

Causes, Consequences and Solutions of Incarceration (Imprisonment) a Study of Maiduguri New Prison

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Abstract

Prisons are conventionally institutions which form part of the criminal justice system of a country, such that imprisonment or incarceration is the legal penalty that may be imposed by the state for the commission of a crime. A prison system is therefore the organizational arrangement of the provision and operation of prison, and depending on their nature, invokes a corrections system. The main objective of the study is on the Causes, Consequences and Solutions of Incarceration in Developing Countries a Study of Maiduguri New Prison. The specific objectives are to identify the causes, consequences and solutions of incarceration, examine the activities of prisons as an institution of incarceration, assess the relationship between inmates and prison warders, examine the effects of incarceration in developing countries, analyse the observable differences between olden day's modes of punishment and incarceration. The study reviewed three different theoretical perspectives after which Political Economic Approach Theory was used as theoretical framework for analysis. The political-economic approach considers the prison as an institution used by the state for perpetuating its dominance, and since it is an instrument of dominance, oppression and coercion, the capitalists or ruling class always leave it in a deplorable condition, for that, is mostly the masses that are kept in prison. The data was obtained from primary and secondary sources. The primary sources derived from the questionnaires and structured interview, while the secondary data were obtained from the review of relevant literature such as books, newsletters, journals and articles. Purposive sampling techniques were used. The study involved 80 respondents which include 30 Prison Warders and 50 Inmates, The data were analysed using descriptive statistics. The major findings revealed that majority of the respondents found in the prison are male, and they are of between the ages of 18 to 25 years and have Qur'anic or Secondary School qualification. Other findings show that most of the inmates that were found in the prison were below 6 months while some stay above 6 month to 1 year, and the majority believe that their offences deserved imprisonment while other do not agreed. And most of the offences committed are illegal offences which includes fighting, family problems, business misunderstanding and property related crime. Majority of the inmates agreed that prison sentence will help in rehabilitating them. Finally, recommendations were suggested for government and community organisations to provide a clear statement of the fact that prisons are meant to rehabilitate rather than punishing prisoners, the specification of basic minimum rights prisoners should enjoy within the prison, the provision of autonomous prison commission in each state to oversee the overall management of the prisons and treatment of prisoners should be adequately provided as this will provide solution to management in Nigeria and Maiduguri New Prison which is the study area.

Keywords: Causes, Consequences, Solutions and Incarceration

1. Introduction

Incarceration (imprisonment) is the deprivation of an offender or criminals from their normal rights by confining them in a correctional institution according to the criminal justice system, for a period of time or for a life time. Imprisonment is a mode of punishing wrong-doers, and protecting other members of the society from them, Anthony (1987).

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When deterrence, which is referred to as prevention does not stop crime in the society, imprisonment becomes inevitable when criminals are caught committing crime. So, the general deterrence works for the normal population from which criminals arise, when backed with effective communication strategy. In essence, where there are laws, there are crimes since crime can most simply be defined as any mode of behaviour which breaks the law, Elias (1968)

2. Statement of the Problem

The condition of prisons in developing countries makes rehabilitation a difficult task of imprisonment, lack of potable water, inadequate sewage facilities and severe overcrowding resulted in unhealthy and dangerous sanitary conditions are some of the problems of prisons (in developing countries). On the other hand, there is no detailed sentencing framework for each crime type in the legislative level. Precise sentencing criteria and guidelines are conspicuously missing in the judicial level as in the legislative field. In addition, within the prison

and other correctional institutions, the policy of silence is continued. Prisoners often assert that they are kept uncertain about how to behave, what the prison or institutional rules are and what is generally expected of them or why, Sa'ad (1999).

Prisoners have to come to terms with an environment quite distinct from 'the outside', and the habits and attitude they learn in prison are quite often exactly the opposite of those they supposed to acquire. It is therefore not surprising that rates of recidivism (repeat offending by those who have been in foastal or prison before) are disturbing high. Collateral consequences of imprisonment can be looked at from different angles in such a way that the multi-faceted ways in which imprisonment affects the entire communities are addressed.

