A Handbook of Transnational Crime and the Rehabilitation of Offenders

Editors:

P.N. Ndubueze F. Attoh S.O. Adejoh



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Foreword

Transnational crimes are organised crimes involving more than one country in its planning, execution, or impact. Unlike traditional crimes that occur within a single country, transnational crimes are distinguished by their multinational nature and cross-border impact. They involve provision of illicit goods (drug trafficking, trafficking in stolen property, weapons trafficking, and counterfeiting), illicit services (commercial sex and human/organs trafficking), and infiltration of business and government (Cyberfraud, money laundering, racketeering, etc.). Transnational organized crimes strive in countries or regions with suitable geostrategic position, poor governance, corruption, poverty and issues of inequality and social mobility. Hence, proliferation of transnational crimes in any country pose transnational security threats.

This Handbook on Transnational Crimes and Rehabilitation of Offenders by Ndubueze, P.N, Attoh, F and Adejoh, S.O (Eds.) is therefore very timely in Nigeria and cannot be overemphasized. Like many African countries, Nigeria is currently "dancing on the brink". Insecurity and violent crimes are high, with violent extremism, armed banditry, illegal mining, kidnapping, terrorism and ethnic separatists agitations. Transnational crime networks are no doubt complicit in the happenings in Nigeria.

This very important book is divided into three parts and subdivided into twelve chapters. In Part 1, Philip Ndubueze set the tone with the context, dimensions and control of transnational crimes, while other authors in this section interrogate the ideological and language dimensions of transnational crimes.

In part 2, Franca Attoh and Damilola extensively discussed the endemic and hydraheaded challenge of human trafficking in Nigeria. Importantly, other contributors in this section mainstreamed what I would call "scientific criminology" by exhaustively discussing bioterrorism, nuclear terrorism, environmental, agricultural and forensic microbiology as tools for transnational crimes.

Part 3, interrogates the issue of rehabilitations of offenders. Without being subjective, this section is "close to my heart" as a former Assistant Controller of Prisons, a UNODC Expert in Restorative Justice and a Victimologist.

Adejoh, S.O and others in this section dealt with the rehabilitation of offenders, and victims of human trafficking in Nigeria. Effective rehabilitation and reintegration of offenders are important tools of crime prevention because inmates can easily be radicalized in poorly managed prisons. Hence, doubts are increasing about whether imprisonment can rehabilitate offenders. It is often suggested that sending offenders to prison can turn them into worse criminals and that, for that reason, imprisonment should be reserved for the more serious and dangerous offenders. Against this background, there is a growing belief that non-custodial sanctions and measures may constitute a better way, providing penalties that are proportionate to the offence committed by the offender and that carry greater possibilities for the rehabilitation and constructive reintegration of the offender into society.

Part 3, is in line with the reform in the Nigerian Correctional Services Act 2019 Part B, which provides for Custodial and Non-custodial Measures. Section 37 (1) (a) to (e) of the Act says the Nigerian Correctional Service is responsible for the administration of non-custodial measures, including Community service, Probation, Parole, Restorative justice measures, and any other non-custodial measure assigned to the Nigerian Correctional Service by any Court of competent jurisdiction (for the purposes of effective rehabilitation, reformation and reintegration of offenders).

This book therefore is a compendium and a "must-read" on Transnational Crimes, its causes, context, dimensions and prevention. I strongly recommend this book to all law enforcement agencies interested in counter terrorism, international threats analysis; as well as to correctional officers, criminologists, policy analysts, students of law, political science, sociology, criminology and security studies.

Professor Don John O. Omale

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Preface

From antiquity to the present day, humanity has had to contend with crime and its associated ills. The 21st century world is characterized by an unprecedented movement of people, capital, goods, and services across national borders. This movement has facilitated the interdependence of nation-states in various areas such as trade, commerce, tourism, technology, education, etc. However, the new globalized order has created a 'new breed' of criminals who are exploiting the loopholes in systems and processes of globalization for their criminal gains. Today, there is a wide array of criminal activities traversing national borders.

