



Riots/Jail Breaks in Nigeria Prisons: An Aetiological Study

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Abstract

In recent times, riots/jail breaks in the Nigerian Prisons have become recurrent phenomena. So rampant, that they pose security concerns and serious threats not only to the prison authority, but also to both the government and the people of Nigeria. For instance, on the 2nd of January, 2013 about 20 inmates escaped from a secured prison in Sagamu, and on 15th February 2012 Boko Haram attacked Koto-Karfi prison in Kogi State, releasing about 119 Awaiting Trials Persons (including Boko Haram suspects). Other examples of riots/jailbreaks in the Nigerian Prisons include: The February 2004 riot in Ikoyi prison, the Port Harcourt prison attack of 2005 and Onitsha prison attack of the same year. On 6th September 2007 riots occurred in Kano prison and on 8th September 2007 riots occurred at Agodi prison in Ibadan. On Wednesday 3rd June, 2009 about 150 inmates broke jail at Enugu prison. On 20th of April, 2010 Kaduna prison experienced jail break; and the Boko Haram attacked Bauchi and Maiduguri prisons in 2010 and 2011 respectively, to mention a few. This study investigates this phenomenon using an 18 items semi structured questionnaire administered to 240 inmates of Kaduna Central Prison, and a Focused Group Discussion (FGD) with 10 Deputy Controller of Prisons (DCP) to unravel the aetiology of prison riots/ jailbreaks in Nigeria.

Key words: Prison and security; Jailbreaks; Nigerian prisons

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INTRODUCTION

The mission of the Nigerian Prisons Service is principally to hold in custody all those legally interned and accused (Awaiting Trial Persons) and to ensure that all prisoners have access to speedy and fair justice. The Nigerian Prisons Service is also charged with the responsibility to promote public protection by providing assistance for offenders in their reformation and rehabilitation under safe, secure and humane conditions, in accordance with universally accepted standards and to facilitate their social reintegration into the society.

In order to achieve the above stated vision and mission statement of the Nigerian Prisons, certain core values as listed below, amongst others, have been implemented by successive prison administration, viz:

- Every officer must treat inmates with compassion, understanding and dignity in the context of their fundamental rights as human beings.
- There should be no discrimination, whatsoever.
- Reward system to be approved to both staff and inmates.
- Synergy from all agencies of criminal justice system, private individuals and voluntary agencies.
- Openness in dealing with staff, inmates and outsiders.
- Create mechanism for enhancing staff welfare and development.

The above stated core values of the Nigerian Prisons Service are supposed to guide and assist the authority in achieving peaceful and non-riotous situations in the prisons. However, frequent riots/jail breaks in Nigerian prisons have continued to occur. Hence, this trend poses a great research interest, since it is a security threat, not only to the prison authority, but to national security in general. It is then an interesting exercise in trying by way of academic research to unravel the reasons as to why there are incessant prison riots in Nigeria in recent times.

PURPOSE OF THE STUDY

From the foregoing, riots/jail breaks in Nigerian prisons, like any other part of the world, have become a phenomenon that has more or less becomes part and parcel of issues of great concern in the administration of justice, prisons management and national security. This study therefore seeks to achieve the following:

- Provoke more concern and draw the attention of the general public, criminal justice practitioners, government and other relevant stakeholders to the need for synergy towards collaboration in enhancing safe and humane imprisonment that turns out reformed and rehabilitated ex-offenders for national security.
- Provide information for academic discourse that may be required for further research and studies.
- Provide to some degree a predictive mechanism or scale of measurement where riots may be predicted, given the same or similar circumstances.
- Proffer remedies, suggestions and recommendations that may be necessary in curtailing the incidence of riots in Nigerian prisons.

LITERATURE REVIEW

To effectively understand prison riots/jail breaks, its causes and preventive mechanisms, this paper reviews secondary evidence and theoretical frameworks on the subject matter. In Nigeria, the history of prison riots and academic literature evidence are scanty. However, a review of Nigerian Prison Lecture Manuals and records show that in May 1972, there was a riot in Bama Prison in Borno State caused as a result of poor feeding, arising from late and inadequate supply of ration. On 21st October, 1975, Zaria Prison in Kaduna State experienced riot due to lack of adequate staff to secure their duty posts. On 8th of May, 1981, Gombe Prison experienced riot when an inmate who suddenly fell sick died because there was no vehicle to take him to hospital for medical attention.

