The Northeast Prisons in Nigeria

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Prisons everywhere in the world exist as a symbol of the society’s desire to segregate its criminals. Originally, the reason for the segregation of prisoners was to punish. Consequently, convicts were beaten, tortured and subjected to inhuman treatment in addition to confinement. However, the emergence of the positivist school in criminology led by Lombroso (1836), Goring (1913), Kretschmer (1921), Goddard (1921: 1926), Hooton (1939), Bowlby (1946) etc. prompted the transformation of prisons to reformation and rehabilitation centres.


Historical Antecedents

The modern prison system began with the British colonization of Lagos in 1861. By 1872, the Broad Street Prison designed to accommodate 300 prisoners was already in operation (Awe 1968). This prison and the subsequent ones, especially in the colonial era, were largely modelled after the British prison system in structure, rules and regulations, discipline, and staff development. With the amalgamation of Nigeria in 1914 by Lord Lugard and the introduction of indirect rule, a two-tier prison system emerged with one tier being run by the colonial administration and other by Native Authorities.

The goal of prisons in the early colonial era, both in structure and legal provisions was punitive. However, major reforms were undertaken when R.E. Dolan was appointed the Director of Prisons between 1945 and 1955. Emphasis shifted from punishment to treatment of offenders. Dolan improved the education of prisoners, expanded leisure facilities, and introduced an earning scheme and aftercare support (Awe 1968).
Unfortunately, there have not been any significant reforms and structural changes in Nigerian prisons since Dolan as will be shown in this paper. The post-colonial era witnessed the unification of prisons, construction of more prisons, and more legislation with no new impact on prisons since Dolan (Onyebuchi 1983). In fact, the prison system has deteriorated since Dolan as will be shown in the following discussion.

**Food**

The study of the old and new Maiduguri Prisons revealed that the prisoners are fed three times a day, breakfast at [?] hours: lunch at 13 hours, and dinner at 18 hours (Sa’ad 1984). This timetable does not conform to section 22, which specifies that prisoners shall be entitled to a “full diet”, meaning adequate and good quality food to be provided daily “in three portions at 5.30am, 1 lam and 5pm”. Even though the section also allows the Superintendent (now Controller) of the prison to use his/her discretion to reduce the quantity and/or quality of food to be served daily to prisoners, this should be done only if the prison medical officer “is satisfied that such reduction or omissions shall not be detrimental to the general health of the prisoner”.

The feeding system in the northeast prisons had deteriorated over the years. A study conducted in Yola, Mubi, Numan, and Jimeta Prisons in Adamawa State revealed that only quarter of the prisoners was satisfied with the quantity of food (Garba 1986). This was also the case at the old and new Maiduguri Prisons where half of the hated the feeding system (Bess 1990). Prisoners claimed that they were forced to eat eba either without soup or with one or two ingredient(s) like salt, maggi, tomatoes, pepper or meat/fish several times (Bess 1990). The Borno, Adamawa and Taraba States survey revealed worst situations regarding the prison feeding system (Dapchima 1994; Aminu 1994; Mathew 1994) while majority of the prisoners and staff members in Jalingo and Wukari prisons expressed dissatisfaction with the quantity and quality of food (Matthew 1994; Dapchima 1994). This accounted for widespread illnesses such as vomiting, diarrhoea and stomach pains, which they said were very frequent among the prisoners (Aminu 1994).

**Accommodation and Beddings**

Cells are overcrowded, mosquito-infested, and noted excessive heat, and bad odours from the toilets that attached to them for
(Sa’ad 1984). The odour from the toilets attached to the cells is excruciatingly strong in spite of great efforts by the inmates to keep them clean. The toilet facilities in the new prison are water system toilet but there is hardly any water to flush excreta. What constitutes toilets in many prisons “is... a bucket or any container that is placed in one corner of an overcrowded cell where inmates go to do in the public glare and to the bearing of all present...”. (Ajomo and Okagbue 1991).

Each cell houses at least 85 inmates, thrice the number required (Sa’ad 1984). A more recent nation-wide study often prisons confirms that overcrowding is a nationwide problem. About 10, 551 convicts and awaiting trials were kept in ten prisons meant for 4,679, representing a 225.5 percent excess of capacity” (Ajomo and Okagbue 1991).