Whereas, transnational crime affect both nations of the global south and the global north, the scholarship on the subject seems to be western oriented. Most texts and articles on the subject are authored by western scholars and therefore framed within western experiences and paradigms. Similarly, while many scholars from the global south have interrogated issues surrounding the rehabilitation of the offender, there seems to be a dearth of textbooks by Nigerian authors in the area. This book is intended to fill in the aforementioned voids. Furthermore, there is a consensus among both lay and informed opinion that Nigerian prisons are not reforming inmates. Thus, there is a need to interrogate contemporary discourses on penology with the aim being to identify the problems and proffer solutions. This will strengthen the criminal justice system and ensure that the goals of correction namely; reformation, rehabilitation and reintegration are achieved.

The edited book: A *Handbook of Transnational Crime and the Rehabilitation of Offenders* is an interdisciplinary reader that interrogates contemporary issues and perspectives on transnational crime and rehabilitation of offenders. The book features experts from different disciplines in Agriculture, Arts, Humanities, Sciences, and Social Sciences. It is intriguing to learn how non-criminology-based disciplines interrogate issues around transnational crime. There is no doubt that insights gained from such disciplines can encourage wider interdisciplinary collaborations in the search for answers to perennial problems of crime and criminality in modern societies.

This book comprises three parts and twelve chapters. Part one of the book is introductory in nature and is made up of three chapters. The first chapter examines the context, scale and dimensions of transnational crime as well as the impediments to the control of transnational crime in Nigeria. In the 21st century, crime is crossing national borders not only in the physical sense but also virtually through the internet technology. Several variants of transnational crime are perpetrated by organized criminal networks across the world. This is in spite of the efforts of local and international law enforcement agencies to combat the problem. National governments are not only concerned about the activities of transnational criminals but also seek ways to facilitate the apprehension and prosecution of transnational offenders. The chapter argues that unless the several impediments to the control of transnational crime such as constraints caused by sanctuaries, gaps in judicial cooperation among nationstates, jurisdictional constraints and so on are addressed the country will not make any sustainable progress in its efforts to combat transnational crime. The second chapter interrogates classical, positivist and social defense perspectives of Transnational Organized Crime (TOC) and penology from moralism coloured lenses. This s based on the equi-primordiality of humans and society. The relationship between human beings and society underscores the need for punishment of transnational crime to be with the intent of deterring, correcting, reforming, and integrating offenders back into the mainstream of societal existence. The third chapter examines the role of language in transnational crime from a socio-pragmatic perspective. It argues that language can be used to aid, plan, commit, and investigate crimes as well as construct and construe criminal codes. The chapter concludes that language plays a critical role in the commission of crimes.

Furthermore, Part two of the book focuses on selected variants of transnational crime and measures that can be used to prevent them. Not all variants of transnational crime are covered in this first edition of the book. It is expected that more variants of transnational crime will be discussed in subsequent editions of the book. This part of the book is made up of six chapters. The fourth chapter provides an in-depth understanding of the phenomenon of transnational human trafficking by arguing that good governance deficit has been the push factor in the trade in human beings. The chapter concludes that there is a radical need for emancipatory leadership in the West African sub region in order to

create wealth, eradicate poverty, and thus keep young people at home. The fifth chapter discusses the type, possibility, and consequences of using bio-warfare agents on the population as well as preparedness of the government in combating such threats. It identifies the impediments in the control and prevention of bioterrorist threats. The sixth chapter examines an emerging form of terrorism and its implications on cross-border security. It discusses the various forms of nuclear terrorism and strategies for combatting them. The seventh chapter focuses on the issue of transnational trafficking of agricultural products in Nigeria. It examines the concept of transnational trafficking of agricultural products, its root causes, and implications. It calls for necessary intervention to effectively address the problem of transnational trafficking of agricultural products in order to save the country's economy. The eight chapter discusses the illegal trans-boundary trafficking in environmentally sensitive goods, known as transnational environmental crime (TEC). It discusses the definition, nature, causes, and possible preventive measures against transnational environmental crimes. The ninth chapter focuses on the use of emerging scientific techniques in microbiology to detect, manage, and control transnational crimes.