In the same vein, the history of prison riots can be traced to the history of prisons itself. The colonial history of prison in Nigeria holds that in its desires to create conducive atmosphere for Her Majesty's trade and commerce to thrive in her Nigerian colonies, the then British administration in 1862 established a system of court, police force, as well as the emergence of the prison system as a necessary colonial machinery for social control and law enforcement. So by 1862 the Broad Street Prison, Lagos was established with 300 inmates. By 1900, more prisons were established in Ibadan, Calabar, Onitsha, Benin and Sapele amongst others. These prisons were manned mainly by the police, under a strict supervision of the colonial administrators, who were mainly military men or at best retired war veterans.

This militarized posture and the aim of these prisons of that time made people to see prisons as coercive

apparatus and instrument of oppression of government, so vulnerable to attack at any given chance, and at least provocation. The inmates too, saw prison as instrument of oppression, and so a place to escape from at the least opportunity available to them. So also were they prone to prison riots at the least given chance.

In comparison with contemporary Nigeria, this colonial legacies and stereotype of prisons have not really changed positively. The contemporary Nigerian ruling class who has since replaced the colonial masters still sees the prison as a place to lock up the weak and hoi polloi (down-trodden masses) of the society. With this unchanged perception from the colonial era, it is not surprising therefore, that the prison, with its stigma, therefore still remains a place of attack (either from within or outside), or a place to escape from and in some cases, a place to riot.

Hence, a Sociologist, Marx (1972) in his work on 'Collective Violence' argues that prison riot is 'a relatively spontaneous group violence that is contrary to traditional norms'. A riot therefore is a disorderly conduct where the rules of the society do not apply. He thus argues that the knowledge of collective behaviour theory by control agents can reduce loss of lives and injury in prison riots. One theory of collective behaviour that is relevant to understanding prison riot is what Marx calls 'the minimax theory'. The minimax theory also referred to as 'game theory' is based on the principle that individuals try to minimize their losses and maximize their benefit. So inmates are more likely to engage in risky behaviour if they feel that the reward will outweigh the cost. In other words, people make decisions about how they should act by comparing the costs and benefits of different courses of action.

Applying this discourse to the prison situation in Nigeria therefore, implies that inmates riots is a collective behaviour when the rules of prisons that lead to peaceful co-existence are thwarted and treated otherwise, that the group see as injustice. Such an act becomes a justification for the inmates to riot. For instance, Clear (2000) explaining the inmates balance theory of collective behaviour argues that, in some prisons there is mutual relationship between inmates and prison officials. The prison officials tolerate minor infractions, relax certain security measures and allow inmate leaders to keep law and order for the inmates. This unofficial or gentleman agreement Clear (2000) argues allow inmates certain freedom to engage in some illegal activities such as smoking and sexual intercourse. In exchange of this unofficial relationship, inmates will police each other to ensure that prison is free of violence and disruption. Clear (2000) however, argues that conflict will always occur when prison officials break their unofficial relationship with the inmates by cracking down on the illegal activities and privileges.

In contrast to the above discourse is the 'Administrative Control Theory' (Useem & Reisig, 1999) whereby the

authorities neglect their administrative responsibilities rather than their lack of awareness of it. The Administrative Control Theory argues that prison disorder or riot result from unstable, divided or otherwise weak management (see Useem & Reisig, 1999). It argues that conflict or riot results from poor management of prison facilities; which has three central components-inadequate conditions, weak security and the emergence of group formations among inmates such as gangs. In poorly managed prisons, the more dissatisfied inmates are with the management, the more likely they are to engage in violence and collective action.

However, La Piere (1938's) work on collective behaviour introduced two dimensions that riots can take- the uncoordinated riot and the coordinated riot. The uncoordinated riot is without direction or intended purpose. It is spontaneous while the coordinated riot is the riot with direction and goals. This type of riot, according to La Piere (1938), is not a senseless outburst. It is usually caused by what are real conditions of the rioters and the violence is directed to such spelt out conditions.