3. Objectives of the Study

The specific objectives of this study are to identify the causes, consequences and solutions of incarceration in Maiduguri New Prison. Examine the activities of prisons as an institutions of incarceration. Assess the relationship between inmates and prison warders. Examine the effects of incarceration in developing country. Analyse the observable differences between olden day's modes of punishment and incarceration.

4. Study Area

The administrative set up of Maiduguri New Prison, Borno State is made up of the following sections: Assistant Controller of Prison who is also the officer in charge of the Prison Heads Administrative section. He is answerable to the state controller of prison, a deputy superintendent, Assistant Superintendent I and II.

Subordinate staff comprises of Inspectors of Prisons, Assistant Inspectors of Prisons, Senior Prison Assistant and Prison Assistants I, II and III.

The administrative section is mainly responsible for administrative work and for maintenance of security and of the prison at all times, as well as discipline. The staffs are carrying out Twenty-four hours duties are performed by the subordinate staff of this sections, as well as duties. Station officer in charge of prison is being assisted by an inspector of prison and other general duties junior staff who serve as escorts of the inmates to work on sections, especially agricultural section.

The last is the catering section, which is also headed by Assistant Superintendent of prison in a descending order to general duties junior staff in charge of preparation of inmate's meal.

4.1 Method of Data Collection

The methods of data collection are basically, structured interview and questionnaire. In the study, two sets of questionnaires are designed. Those for the prison warders are to be distributed directly to the respondents. For the inmates, the researchers will fill such questionnaires pending on the response of each inmate in the selected sample.

4.2 Instruments of Data Collection

4.2.1 Questionnaire

To achieve the objective of this study, questionnaires are designed to be used. The questionnaires are designed to record events and experience of the respondents as a whole. The questionnaire contains both open ended and closed ended questions. Section A on the questionnaire that stands for background information comprise of questions, which disclose the demographic profile of the respondents. Section B comprise of questions which obtains possible views and suggestions of respondents about imprisonment and prisoners.

4.2.2 Interview

While the questionnaire designed for the warders will be directly given to the respondents. The questionnaires designed for inmates will be with the researchers to assist the inmates (Respondents) in completing the questionnaire, which will take the form of interview. That will be by asking inmates questions contained in the questionnaire and thus record their responses. The structured interview comprises of demographic questions as well as questions which requires the views, suggestions and challenges of inmates.

4.3 Population of the Study

At the time of this research, 370 inmates were in Maiduguri New Prison and 40 prison officials were recorded in the study area, although some of the warders are on shift. The researchers interviewed 50 inmates and questionnaires were given to 30 prison staff. The sample size consists of male and female inmates, as well as male and female prison staff.

4.4 Samples and Sampling Procedures

At the time of this research, we have a total number of 370 inmates, which comprise of 362 males and 8 females. Sample sizes of 50 respondents were drawn from the 370 inmates using simple random sampling procedure. Structured interview with the selected sample was carried out while the researchers fill in the questionnaires on

behalf of the inmates as the interview is going on. Also, 30 questionnaires were distributed to prison warders using accidental (haphazard) sampling procedure to obtain their respective views.

4.5 Method of Data Analysis

The scoring of the result was carried out in order of quantity response. Frequency and percentages were used. The number of response was marked and the total score was converted into percentages score, (that is percentage score = obtained score over maximum possible score, multiply by one hundred).

$$\% \text{ score} = \frac{\text{obtained score}}{\text{Maximum possible score}} \times 100$$

5. Data Analysis, Presentation and Interpretation

Table I: Showing the population and distribution of prisoners in Maiduguri New Prison on 25 Sept., 2006.

	Male	%	Female	%	Row Total
Convicted	294	80	0	0	294(80)
Awaiting trials	68	18	8	2	76(20)
Column Total	362	98	8	2	370 (100)

Source: Field work 2006

From the above table, the population of prisoners (inmates) in Maiduguri New Prison on 25th of September, 2006 comprise of both convicted and non-convicted (awaiting trials) criminals. 80% of the inmates are male convicted criminals which have the highest population. 18% are awaiting trials male, while 2% of the inmates population are females all awaiting trials.