Part three of the book focuses on rehabilitation of offenders. Chapter ten discusses some fundamental social factors that either facilitate or obstruct successful correction, rehabilitation, and reintegration of offenders in the society. The chapter concludes that if hardened and sophisticated criminals must not be generated by our correctional institutions, the colonial purpose of prisons must be abrogated. Chapter eleven x-rays the procedure involved in the rehabilitation of human trafficking victims in Nigeria. It demonstrates the prevalence and increasing rates of human trafficking in Nigeria especially among both male and female youth. Chapter twelve reveals the findings of a study that explored the role of significant others on the rehabilitation and social reintegration of rehabilitated deviant adolescents. The study reveals that family units had a positive influence on rehabilitation as parents pay visits to the correctional centres to encourage their wards. However, reintegration had both positive and negative influences expressed through various supports as well as strife and tension within the family. It is also noted that stigmatization from members of the community affected negatively on reintegration.

The thirteenth chapter discusses transnational organized crime in the West African sub-region and examines the legal frameworks established to prevent it. The chapter specifically discusses illicit drug trade, human trafficking, arms smuggling and proliferation, and cyber-related financial frauds including illicit financial flows to the Western societies. It also reviews existing laws on treatment and rehabilitation of offenders and victims as well as the way forward.

This book is a product of a collaboration between academics from Federal University Dutse, Nigeria and the University of Lagos, Nigeria. It was inspired by the deep concern about the growing rates of transnational crime in the 21st century and the need for effective control of the problem. It is expected that readers would find this book a useful resource for understanding the dynamics of transnational crime and the rehabilitation of offenders in the 21st century.

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Part III

REHABILITATION OF OFFENDERS

CHAPTER TEN

Social Context of Rehabilitation and Reintegration of Offenders in Nigeria

Samuel Ojima Adejoh and Samuel Odoma

Introduction

One of the basic differences between humans and other primates believed to have evolved from the same ancestors is culture. Culture clearly marks humans from such primates as the chimpanzees and apes (Oke, 2002). Human beings are product of their culture, which they doggedly hold, in high esteem. The society therefore frowns at wilful violation of its hallowed norms and values. Consequently, cultural values are usually reinforced with sanctions, for either conforming or violating socially held norms (Odoma, 2014). However, scholars have argued that the premium placed on cultural norms and values by society notwithstanding, there are repeated cases of deviation in human society. This is because human socialisation is not always smooth but laden with social 'hiccups' (Okunola, 2002). While some members deviate in error, others wilfully violate approved norms even when they are aware of the corresponding implications (Stirk and Weigall, 1995; Appadorai, 2004). Criminologists have argued that deviation from socially approved norms by members is part of the dynamics of a living society. Hence, deviation is normal and expected of any dynamic society, since it is hard to evolve a society of saints. In fact, Vold (1986) and Okunola (2002) have stressed that societies where every member conforms to cultural norms and values are socially dangerous, as they do not provide members with opposing/alternative views needed to check possible excesses of leaders. To criminologists, a measure of deviation is required for the evolution of a vibrant society. What every society frown at is the violation of those values which impacts tend to threaten the foundation or the corporate existence of the society.

Therefore, the concern of most societies is the control of heinous crimes considered injurious to interpersonal/group relations. Where members fall into such crimes, they are made to undergo social reformation through some institutions such as the police, judiciary, and prison such that they can remain useful to the society that produced them. The society needs everyone who is diversely endowed to contribute to its development. Odoma (2014:34) succinctly posits that:

Deviants are generally considered as people who have failed to internalize the values of the society through socialization. No society wants to lose any of its members; therefore, a lot is done to refine them. This is because human beings are differently endowed with capabilities. While no one can claim monopoly of knowledge, the summation of diversities and distinctiveness of members are needed for the growth and development of any society. Similarly, if the society loses its citizens frequently in avoidable circumstances, then, the corporate wisdom acquired through acculturation would be lost, as there may not be adults acting as custodians of the corporate wisdom (culture) to train and pass on such knowledge to the younger generations. It is therefore necessary that punishment should leave victims, criminals, and the entire social system better than it was before the introduction of such penalties.

