

Socio-Cultural Factors Affecting Reintegration of Discharged Prisoners in Anambra State, South East, Nigeria

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Abstract—In recent times, recidivism has not only been on the increase in sub-Saharan Africa, but has become a major social problem to the society. Discharged prisoners are faced with challenges of reintegration as a result of some socio-cultural factors which tend to affect efforts in that direction. Consequently, discharged prisoners often pose a threat to sustainable development because they can very easily relapse to crime when they are unable to reintegrate in the society. This paper examined the socio-cultural factors affecting the reintegration of discharged prisoners in Anambra State. The study employed qualitative research method with the population comprising adult members of the public, discharged prisoners, opinion leaders and staff of Nigeria prisons who were selected across randomly selected communities within two purposively chosen locations of Onitsha and Awka. Findings indicated that discharged prisoners are stigmatized both by societal members and existing laws. This study recommends that the government and other non-governmental agencies must step up their efforts to recondition the debasing conditions of Nigeria prison as well as review relevant laws to ensure systematic post incarceration rehabilitation and reintegration of discharged prisoners into the society, so that they can contribute to growth and sustainable development of the society.

Index Terms—Discharged prisoners, recidivism, reintegration, socio-cultural issues.

I. INTRODUCTION

In recent time, recidivism has not only been on the increase in Sub-Saharan Africa, but has become a major social problem affecting the society; governments, multinational humanitarian organizations and the world over. Discharged prisoners find it difficult to reintegrate into the society because of some social and cultural factors which seem to inhibit all efforts geared towards this direction. Recidivism tends to be on the increase in Nigeria, and Anambra State having one of the most densely populated cities in the country accounts for a reasonable percentage of this group. As a typical southeastern state of Igbo extraction, it has maintained a strong cultural belief system which influences the way her members relate and perceive discharged prisoners.

Before the society as a corporate body, took over the function of working to control the antisocial behaviour of her members, it has been observed that individuals and

families seek redress/vengeance to offences committed against them by using what is known to be the oldest codified law of “a tooth for a tooth” and “an eye for an eye” [1]. As Societies develop, treatment of offenders at every stage depended on the societal perception of them. In the ancient Rome for instance, offenders were perceived as traitors, sinners, bandits, criminals and therefore were severely punished with such punishment as throwing into the lion’s den, or burning furnace, and even frying alive in a pot of oil [1], [2]. Sharma [3] added that, public flogging, crucifixion, impaling, beheading, hanging, mutilation, stoning, exiling, and shooting with arrow or spear were also used as punishment depending on the degree of offences committed or the mood of the king or the emperor both in England, France and in fact, all over Europe, and more were ingeniously invented to suit new offences and to serve the whims and caprices of the rulers.

In the traditional pre-colonial African societies, offenders were seen as enemies of the gods of the land whose offences attracted the wrath of the gods on the whole society [4]. Therefore, evildoers or violators of the laws of the land were perceived and treated as outcasts, evil and wicked their punishment ranged from public humiliation, flogging, temporal excommunication, payment of fine, to performance of sacrifices to appease the gods and cleanse themselves of the offences committed before they could be reintegrated into the society [4]. This was also typical of the traditional Igbo societies within the southeastern Nigeria. Traditional African societies, especially those in the southeastern Nigeria seem to have over time, developed a strong belief system influencing their relationship with persons who at one time or the other violated the laws of the land, which was seen as effrontery to the gods who were their custodians. This belief system seem to have however been carried over to the present day society, even with the introduction of modern prison philosophy in which offenders are no longer considered as outcasts but as human beings who could be reformed and rehabilitated with the hope of being reintegrated into the society when discharged from the prison. Despite this positive development, the negative perception and treatment of discharged prisoners in Anambra state still persists.