Table 2: Demographic profile of prison staff variables

	Variables	Frequency	Percentage (%)
1	Sex		
a.	Male	26	87
b.	Female	4	13
	Total	30	100

2	Age		
a.	20 - 30	15	50
B	31 - 40	10	33
C	41 – 50	5	17
D	51 and above	0	0
	Total	30	100

3	Level of Education		
a.	Primary	1	3
B	Secondary	12	40
C	Diploma/NCE	13	43
D	Degree	4	14
E	Higher Degree	0	0
F	Others	0	0
	Total	30	100

4	Religion		
a.	Islam	16	53
B	Christianity	14	47
C	Others	0	0
	Total	30	100

5	Marital Status		
a.	Single	10	33
B	Married	20	67
C	Divorced	0	0
D	Widowed	0	0
	Total	30	100

6	Duration in Work		
a.	Below 5 years	3	10
B	5 – 10 years	14	47
C	11 – 20 years	6	20
D	21 – 30 years	5	17
E	31 and above	2	6
	Total	30	100

Source: Field work 2006

The demographic variables of the respondents (prison staff) indicates in variable 1 which is the sex (gender) distribution of the respondents that 87% which constitute the highest percentage of the respondents are males, female prison staff takes 13% of the warders population.

The second variable on table 2, which is the age distribution of the respondents have these figures. 50% of the respondents fall under the age category of 20 to 30 years, 33% of the respondents are between the ages 31 to 40 years, 17% of the respondents are between the ages 41 to 50 years, while there is no prison staff above 50 years of age.

An examination of the level of education of the prison staff shows that 3% of the warders1 which is the least in the category, are primary school holders, 40% of the respondents have completed secondary school, 43%, which constitute the highest, have either diploma or NCE, while 14% of the warders are degree holders.

The fourth variable on table 2 is the religion distribution of the respondents. From the table, 53% of the respondents (warders) are Muslims, which has the highest percentage, followed by Christians with 47% of the respondents. As reflected on table 2, there is no single traditional or other religion that is practiced by any prison staff in Maiduguri New Prison apart from the two dominant religions (Islam and Christianity).

Marital status, which is the fifth variable on table 2, shows that: 33% of the respondents are singles, 67% of the warders are married. There is 0% record of either divorced or widowed staff from our findings. The final variable on table 2 is the duration of service of prison staff, which shows that: 10% of the prison staff has served the prison for less than 5 years, this category comprises of newly employed staff and Corpers 47% of the respondents have served the Nigerian Prison Service between 5 to 10 years which constitute the highest percentage. 20% of the warders have been in the service for 11 to 20 years. 17% of the respondents served between 21 to 30 years while 6% of the warders served the prison above 31 years.

Table 3: View of Warders about prisoners and imprisonment

		Frequency	Percentage (%)
1	Do criminals deserve imprisonment		
A	Yes	30	100
B	No	0	0
	Total	30	100

2	How effective is imprisonment in correcting crime?		
A	Very effective	12	40
B	Effective	16	53
C	Not Effective	2	7
	Total	30	100

3	Which one is best in rehabilitating inmates?		
A	Harsh Treatment	8	27
B	Mild Treatment	22	73
	Total	30	100

Source: Field work 2006

In the first variable of table 3, all the respondents (warders) are in support of imprisonment as a deserved punishment for committing a crime.

The second variable on table 3 rates the degree of effectiveness of imprisonment in correcting criminals, has the following figures: 40% of the warders view imprisonment as very effective, 53% which is the highest percentage view imprisonment as effective, while 7% of the respondents feel imprisonment, is not effective.

The third variable on table three (3) is the view of holders on which one of these is best in rehabilitating inmates: harsh (hard) treatment or mild treatment. 27% of the warders went for harsh treatment, while 73% went for mild treatment mostly supporting their answers with the view that inmates are humans, therefore they should be treated with caution as human beings.

The final question on the questionnaire for warders that was not tabularized is: what do you think the government can do to improve imprisonment? Suggestions ranges from: better funding of the prison sector,

prison staff should be given training, more job opportunities should be created for the youths, the government should give more priority to the prison as home of rehabilitation, and resettlement of discharged inmate to live a self-reliant and law abiding life.

