, one must exhibit virility and refrain from showing any type of physical or emotional weakness. The prison environment is not conducive to treatment, especially when security and safety concerns and costs take precedence over any type of rehabilitative programming.

#### *Housing*

Most prisoners return to the same disadvantaged communities they had left behind and are once again confined to low-income public housing that may be submerged in drug and gang activities, which have been linked repeatedly to interpersonal violence and other self-destructive behaviours. Private housing is not an option because ex-prisoners are exclusively barred from the private housing market. Even the public housing market can and has banned ex-prisoners from renting or leasing an apartment, especially if the criminal conviction was drug-related, a sexual offence, or a crime of violence.

#### *Funds*

Budgetary provision for corrections in Nigeria has dwindled over the years and has made it nearly impossible for adequate management of the rehabilitation and reintegration process of inmates. This situation is worsened by the dilapidated nature of the workshops, lack of qualified trades men and educators to handle most of the rehabilitation programmes.

#### *Lack of adequate and qualified manpower*

Over the years, so many personnel of the Nigeria Prisons Service have retired without appropriate replacements and this has led to the extinction of some of the rehabilitation programmes of the Service. Most recruitments done in the service today is not along the line of the personnel needs or requirement of the Service. This situation is not healthy for the growth and well being of the Service and those to suffer the most are the inmates who are the beneficiary.

These are the challenges facing the Nigerian Prisons in its bid towards managing security in Nigeria.

### CONCLUSION

Research has shown consistently that prisons are not effective deterrents to criminal behaviour. In addition, a decline in educational and vocational prison programmes has occurred from the rapid growth of prisons, the frequent transferring of prisoners from facility to facility, decreased state and federal funding for rehabilitation, and greater interest in short-term prison programmes (Lawrence et al, 2002). Long-term prison programs are considered cost-prohibitive, whereas short-term programmes are supposedly cost-effective; yet, short-term programmes have not delivered on the promise of reducing recidivism among ex-prisoners (Lawrence et al, 2002).

Simply incarcerating an individual, treating the said individual, and returning the individual to the same socially disorganised community without new resources and coping skills is not productive (du Bois and Berg, 2002). It is therefore critical that society re-evaluate the effective-ness of both prison-based and community-based programming that has been designed to assist the offender in the transformation process from criminal offender to law-abiding citizen. The reward of knowing that a positive future awaits each upon release is far more motivating than any form of punishment or coercion that society can devise (OPEN, 2006). Assisting the offender in changing his or her perceptions of the future can lead to positive behavioural changes and encourage positive growth among prisoners and ex-prisoners (OPEN, 2006).

### Recommendations

The level of unemployment, poverty and illiteracy has contributed to crimes and insecurity. It is the belief of this chapter that if the government tackle these issues, the level of crimes will reduce and the challenge of the prison authority will also be more effective.

The chapter also recommends that there should be a robust funding of the prison service in terms of provision of basic facilities, training and re-training of their personnel and procurement of necessary equipments to reduce the crime rates to the barest minimum. It is also necessary that the society stops the stigmatisation against ex-convicts and embraces them as reformed individuals. The police and judiciary should be well equipped to enhance speedy investigations and quick dispensation of justice, so that those not guilty are not kept longer than necessary in detention. They should be a deliberate budgetary provision for correction education, because it is believed that "if you open the door of a school, you close the prison", so the government should take seriously the issue

of correction education to assist those considered by the society as been socially and economically disadvantaged.

The government should also consider the establishment of rehabilitation centre, where the ex-convicts can undergo some sort of transition program for proper reintegration into the real society and this will equally assist in eradicating the problems of accommodation which is usually faced by most inmates on their release.

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