Another theoretical explanation to why inmate riot is the 'frustration-aggression theory' by Berkowitz (1968). He argues that when individuals are frustrated by discriminatory or preferential treatment and adverse social conditions, aggression evolves in the form of collective violence and riots.

Though this paper has attempted to account why riot occur in prisons, their occurrence and why individuals participate in them could be a very complex exercise and differentiated phenomenon. However, from the above theoretical review, this author can argue that, social conditions are important, but individual greed, administrative laxity and criminal activities (within and outside prisons) can also explain riots in our prisons to a very high extent.

METHODOLOGY

No meaningful research such as this (Riots/Jail breaks in Nigerian Prisons) can be conducted without focusing on a specific paradigm. Hence, triangulation method is used for this study (semi structured questionnaire administered to inmates and Focused Group Discussion (FGD) with ten Deputy Controller of Prisons (DCP). This is used for two reasons: First, it is accepted that utilising more than one data collection method ensures that the problems associated with one strategy may be compensated for by the strengths of another (Jupp, 1989; Sayer, 1992). Second, conflict (riot) according to Stagner (1967) arises as a result of poor communication, misperception, miscalculation, socialisation and other unconscious processes. This theoretical assumption of attitude, perceptions, power struggle and behaviour are relevant to riots/jail breaks in Prisons. And, since it is traditionally assumed that conflict (riot) is dysfunctional, the approach

best suitable to obviate its putative harmful effects is that of "interactive problem-solving".

So to be able to explore and assess the attitude and perception of both inmates and staff of the Nigerian Prisons regarding riots/jail breaks, this researcher uses the triangulation model. First, an 18 items semi structured questionnaire administered to inmates of Kaduna Central Prison on 6th June, 2011. A total number of 240 questionnaires were administered to the inmates. Of this number, 200 were administered to Awaiting Trial Persons (ATPs) and 40 to convicts. In administering the questionnaires, the stratified random sampling method was used. This was to enable the researcher have a representative sample of the Kaduna prison population. Second, Focused Group Discussion (FGD) with ten Deputy Controller of Prisons (DCP) who were at the time of this research attending Command Course 4, at the Prison Staff College Kaduna (9th May-1st July, 2011).

These methods are chosen because they are valuable strategies for discovery and can be used to find out what things are happening in the minds of respondents (inmates and officers) rather than identify the frequency of predetermined kinds of things that the researcher already believes can happen (Lofland, 1971). Moreover, FGD as a Rapid Appraisal Technique (RAT) involves a semi-structured discussion on a selected topic by a group of about six to ten people. Its aim is to elicit responses from participants on a particular issue based on their personal views, knowledge and experiences (McNamara, 1999). The FGD enable this researcher to gain insight into the officer-participants' shared understandings and the ways in which the officer-participants are influenced by each other in a group situation.

DESCRIPTION OF INMATE RESPONDENTS

The Central Prison Kaduna was used as a case study because access to inmates was facilitated by a friend who was a senior prison officer, and criminology and penology lecturer at the Prison Staff College, Kaduna. Moreover, the Kaduna Central Prison has witnessed multiple prison riots in recent times.

Kaduna Central Prison as at 6th June, 2011 when the researcher administered questionnaires on the inmates has a capacity of 547, and an inmate lock up of 688. A breakdown of the inmates' population was 427 Awaiting Trials (comprising 420 Male and 7 Female); 261 Convicts (comprising 259 Male and 2 Female). This data shows that as at the date the prison was visited, it was overcrowded with 141 inmates, who were mostly male Awaiting Trial Prisoners. The population of the prison was predominantly that of young males, with about 70% of them in the age bracket of 18-35 years. This is a common feature of most prisons in Nigeria.

About 80% of those awaiting trials have spent more than 2 years awaiting judicial decisions on their cases.

Of this Awaiting Trial Prisoners, 90% are remanded for capital offences. Over 50% of 261 convicts are Condemned Criminals (CC), so on death rolls while; about 30% of the convicts are serving long term

RESULTS/FINDINGS

Findings presented here are divided into two parts- findings from questionnaires administered to inmate respondents in Central Prison Kaduna; and findings from the Focused Group Discussion with Deputy Controller of Prisons (DCP) attending Command Course 4 at the Prison Staff College, Kaduna.