Table 4: Demographic profile of inmates (Prisoners)

	Variables	Frequency	Percentage (%)
1	Sex		
	Male	48	96
	Female	2	4
	Total	50	100
2	Age		
	18 – 25	33	66
	26 - 30	6	12
	31 – 40	10	20
	41 and above	1	2
	Total	50	100
3	Religion		
	Islam	37	74
	Christianity	13	26
	Others	0	0
	Total	50	100
4	Marital Status		
	Single	32	64
	Married	16	32
	Divorce	2	4
	Widowed	0	0
	Total	50	100
5	Educational Qualification		
	Qur’anic	20	40
	Primary	9	18
	Secondary	17	34
	Tertiary Institution	2	4
	Others	2	4
	Total	50	100
6	How long have you being in the prison?		
	Below 6 months	22	44
	6 months to 1 year	16	32
	1 year to 3 years	12	24
	3 years and above	0	0
	Total	50	100
7	Occupation		
	Yes	46	92
	No	4	8
	Total	50	100
8	What was your occupation?		
	Civil servant	4	9
	Trading	19	41
	Farming and Rearing	7	15
	Business	16	35
	Total	50	100

Source: Field work 2006

In the first variable of table four (4) which comprise of the sex (gender) distribution, 96% of our respondents (inmates) were males, which are the highest percentage, while the females constitute 4% of the population.

The second variable on the table comprise of the age distribution of the respondents. 66% of the respondents (inmates) are between ages 18 to 25 years, 12% of the respondents are between the ages 26 to 30 years, 20% of the prisoners are within 31 to 40 years of age, while 2% of the respondents are above 41 years of age.

Religion is the third variable on table 4. Muslim prisoners (inmates) constitute 74% of the population of our respondents, Christians amounted to 26% of the population, while no prisoner belong to traditional or any other religion apart from these two religions (Islam and Christianity).

Marital status is the fourth variable on table 4, 64% of the respondents are singles, 32% of them are married, while 4% of the respondents are divorced. None of the respondents is widowed. As reflected on the table, a greater percentage of the respondents (inmates) are singles. Level of education as the preceding variable on the table has the following figures as reflected on table 4. 40% of the respondents have attained Qur'anic education, which is the highest in this category. 18% of the respondents are primary school leavers, while 34% of the respondents have attained secondary education. 4% of the respondents have other forms of education, to be specific no formal education attained at all.

The sixth variable on the table has to do with the duration of the respondents in the prison. 44% of the respondents (inmates) have been in the prison for less than six months, 32% have been there within 6 months to 1 year. 24% of the respondents have been in the prison between 1 year to 3 years, while none of the respondents have been in the prison above 3 years, from the figures obtained on table 4, most of the respondents have been in the prison for less than six months.

Occupation is the seventh variable on table 4. 92% of the respondents were occupied, while 8% of the respondents were not occupied before their prison sentence.

The preceding variable on table 4 is the nature of occupation of the respondents that were occupied. 9% of the respondents were civil servants, 41% of the respondents were traders, while 15% of them were into either farming or rearing of cattle. 35% of the respondents were business oriented. As obtained from the table, a greater percentage of traders are imprisoned.

Table 5: Prisoners (inmates) view about imprisonment

1	Variables	Frequency	Percentage (%)
	Offence committed	25	50
	Property related crimes	22	44
	Non-violent crimes	3	6
	Victimless crimes	0	0
	Total	50	100

2	Do you think the offence deserve a prison sentence?		
	Yes	25	50
	No	25	50
	Total	50	100

3	If yes, why?		
	For violating a law	23	92
	The effect of such crimes on the victim	2	8
	Total	50	100

4	Do you think Prison sentence can help in rehabilitating/correcting you?		
	Yes	29	58
	No	21	42
	Total	50	100

5	If no, why?		
	People learn how to commit worst crimes due to interaction with other inmates	13	62
	The poor condition of prison	6	29
	Idleness which leads to loss of creativity	2	9
	Total	50	100