II. REHABILITATION AND REINTEGRATION CHALLENGES OF DISCHARGED PRISONERS

The radical shift in penal philosophy and prison management globally, which emphasizes the identification of the reason for individual’s anti-social behaviour for

treatment with the hope that the offender is returned to the society not as a social misfit but reoriented and equipped for productive life, has posed a challenge to Nigeria prison. Ugwuoke [5] observed that Nigeria prison preaches reformation and rehabilitation, but in practice, advocates for retributive punishment. He maintained that their punishment continues even after discharge from the prison due to public attitude towards them, as they are branded and treated as ex-convicts (stigma) which however is the greatest obstacle to a discharged prisoner's re-integration. This stigma is emphasized by the legal or state law which so defines the discharged prisoner. Therefore, the law as it exists today further stigmatizes the discharged prisoner and prevents him from integrating successfully.

In Nigeria, from the year 2000-2010, the population of awaiting trial inmates was fluctuating around 62% of a total prison population of about 44,000. Between 2010 and 2011, out of a total prison population of 40,447, a total 25,380 (63%) persons are awaiting trial. It was however noted that more than half of awaiting trial persons as captured by the report have been convicted more than once [6]. As at January –July, 2013, prison population stood at 53,816 inmates, out of whom 37,429 inmates are awaiting trial while 16,387 inmates are convicted [7]. Inferring from the above statistics, recidivism is high in Nigeria prison. It has been noted that Nigerian prison has proved dysfunctional, for rather than reconciling the offender with the social order and its laws, the prison has been a center for the dissemination and exchange of criminal influences and ideas, and has usually rendered the prison processed offenders unable to re-integrate into the society [5]. Lack of adequate funding appears to be the main reason constraining the Nigeria prison from delivering on its mandate. As a result the prison is littered with worn-out equipments and machines used for reformation [8]. At the end, the prisoner may be discharged without being reformed or rehabilitated. The government scheme of empowering a prisoner upon discharge seems no longer a priority and this goes a long way in explaining the high rate of recidivism in the Nigerian prisons. This is because they still cannot find their footing in the society even after discharge. Therefore, society still perceives them as social misfits to be avoided, thereby making reintegration impossible. Unfortunately, the complementary follow-up after-care services of the prison for discharged prisoners which ensure smooth reentry into the society appears to be totally lacking. There is as well lack of sincere effort by policy makers and correctional administrators in pursuing the legislative provisions (if any) for discharged prisoners in the area of community rehabilitation and reintegration programmes, which should address the legal stipulation that denies them employment and public appointments, as well as culture based, age-long traditional apathy towards them. High recidivism rate indicates that inmates are not prepared to come back to society as law-abiding citizens.

Findings have also indicated that ex-offenders usually respond to the obvious socio-cultural implications of their new status which invariably attracted limited social and economic prospects by placing themselves in tight-knit insular networks of family and close friends for both material and non-material benefits essential to daily life [9],

[10]. It was noted that, ex-offenders expressed the desire to live more honestly and to completely overhaul themselves, their lives, their kinship ties, and their views on the world if there are enabling laws and environmental conditions. Igbo and Ugwuoke in 2003 published their findings which revealed that poor environmental conditions of the prison and the negative attitude of the public towards ex-convicts are the two main factors responsible for recidivism [11].

III. TRENDS TOWARDS REHABILITATION AND REINTEGRATION OF DISCHARGED PRISONERS

As trend towards confining greater numbers of offenders in correctional facilities continues, increasing attention is being paid to what happens once they are released back into the community. Altshuler, Armstrong, & Mackernzie [12] claim that "what happens" question frequently asked is in reference to two closely related issues. The first is whether released offenders will commit additional crimes, and thereby threaten public safety. The second is on the issue of what is being done to ensure that released offenders will not continue to offend. This is because there is so much uncertainty surrounding the community adjustment of offenders after release from seemingly inadequate institutional reformation and rehabilitation programmes. Some believe that the best policy is prolonged incarceration as a sure way to prevent offenders from committing additional crimes. This has been found to be problematic. First, it is expensive; two, there is lack of space and thirdly, it has not demonstrated measurable reduction in offender's re-arrests after release.