Beddings are often not provided (Sa’ad 1984) Because of this, majority of the prisoners sleep on mats or cardboard cards on their six-foot wired Vono brand beds, a serious contravention of section 26 of the prison regulations, which stipulates, “every prisoner shall be provided with suitable bedding”. More recent studies conducted in 1990 and 1994 in Borno, Adamawa and Taraba States recorded worse problems on accommodation and bedding. Nwoye (1994) quoted a prisoner as saying: “We are in hell here.... we lack mattresses to sleep on”. The study of Yola, Mubi and Numan Prisons in Adamawa by Aminu (1994) revealed similar problems. Even though, the female wing of Jalingo and Wukari Prisons was not overcrowded, beddings were not supplied. Consequently, each female prisoner spreads her wrapper on the bare floor to sleep (Matthew 1994).

**Prison Uniform**

Prisoners at the old and new Maiduguri Prisons expressed dissatisfaction with prison’s uniforms. They argued that the uniform stigmatises, curtails their liberty, or constitutes another a form of punishment. They felt that the two pieces (a pair of shorts and a shirt) that are provided are inadequate because they had to use bed sheets to cover themselves whenever they wash their uniforms. Finally, the Muslims among them complained that shorts are not proper for prayers because they do not cover the knees as required by their religion (Sa’ad 1984). Subsections (a) and (b) of the prison regulations specifies that
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each prisoner (male or female) shall be given 2 pairs of uniforms on conviction and a further pair at the end of each sixth month of his/her sentence. Furthermore, subsection (i) and (ii) of Section 22 stipulate that if necessary, the superintendent of prisons in consultation with the medical officer shall provide better alternative prison clothing items which shall include: 3 coats, 3 pairs of trousers, 3 flannel shirts, etc, for males, and 2 white drill frocks with short sleeves and belts, 3 woven cotton panties, 2 cotton night gowns, 2 brassieres etc., for females. The study of the new Maiduguri prison clearly indicates a deterioration rather than improvement on the uniform situation. A third of the inmates claimed that they bought their uniforms (Nwoye 1994).

Health Care

Matthew (1994) found in Jalingo Prison in Taraba State that what was designated as a clinic was a small room with a table, chair, a small shelf for drugs and a warden serving as a nurse There was hardly any drug in the prison clinic but for a few tetracycline capsules. The situation was worse in Yola, Mubi and Numan Prisons in Adamawa State where nearly all prisoners confirmed that their prison clinics hardly stocked any drugs. A warder turned nurse in one of the prisons claimed that the last time the clinic received drugs was when the government delivered aspirin and panadol (analgesics). Thus, inmates had to buy their drugs themselves. Those who had no money were left without medication, and many, as claimed by majority of them died as a result. The high death rates in Nigerian prisons due to the absence of health care for prisoners are not well known in this country, but the little that is known is very disturbing. For instance, a report by Civil Liberties Organisation (CLO 1990) stated that an outbreak of scabies alone killed more than 200 prisoners throughout Nigeria in 1989.

The handling of prisoners’ health is beyond the abuse of human rights: it is annihilation of the human race itself. The prison regulations state that:

An infirmary or proper room or place for the reception of sick prisoners shall be set apart in the prison, and a register of all the prisoners admitted to the infirmary shall be kept by the superintendent, with the date of admission and discharge. (S.30).

However, nothing is mentioned about how big and well equipped the infirmary should be in relation to the prison population. Similarly,
the quality and number of medical personnel are not specified. Sections (138-136) specify the general duties of prison medical personnel that only two of them may be provided to each prison, i.e., the medical officer and the dispenser. The regulations refer to each of these personnel in third person singular throughout, and in fact, indicate in section 134 that the dispenser “shall act as a nurse”, which means there is no room for an additional personnel (i.e. a nurse) in prisons. The duties assigned to the two personnel however, would have been fairly adequate to take care of prisoner’s health if prisons were to have adequate medical facilities.

The personal hygiene of inmates in the northeast prisons was impeded by the unavailability and/or scarcity of water, detergent, soap, bathrooms and toothpaste. Inmates were not being provided with soap in Maiduguri, Bama, and Gwoza Prisons for bathing or laundry (Nwoye 1994; Dapchima 1994). This was also true of Yola, Mubi and Numan Prisons (Aminu 1994). Prisoners bought these things themselves or took their bath and/or washed their clothing items Without them.

The reality in the northeast prisons therefore is that neither environmental nor personal hygiene was maintained to a satisfactory standard. The prison regulations have only two provisions on cleanliness in prisons. One is on environmental hygiene, which requires that:

the prison and every room and part thereof, and the furniture therein, shall be kept clean, and shall, as often as necessary be washed or white-washed with lime (S. 28).

The second provision on personal hygiene states that “every prisoner not exempted by the medical officer shall bath daily”, (s. 30). In short, no provision is made mandating prisons authorities to make available detergent, soap, toothpaste etc. to enhance the hygiene condition of the prisons and prisoners.