6	How do you feel being in the Prison?		
	Abnormal	45	90
	Normal	5	10
	Total	50	100

7	What are your greatest nightmare, challenges or hardship within the custody of the prison?		
	Deprived freedom	16	32
	Idleness	10	20
	Poor nutrition and facilities	15	30
	Thought (concern) for others at home	4	8
	Sense of innocence	1	2
	Disciplinary measures between inmates	4	8
	Total	50	100

8	Do you think imprisonment should continue in order to rehabilitate criminals?		
	Yes	35	66
	No	17	34
	Total	50	100

Source: Field work 2006

The first variable on table 5 is the offence committed by the respondents. Property related crimes such as theft and burglary are the highest committed crimes which constitute 50% of the response. Violent crimes such as murder, fighting and drug crimes is the next percentage with 44%, while non-violent crimes such as verbal fight and threat takes 6% of the crimes committed. Victimless crime such as prostitution and gambling has 0% which implies that none of the respondents have committed such offences.

The second variable on table 5 relates to the view of respondents on whether such a crime committed by the individual deserves imprisonment or not. 50% of the respondents view their offences as deserving imprisonment, while 50% feel it does not deserve the prison sentence.

The proceeding variable on table 5 obtained possible reasons from inmates that feel such a crime deserves imprisonment. 92% of the respondents view such crime deserving imprisonment for violating the law of the state/country, while 8% supported their answers based on the effect of such practice crime on the victims.

Can prison sentence help in rehabilitating correcting you? Is the fourth variable on table 5: 58% of the respondents view prison sentence as rehabilitating/correction them while 42% feel it does not correct them.

The fifth variable on the table reflects the views of respondents that feel imprisonment does not rehabilitate/correct them. 62% supported their answers based on the view that inmates learn how to commit worst crimes due to constant interactions with other/hardened inmates. 29% of the respondents refer to the poor conditions of prisons as hindrance to rehabilitation. 9% of the respondents view idleness within the prison which leads to loss of creativity as a set-back to rehabilitation and correction which are part of the objectives of imprisonment.

The sixth variable on table 5 relates to how the inmates feel being in the prison. 90% of the respondents feel it is abnormal being in the confine of the prison, while 10% of the respondents view prison as a normal environment. The seventh variable on table 5 refers to the prisoners' greatest challenge within the custody of prison. 32% of the respondents view deprivation of freedom as their greatest challenge, 20% of the respondents view idleness as their greatest nightmare, while 30% of the respondents view poor nutrition/prison facilities as their greatest hardship. Also, 8% of the respondents feel concern/thoughts about people (family members) left at home as one of their greatest challenge, while 2% of the respondents feel they are innocent of their charges and serving a prison sentence unjustly is their greatest nightmare.

The final variable on table 5 is the view of inmates on whether imprisonment should continue in order to rehabilitate criminals. 66% of the respondents feel imprisonment should continue in order to rehabilitate criminals, while 34% of the respondents feel imprisonment is not relevant in rehabilitating criminals. To this end, a greater percentage went for imprisonment.

In conclusion, the prisoners in Maiduguri New Prison are victims of circumstances. In relation to the papaer, the causes of imprisonment are crimes of different forms as illustrated on the first variable of table 5. Most crimes when caught are punishable by imprisonment, while the consequences of imprisonment are diverse such as deprivation of freedom, stigma/issue of reentry, loss of creativity due to idleness within the confine of the prison, etc

Solutions to imprisonment can be arrived at when both government and individual sector of the society will properly address the problems of imprisonment that were highlighted in the statement of research problems.

Conclusion

The prison in developing countries has been a neglected institution. Although Maiduguri New Prison was built not quite long, most prisons in this country were built in the first two to three decades of the 1911 century and since then only few prisons have been built.

Most of the prisoners interviewed expressed dismay about the prison conditions. Some of the prisoners seriously complain of lack of adequate facilities in the prison like feeding, potable, potable water and recreational facilities. The prisoner's lives are associated with abject poverty, no access to adequate social amenities.

These prisoners are sending to the prison to be reformed and rehabilitated, but due to the poor conditions of prisons, the prisoners become more hardened criminals and even learn worst crimes than before. To this end, there are insufficient facilities in the prisons coupled with untrained prison staff.

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