Part One: Findings from Inmate Respondents

Out of the 240 questionnaires administered to inmates of the Kaduna Central Prisons, a total of 106 questionnaires were returned answered. In analysing the data collated from the inmates, the following data was obtained. Over 70% of the inmates' respondents agreed that they have witnessed at least one riot/jail break in Kaduna Central Prison. Less than 20% of the inmates said they have not witnessed a riot in the prison. 95% of the inmate respondents who had witnessed a riot in the prison indicated that the riot started from the Awaiting Trial male cells of the prison.

In responding to what they considered to be the causes of most of the riots in prisons, the following evidence emerged:

Riot Variables	% Percentage Response
Congestion in Cells	50%
Poor feeding of inmates	30%
Lack of court appearance	10%
Poor medical attention and facilities	5%
Harsh punishment/Torture in prisons	2%
No comment (response) by respondent	3%
Total	100%

From the data presented in the table above, it appears that inmates' care and social conditions are the overwhelming reasons why inmates are likely to riot in Nigerian prisons.

In response to an item in the questionnaire which asks inmates whether riots can be avoided in prisons and how; 95% answered "yes". 80% of those who answered "yes" said that riots/jail breaks could be avoided "by improving living and feeding conditions in the prisons". 15% said "by decongestion of prisons through speedy trial of cases". The rest 5% did not indicate any response.

These findings support the evidence presented in the literature above that poor feeding, poor social conditions and lack of speedy adjudication of cases by the judiciary are potential sources of crisis in prisons, including riots/jail breaks.

Part Two: Findings from FGD with Officer-Respondents

On the part of the prison officers, after a healthy debate in the Focused Group Discussion, the following themes emerged consensually as the possible variables of prison riots in Nigeria.

- Overcrowding in cells
- Trafficking by staff and inmates
- Poor feeding/nutrition
- Lack of Supervision/Poor management
- Deprivation of certain perceived rights and privileges
- Inadequate medical/health services
- Inadequate Staffing of prisons
- Careless transfers of staff and prisoners
- Inadequate prison clothing, beds and beddings
- Poor communication/relationship between staff and inmates/poor grievance policy
- Non-production and re-production of Awaiting Trial Persons in Court
- Staff brutality of inmates
- External security threats
- Corruption/favouritism
- Lack of water supply

Attempt to Order-Ranks the above listed variables was inconclusive because the officers held strong diverse views on what variable should be ranked first before the other. However, the qualitative insights given by the officer-participants explain the implications of the aforementioned variables.

For instance, the officer-participants agreed that food which is one of the essential needs of life is important to inmates. They all agreed that the nature of food preservation and cooking of food for inmates are poor. All prisons in Nigeria receive their foodstuffs as dry ration, as well as the ingredients from ration contractors. The cooking is done by prisoners who are not trained cooks, though under the supervision of some staff caterers. Sometimes apart from improper training on cookery of the kitchen prisoners, which may lead to poor feedings of inmates, some ration contractors supplying the foods are profit-oriented persons who are mindful of the profits than the quality of foods. Sometimes, the foods are supplied not on time, adulterated, and of reduced quantity. In most cases, the ration contractors are proxies of highly placed retired and serving prison and military officers, and politicians. Hence, the officers in charge prisons are powerless.

Overcrowding, the respondents agreed is one of the major causes of riots in Nigerian Prison. Over 80% of urban prisons are congested with Awaiting Trial Persons. If prisoners complain to the prison authority of the plight of overcrowding and the authority does nothing about it,

in most cases, prisoners always feel aggrieved particularly during the hot season (summer). They might decide to riot so that they might be transferred to some other prisons where the condition might be better.

On poor supervision/ management structure, respondents agreed that prison as a security organisation is expected to be administered by competent persons with clearly defined rules. This implies that there should be effective supervision to enforce compliance to its operational rules and regulations. In the absence of effective supervision all kinds of deviant behaviours and indiscipline are expected among staff and inmates. Respondents gave instance of the 2005 Port-Harcourt prison riot where the absence of leadership gave rise to trafficking of illicit drugs and absenteeism by officers and staff. The officer in charge of the prison at the time was hospitalised and refused to officially handover to his second in command but instead was administering the prison by proxy from his hospital bed through the chief warder. Staff then began to play lackadaisical attitude to work. On the day of the riot or jail break, it was reported that more than half of the night duty patrol officers were not on their beat; giving undue advantage to inmates to riot and escaped en mass.