**Prison Labour**

*Unless a prisoner is sentenced to a prison term with labour; he or she has the right not to be engaged in any prison labour. It follows therefore that the consent of a prisoner should be sought before he/she is engaged in any prison labour and that he or she should be remunerated adequately. However, this was not the case at the Old and New Maiduguri Prisons (Sa’ad 1984). All the prisoners, except those condemned to death, were engaged in one type of labour or the other*
Without remuneration. The work ranged from sweeping/clearing the prisons’ compounds and surroundings, catering, chopping of firewood, and laundry. Others included conducting educational and vocational lessons for other prisoners, helping in some prison administrative work (e.g. storekeeping) and farming. All labour activities, except farming and some laundry and chopping of firewood, took place within two prisons’ walls, which means that the majority of the inmates discharged their duties within the prison walls. A few of them worked at a prison farm situated off Maiduguri-Gamboru Road, some twenty kilometres away from Maiduguri city. None of those -working within or outside the prison walls admitted giving their consent. Another study in Yola, Mubi and Numan Prisons in Adamawa State revealed a similar picture concerning forced labour (Aminu 1994). Many of the inmates claimed that prisoners’ labour was hired out to individuals and/or organizations without remuneration (Aminu 1994).

Section 3 8 of the prison regulations specifies the amounts to be charged for prison labour viz. skilled hard labour (30K), unskilled hard labour (10K), light labour (05K) which are very paltry.

Vocational and Educational Programmes

Giving a prisoner educational and/or vocational training is not only desirable but should be a right since one of the goals of prison is to reform/rehabilitate inmates. The social welfare staff at the Old and New Maiduguri Prisons listed masonry, carpentry, pipe fitting, sheet-laying, bricklaying and electrical works as the vocational activities, which were available to prisoners (Sa’ad 1984). Even though these activities were available, especially in the new prison, the facilities were inadequate. The vocational workshops were virtually empty. There was no library and books. What is more, the prisons lacked teaching and training staff, hence a handful of inmates who came in with little literacy and/or vocational skills were being utilized instead. The present state of vocational and educational activities in northeast prisons is not any better than the situation twelve years ago at the Old and New Maiduguri Prisons. For instance, a study at Bama and Gwoza Prisons revealed that carpentry, tailoring, and handiwork (whatever this means) were available to prisoners (Dapchima 1994) but only a handful of the prisoners felt the training they were receiving in the prison would help to make them better after release (Nwoye 1994). The material and training personnel to carry
out the vocational and educational lessons effectively. Were non-existent (Aminu 1994). Matthew found in Jalingo and Wukari Prisons that there was only one workshop for vocational training in each prison and each was empty. Also, there was no-vocational training going on either for male or female prisoners.

Recreational Activities
The study of the Old and New Maiduguri Prisons revealed that except for condemned prisoners, prisoners spend their leisure time between 7 a.m. and 1.30 p.m. daily talking to other inmates, doing nothing in some cases, playing indoor games such as Ludo, dara and draught (Sa’ad 1984). Some inmates play other games like football, table tennis, volleyball, and lawn tennis at other prisons (Nwoye 1990).

Interpersonal Relation
Inmates at Maiduguri, Mubi, Yola, and Numan Prisons agreed that cordial relationship existed among prisoners (Usman 1990) and that they were allowed to interact freely among themselves. However, the relationship between prisoners and prison staff was unfriendly. Staff members were often nonchalant (Sa’ad 1984). A researcher quoted prisoners as saying this about staff “none of them are good”, “they all treat you (i.e. the prisoners) like kids”, “they cannot do anything good for you” and “if they can hurt you, they will” (Bess 1990).

Concluding Remarks
It is self-evident from the discussion that Nigerian prisons and prisoners suffer a great deal of neglect and the basic rights of prisoners are violated. Because of this, the following recommendations are urgent longer-term solutions.

The first step is to give the institution the importance that it deserves by reorienting its overall goal. Prisons should be for rehabilitation and should not therefore emphasize custodial care. Moreover, it is necessary to decentralize the administration and management of the prisons to allow staff to take initiative. Third, there is a need to outline the basic rights of prisoners that are in consonance with the rights enjoyed by others in Nigerian society and by prisoners in more developed countries of the world where their rights are respected. Finally, it is desirable for the authorities to establish autonomous prison
commissions and committees to oversee the overall management of prisoners. In short, there is an urgent need to overhaul Nigerian prisons regulations and to remove all those which are inadequate or outdated that are inimical to rehabilitation.

References


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