All over Europe and America, a number of after-care initiatives such as Reintegrative Confinement, Structured Transition, Intensive After-care, and Community Correction which include Halfway Houses, Furloughs, Probation and Parole have been developed and implemented to ease the transition problems of released offenders [12]. In Nigeria, while lip-service is paid to the existence of after-care services, provision for community based corrections is apparently not in existence. Most cultures in the south east part of would require that an offender undergoes a process of cleansing or purification rituals necessary for a required period of time, after which the offender is unconditionally reintegrated into the society. The combined effects of western religion, urbanization and globalization have broken the social bond that made this possible and neutralized this social control mechanism which over the years had proved rather effective.

To date, very few studies have actually addressed the extent socio-cultural factors affect the rehabilitation and reintegration of discharged prisoners in Anambra State. Therefore, this study will bring to the fore various ethno-cultural sentiments that inform the various ways people perceive discharged prisoners in Anambra State as well as emphasize the negative effects of cultural beliefs and practices on the reintegration needs of discharged prisoners. The government and other related organs in the society may by the result of this study design effective intervention programmes that will promote the smooth re-entry of discharged prisoners into the society. To this end, the objective of this study is to examine to what extent social

and cultural factors affects the rehabilitation and reintegration of discharged prisoners in Anambra State. In doing this, the study examined;

- how the people of Anambra perceive discharged prisoners
- the extent perception affects prisoner's reintegration within their communities
- the effects of existing laws, cultural beliefs and norms on prisoner's reintegration
- The extent to which ineffective reformation and rehabilitation programmes of Nigeria prison affect discharged prisoner's reintegration within their communities in Anambra State

IV. THEORETICAL ORIENTATION

Scholars have tried to provide an understanding of the relationship between some social and cultural factors and the reintegration challenges of discharged prisoners. Two of such theoretical orientations are Rehabilitation and Ecological theories. Hampton as cited in Brooks [13] tries to justify essence of Rehabilitation theory by emphasizing treatment of discharged offenders. Treatment in this context means any and all efforts aimed at the remission of criminal behaviour and the social reintegration of the offender within the community. This theory argues that people are self-determinate beings whose ability to freely choose is frequently obstructed by various social conditions which might lead to crime. Therefore, the theory emphasizes treatment programmes that have the goals of making offenders' law-abiding self-dependent and contributing members of the society.

The Ecological Theory which supports the idea that changes in social environment have a notable influence on individuals argues that, it is important to construct environments that support individuals post incarceration, so that society can prevent multiple offenses and reduce recidivism rates and crime [14]. Ecological Theory supports the idea that resource availability such as stable employment, education, societal attitudinal change and other support services would create a positive environmental support structure for post-incarcerated individuals and would be very effective in reducing recidivism rates.

V. METHODOLOGY

The study is purely qualitative. It employed the use of Participant Observation, key Informant Interview (KII), and Focus Group Discussion (FGD) as methods of data collection. Two locations; Onitsha and Awka were purposive selected. Onitsha was selected because of its robust commercial activities and the presence of a prison facility with a large inmate population. Awka was chosen because it is the administrative headquarter of Anambra State and as well has a prison facility. Both also represent typical socio-cultural characteristics of the South East Nigeria. The population consists of adults, (male and female), elders (opinion leaders), staff of Nigeria prison and Discharged prisoners. Two communities were randomly selected from each of the locations. A total of four (4) FGD sessions were conducted (male & female sessions) within

each of the four selected communities. A total of eight (8) titled elders were purposively selected and interviewed, two in each of the four (4) communities with the assumption that they were knowledgeable about the dictates of their culture. Four high ranking officers in Onitsha and Awka prison were identified and interviewed on issues concerning rehabilitation of prisoners and their community reintegration. Finally, four discharged prisoners were also identified and interviewed with the aim of gaining an insight into their true life situation within their communities. In all sixteen (16) respondents were interviewed for the study. The data collected were thematically analyzed to clearly bring out the relevant views and opinions of respondents.

The findings of this study were analyzed and discussed under the following themes.