On deprivation of perceived rights, respondents agreed that imprisonment in itself curtails to a large extent some rights and privileges of the incarcerated due to regulated authority of the prison. Notwithstanding however respondents agreed that inmates have rights to food, visits, medical care, religious worship, sending and receiving censored letters as guaranteed by the United Nations Standard Minimum Rules for the treatment of offenders. Hence the respondents agreed that any breach of these rights as enshrined in the UNSMR, will always be resisted violently in the form of riots in prisons. For instance, respondents mentioned that deprivation of double ration and or special meal previously granted to some special class of prisoners in Enugu prison was found to be the main cause of riot in Enugu prison on 9th September, 1985.

On inadequate medical/health services, respondents agreed that prisons as closed institutions admit all categories of prisoners. In view of this, there are bound to be unhygienic conditions in cells and the general surroundings; sometimes leading to diarrhoea, dysentery, and other gastro-intestinal diseases. If any of the above diseases should occur in any prison, and there are no enough drugs and efficient medical staff on duty to give proper attention, and the situation leads to death of a prisoner, other prisoners will always rise up to riot, in sympathy of their deceased colleague. Respondents confirmed that the Kaduna Central prison riot of 6th June, 2011 and the Gombe prison riot of 8th May, 1981 were due to incidental death of sick inmates who could not be taken to specialist hospital due to lack of vehicle or ambulance.

On inadequate staffing of prison, respondents agreed that prisoners, especially recidivists usually take

advantage of inadequate number of staff on duty to embark on prison riots. For instance, respondents agreed that the main cause of the 21st October, 1975 riot in Zaria prison was traced to few numbers of staff on duty. On this day, recidivist inmates knowing that there were few number of staff on duty started smoking cigarettes openly in the premises. When the few staff on duty confronted them for the breach of rules they capitalised on that to foment trouble.

Respondents agreed that careless transfer of staff and inmates could lead to prison riot. They noted that whereas transfer of staff and inmates is part and parcel of prison work and is done as routine, sometimes inmates who have spent a long period of time in one prison during their sentencing period may resist transfer because they have become popular and 'heroes' in that location. For instance, respondents agreed that, in the year 2000, an attempt was made to transfer 30 inmates from Jos prison to Lakushi Farm Centre in the same State, but the idea was shelved because Jos prison was tensed up leading to a riotous situation.

Respondents also agreed that trafficking by staff and prisoners contributes to prison riots. Trafficking is an illegal bringing in or taking out any prohibited item, information or article into or out of the prison. Respondents agreed that this negative behaviour can easily cause riots as very injurious weapons, sharp objects; alcohol, hemp and other psychotropic drugs can be smuggled in to prisoners. Respondents also agreed that some unpatriotic prison staff have been caught at the prison gate taking out dry ration and ingredients made for inmates. The actions of these unpatriotic staff and prisoners together can always sum up to prison riots as was the case in Port Harcourt prison, on 17th March, 1981.

Respondents also agreed that one of the major causes of riots in urban prisons is the challenge of overcrowded Awaiting Trial Persons (ATPs) in the Nigerian Prisons. Respondents argued that a close look at the statistics of inmates' population in the Nigerian prisons since 1985 to date shows a progressive increase in the number of Awaiting Trial Persons. For instance, in 1985 the total number of inmates was 53,786 with 21,515 (40%) awaiting trial inmates. In 1990, the total number of inmates was 55,311 with 27,665 (50%) awaiting trial inmates. In the year 2000, the total number of inmates was 43,312 with 26,485 (61%) awaiting trial inmates. The year 2005 had a total of 38,382 and 28,363 (74%) were awaiting trials. Respondents argued that these figures show the amount of pressure the awaiting trial syndrome have brought to bear on prison authorities-like the need to be produced in courts for trial of their cases, even in the absence of adequate court duty vehicles. When these needs are not met they seize every little opportunity to riot. Respondents argued that during the 2009 riot in Owerri prison, which has the capacity for 548 prisoners, was locking 1,188 inmates. Out of this number, 1,079

(91%) was awaiting trial inmates. The authority was trying to stop the use of mobile phones in prison by inmates which the awaiting trial inmates rejected claiming they were not convicted prisoners until proven guilty by the courts of law.