The above necessitates the desire of society to reform and rehabilitate erring members for reintegration into the society as refined and useful citizens who will internalise the cultural norms and values for social reproduction of society. This chapter therefore discusses intervening social issues that are involved in the society's efforts to rehabilitate deviant members and consequently their reintegration to the erstwhile society as conformists that are capable of internalizing the core values of society for posterity.

Conceptual clarifications

Central to this chapter are rehabilitation and reintegration of ex-convicts with the aim of returning them to society as conformists capable of extending the frontier of cultural norms and values to future generations. The concepts are hereby clarified.

Rehabilitation

There are several perceptions of scholars about rehabilitation of deviant members of the society. For instance, Odoma (2014) argues that rehabilitation of offenders refers to all efforts or activities of the society aimed at leaving victims, criminals and the entire social system better than before the introduction/implementation of sanctions. Similarly, others have averred that rehabilitation of criminal members refers to the restoration of criminals to the law-abiding way of life through well-articulated treatment programmes. It however excludes whatsoever can instil fear and intimidation of offenders even when it may lead to deterrence (Conklin, 2007). Yet, other scholars have argued that rehabilitation entails all social endeavours meant to identify the reasons for antisocial behaviours of offenders, train and reform them to be good and useful citizens (Uche, Uche, Ezumah, Ebue, Okafor and Ezegbe, 2015; Ugwuoke, 2015; Ekpeyong and Undutimi, 2016).

The rehabilitation and reintegration of an offender is the primary focus of the criminal justice systems globally. The focus has always been on changing the behaviour of the individual and improving their situation. Terms such as rehabilitation, desistance, reintegration, and re-entry are generally used to refer to the social and psychological processes employed to assist individuals in cessation of criminal activity and pursuit of productive and socially responsible lives. Rehabilitation functions within a period of time, a history, and an experience; it depends on extra-pathological factors such as personality, intellectual ability, and educational level. It depends on the network of relations — with family, neighbours, coworkers, friends among others in the community, culture, religion, and class he or she belongs. A major duty of rehabilitation is the restoration of the person's support network, reestablishment of reciprocity in his relations with others, so that he or she will not be excluded or neglected. Rehabilitation entails facilitating a return of the disordered mind to equilibrium and reintegrating the person into a system of familiar relationships and

exchanges in order to give him back his identity and to redevelop his feeling of belonging to society. Rehabilitation efforts should be personalised, adapted to each subject/person according to his/her modes of reaction, his residual abilities, his own rhythm, and usual environment (World Association for Psychosocial Rehabilitation, 1992). Rehabilitation, therefore, refers to all the carefully designed administrative treatments that offenders are made to undergo particularly through the prison system, which are meant to deter and create a source of livelihood for offenders on release from prison. Successful rehabilitation of deviants should enhance skills and smooth reintegration of exconvicts to the mainstream society such that they can live, meaningful and productive lives capable of social reproduction of the society.

Reintegration

In most societies, deviant members are stigmatised and cast out of society for violating its laws. If sanctions only end at isolation or excommunication of criminals, it creates fertile ground for either heinous crimes or recidivism (Ekpeyong and Undutimi, 2016). Reintegration of ex-convicts implies the expression of community disapproval of the offender's behaviour as well as gestures of acceptance of criminals by the mainstream law-abiding community (Conklin, 2007).

Social integration is the support given to offenders during their re-entry into society following imprisonment. It deals with interventions undertaken following an arrest to divert offenders away from the criminal justice system to an alternative measure including restorative justice process or suitable treatment. It includes imposing community-based sanctions rather than imprisonment in an attempt to facilitate the social reintegration of offenders within the community, rather than subjecting them to the marginalising and harmful effects of imprisonment. For those sentenced to imprisonment, it includes correctional programmes in prison and aftercare interventions (United Nations Office on Drugs and Crime, 2006). In recent years, the post-release, community-based component of these interventions has been variously referred to as "aftercare", "transitional care", "re-entry" or "re-entry support", reintegration or resettlement. Some post-release interventions may begin while the offender is still incarcerated with the intent of facilitating post-release adjustment.