VI. ANALYSIS OF FINDINGS

Public Perception of Discharged Prisoners in the South East Nigeria:

- The discharged prisoner is seen as one contaminated with criminal influences
- One not to be associated with
- One that should not be trusted

Existing Legal Framework on Reintegration of Discharged Prisoners in Nigeria:

- There is no effective legal framework designed to recover a discharged prisoner
- Existing laws further criminalize and stereotype them
- The government is not interested in the "business" of the prison
- Discharged prisoners are not empowered

Cultural Beliefs and Practices Influencing Reintegration of Discharged Prisoners:

- A discharged prisoner is seen and treated as "Onye Ulu" one who is contaminated
- He is prevented from taking major part in rituals and ceremonies, including taking titles
- There is no known cultural prescription for sanctioning or rewarding a discharged prisoner

The Influence of Inadequate Reformation of Prisoners:

- Reformation and rehabilitation programmes exist but are ineffective and obsolete
- The instructors are not adequately trained with current knowledge and skills
- The prison is more interested in custody and security of the prison
- Overcrowding is a major problem

VII. DISCUSSION OF FINDINGS

A. Public Perception of Discharged Prisoners in the South East Nigeria

The Focus Group Discussion (FGD) sessions revealed that discharged prisoners are perceived as criminals, people that cannot be trusted, very dishonest and irresponsible. As elaborated by a male FGD participant, "a prisoner must have done something the society says is wrong and even when unjustly convicted comes out contaminated with a lot of criminal influences that are threats to the community". Further probe revealed a general view that majority of the

discharged prisoners (Ndi oje Nga) within and around their community still display criminal behaviour. This view was corroborated by three of the discharged prisoners who expressed their frustration about their relationship with community members. One of them has this to say *"I have been questioned by the police more than ten times since I came back from the prison. This is because; I am always the first suspect any time a crime is committed within and around this community"*. Another discharged prisoner said that *"people no longer want to hold any meaningful discussion with me, I am no longer invited to any occasion, people always keep an eye on me any time I visit their homes, even my own brothers and sister. Even if they don't tell me to my face that I am a criminal, their actions shown me that I am one and that I am not wanted"*. This feeling captures the mood of the majority of the discharged prisoners sampled for this study. This is in line with the observation of Ugwuoke [5] when he stated *"... their punishment continues even after discharge from the prison due to public attitude towards them, as they are branded and treated as ex-convicts (stigma) which however is the greatest obstacle to a discharged prisoner's re-integration"*

B. Existing Legal Framework on Reintegration of Discharged Prisoners in Nigeria

Several portions of the Nigerian prison act have been reviewed to reposition the Nigerian prison system in line with the UN Standard Minimum Rule for treatment of prisoners, yet it seems Nigeria prisons pay lip service to correctional programmes which the act emphasizes. An officer in Awka prison exposed several inconsistencies in the laws regulating the criminal justice system. He mentioned specifically a portion in the amended act, cap366 laws of the federation of Nigeria 1990 which still retains the phrase sentencing one to years of imprisonment with "hard labour" in an era when corrections is the overriding philosophy. According to him, *"Nigeria does not have laws or policies to recover ex-offenders and put them to good use, rather they have laws and policies that further criminalize them"*. This might be what prompted Ugwuoke [5] to observe that *"the fundamental issue facing prison administration in Nigeria today is lack of agreement as to what should be the aim of dealing with convicted offenders... in principle, Nigeria prison preaches reformation and rehabilitation, but in practice, advocates for retributive punishment"*. Emphasis is no longer placed on After-Care services which are integral part of corrections. No provision is made for community support systems. As a vulnerable group, the law does not guarantee the protection of their rights as free citizen. For this reason, a prison staff respondent stated *"that is why the business of the prison is not a priority to Nigerian government because they have no use for its products"*. A chief Superintendent of prison in an interview noted *"that the law establishing the prison did not make provision ab initio for adequate empowerment and re-establishment of the prisoner after custody. Even with the current prison philosophy, the traditional punitive method seems to still be in practice"*. He concluded that there is no existing law that encourages rehabilitation and reintegration of discharged prisoners in Nigeria.