CONCLUSION/RECOMMENDATIONS

Following the findings enumerated above which reveal the causes of riots/jail breaks in Nigerian prisons, this paper will conclude by making relevant suggestions/recommendations to tackle the situation.

The contributory role of prison overcrowding to prison riots cannot be overemphasised. This problem can be seen from the challenges of: non expansion of existing prison infrastructures (most prison structures are inheritance of the colonial era); indiscriminate arrests and detention by the Nigeria Police, Lack of quick dispensation of justice on the part of the judiciary (come today; come tomorrow syndrome); and increase in crime rate in Nigeria.

With the aforementioned variables, there is the urgent need in Nigeria to develop socially constructive alternatives to custodial sentences (such as restorative justice and other Alternative Dispute Resolution Mechanisms) especially for minor and first offenders. And the thrust of Nigerian penal policies should focus on how the inmates can be reformed and rehabilitated which will be beneficial to the society who will eventually be the end product users of the inmates when they are released from custody. The use of restorative justice and other ADR mechanisms in Nigerian jurisprudence is imperative because since we know that awaiting trial persons are the main causes of overcrowding and riots in Nigerian prisons, it is advisable that ADR mechanisms which already existed in most of our communities be recognised, coordinated and utilised to mediate in minor cases in the communities. These mechanisms include the well respected Council of Elders (such as the Emirate Councils in the North), Town Unions and Age Grade System in the South/South East and many more. If these groups that are cohesive and command allegiance among their members are empowered and utilised as informal judicial fora to mediate in minor cases among their members there would be a drastic reduction in the number of cases and persons awaiting trial in courts and prisons. So the few convict persons in prisons could be adequately catered for and safely handled in prisons.

In another development, government and prison officers should note that imprisonment is not for punishment but as punishment, and so should not make imprisonment conditions harsher for the inmates. Government and prison officers therefore should ensure that there is adequate supply of beds and beddings; and quality food stuffs to prisoners by the food contractors.

The situation whereby it has been alleged that some prison officers openly torture inmates in some prisons should be challenged as such behaviour could trigger anger and violence in prison. Similarly, the situation whereby food contractors undersupply food stuffs, or in some cases supply adulterated and rotten foods to prisoners aimed at maximising profit should be challenged by relevant agencies. Prison officers who collude with food contractors to undersupply foods, or bring in rotten and adulterated foods for inmates should know that they are indirectly jeopardising their lives and career in the event of prison riots. To this end, prison authority should ensure that adequate and correct measures of foods are provided to inmates at all times. If foodstuffs and ingredients are supplied according to measure, prison authorities should ensure that no prison officer pilfers on inmates' food in any way. Competent and devoted professional cooks should supervise the cooking of prisoners' food and the prison officer in charge should enforce strict compliance to rules guiding inmates' ration.

On the role of the criminal justice system in effective management of cases of awaiting trial inmates, the prison authority should be given adequate funding to enable it expands the existing prison infrastructures which are mainly inheritance of the colonial jurisprudence. Expansion of prison infrastructures is important because according to 'frustration-aggression theory' and 'the heat theory' people who are frustrated (like prison inmates) and are subjected to heat (like inmates in congested cells in Nigeria), are likely to react to these situations violently due to stress. Moreover, the police and the judiciary on their own parts should avoid indiscriminate arrests and detentions of innocent citizens, minor and first offenders on the guise of doing justice.

Similarly, prison authority should recruits more qualified staff, build more prison hospitals and clinics and stock them with medicines to cater for the health needs of sick inmates. The staff recruited should do their jobs by keeping to the rules that guide the administration and management of prisons (in line with the UNSMR for treatment of offenders), as any show of nepotism and favouritism to staff and inmates may triggers prison riots. More so trafficking of information and other prohibited items by prisoners and prison officers are unethical to prison management and must be checked effectively by the prison authority through regular searches and intelligence gathering.

Finally, it is important to note that prison riots/jail breaks cannot be completely eradicated in the management and administration of prisons. So in all cases it is better to prevent; and all necessary steps are taken to attend to issues and problems that can lead to riots/jail breaks without delay; as prevention is better than cure.

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