C. Cultural Beliefs and Practices Influencing Reintegration of Discharged Prisoners

Nigeria plays host to more than two hundred and fifty ethnic groups that are culturally diversified. The southeast represent a cultural group of Igbo extraction, yet each state and community within this cultural grouping has a unique tongue and distinct cultural characteristics. However, world view seems generally similar, having shared common colonial experience that introduced prisons. Hence, a discharged prisoner is generally seen, in the words of a male FGD participant as "Onye Ulu", this is one that has been contaminated and therefore not worthy to be associated with irrespective of what may have sent him to prison. Majority of the FGD participants asserted that, *they cannot marry or be married by a discharged prisoner, or surety and support a discharged prisoner for any public position, for the simple reason that they cannot trust anybody who has gone to prison and come out. "I will not be able to carry the stigma my association with such a person will bring to me"*, one female FGD participant said. A prominent chief in one of the communities explained *"there is no cultural content that dictates our relationship with discharged prisoners here in Awka, or even among the Igbos generally, the stigma may have arisen with respect to an age long negative perception which has been sustained till the present time and which subtly influences cultural practices and beliefs that in one way or the other negatively affect discharged prisoners in our midst"*. This might be what an elder in one of the communities had in mind when he stated *"that the discharged prisoner and all connected with him/her bear an odious stigma. It matters little that the discharged prisoner may have ended up in the prison for purposes that may not be connected with crime... they are rejected to the point that they are not given any chance to participate in most of the rituals and ceremonial activities that go on in their communities because of the belief that they are defiled"*.

D. The Influence of Inadequate Reformation of Prisoners

It is common knowledge that Nigeria prison is not adequately equipped for the purpose of reformation and rehabilitation. Staff interviewed noted that lack of adequate fund, and accommodation, shortage of professionals and qualified personnel among others are the basic problems hindering reformation and rehabilitation of prisoners. The study revealed that, there are several rehabilitation programmes existing in various prisons in Awka, which ranges from, welding, carpentry/woodwork, basket making, soap making, laundry, electrical work, mason, education and recreational programmes. "Beautifully designed as these programmes may be, a welfare staff of one of the prisons noted that, *"majority of these programmes are either partially functional or not functional at all as a result of lack of training facilities and qualified personnel"*. A staff also revealed that rehabilitation programmes are designed in such a way that knowledge and skills are constantly updated to keep abreast with what is in vogue in the wider society. However, Nigeria prison staff (instructors) hardly care for such periodic training. In the words of the prison officer, *"prisoners with the most current knowledge or skill end up teaching others including the instructor, and when such a person is not available, the status quo remains."*

The truth is that prison is so busy with the security and safe custody of prison inmates, especially with the rising population and its consequent overcrowding, to bother about rehabilitation. And so, a prisoner is convicted and discharged the same way or worse than when he was convicted”.

These problems have been variously identified by researchers as to their effect to reintegration, but this study brings out the fact that beyond these, certain socio cultural factors which condition perception and influence practice and relationship with discharged prisoners present a big barrier to their reintegration.

VIII. RECOMMENDATIONS

The study recommends a tripartite approach to the needs of discharged prisoners in Nigeria.

- 1) The federal, state and multinational governments must step up their efforts to recondition the debasing conditions of Nigeria prison to a habitable environment for human modification, reorientation and subsequent integration for growth and sustainable development.
- 2) The civil society which comprises the local and international NGOs, human service professionals such as social workers, Red Cross Societies, church bodies, clergymen and women, philanthropists and other well spirited individuals needs to urgently shift from palliative programmes to a more conscientizing effects, to effectively and more tangentially empower discharged skillful offenders with life-saving supports. There is also the need to demystify the concept of prisonisation and conscientize the community members through enlightenment programmes by human service professionals to make up for the lack of after-care services of the prison for the discharged prisoners.
- 3) Cognitive reorientation programmes and psychotherapy are recommended for the discharged offenders as well as significant others on the real issues of prisonization that will in turn address perceived and enacted stigmatization, stereotyping and labeling.

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