Reintegration of ex-convicts is an express display of respect for the person as well as disapproval of that person's misdeed by society. It is an indication that, although sanctioned by society for his/her earlier misdeed, the criminal enjoys forgiveness such that he/she may rejoin the society. Reintegrative measures seek to reduce the stigmatisation of both offenders and victims and make them fully participating members of community once again (Conklin, 2007). Reintegration is, therefore, the product of reformation of erring members of the society. If deviant members are only reformed by society but not reintegrated, the aim of the reformation is defeated.

Theoretical Background

This chapter is guided by two theories: Functionalist theory and the desistance theory. The functionalist theory, particularly the structural functionalist perspective of the social system by Emile Durkheim and Talcott Parsons as some of the major exponents of structural functionalism is useful to this work. They posit that human society, like a biological organism, is made-up of several parts that perform distinctive but interrelated functions to sustain the organism. Every of the parts (social institutions) are tasked with the performance of specific function to the organism (society), which in turn has the welfare of the parts as its functional prerequisite (Alexander, 1998; Parsons 1951; Porter 1998). The legal institution as a system on its own for instance, has punishment, correction, reformation, and deterrence of erring members as its role to the Nigerian society. If these roles are performed in synergy with other institutions as expected, the society is expected to be at social equilibrium. In linking the theory, we seek to examine how well the functions of punishment, correction, deterrence, and reformation of ex-convicts have been performed. Furthermore, we seek to assess how reformed ex-convicts have gained social acceptance by the society that they ought to return as conformists after a successful reformation.

Theory of desistance

Desistance research brings out the effectiveness of rehabilitation and reintegration programmes. The theory asserts that only a change of attitude can lead to the end of a criminal career. External factors can help with such change (MacKenzie, 2014) while social ties and participation opportunities are important for such change to take place (Farrall 2002).

Sampson and Laub theory of informal social control rests on a social control foundation that emphasizes the role of conventional social bonds such as a stable job and good marriage (Laub & Sampson cited in Paternoster, 2015). The theory relies on the assumption that offenders quit crime when they establish strong conventional bonds through marriage, military service, and stable employment. There is an interplay of human agency and choice, situational influences, routine activities, local culture, and historical context. In rehabilitation, focus should be on how best to enhance the social bonds of offenders and improve their selfworld view. Therefore, they need to be engaged in work related activities that will help to build, establish, and sustain social relationships that will become a positive bond. This cannot be achieved in a vacuum; the individual must first be motivated to change and must be prepared cognitively to use the social bonds (Maruna, 2001).

Furthermore, human agency is an important concept in desistance process, which has four elements according to Paternoster et al (2015), internationality (i.e. having a deliberate purpose; forethought (i.e. the capacity to create future goals); reflexivity (i.e. ability to self-monitor); and power (i.e. self-efficacy) so that decision made and actions taken can be revisited and revised. In addition, Kiecolt cited in Paternoster et al (2015) argues that human agency is critically involved in the desistance process, as well as individual cognitive processes. The scholar states that identity change must come first, and it initiates subsequent changes in preferences, social networks, and behaviour. The theory argues that offenders must first change their self-identity before prosocial opportunities arrive and take advantages of the opportunities. The theory views desistance as a process of intentional self-change.

For an effective rehabilitation and successful reintegration, individual offenders must be supported to attain personal goals, as well as create and achieve social capital that will enable the offender interact well with the larger community after release i.e. integration. This is important as social support after release from incarceration enhances the desistance process and strengthens the former offender (Ward et al. 2014). The theory postulates that social reintegration is derived from the fundamental right of 'social integration' referring to the

opportunities to participate in all aspects of social life, which are necessary to enable a person to live a life in accordance with human dignity (Scheirs, 2016).

The Reality of Reformation and Reintegration of Ex-convicts into the Social System

Having derailed or failed to internalise the cultural values of the society through socialisation, the usual corresponding response of the society is first: to frown at the violations. This action often comes in both formal and informal ways. The formal reaction takes the form of implementation of laid down sanctions, while the informal could come in worded rebukes, hissing, jeering, isolation, fines, etc. Secondly, the society (Nigeria inclusive) does not stop at sanctions, but often embark upon plans to reform and integrate deviant members to become conformists to the community's hallowed norms and values. It is only when this is done that the dream of social reproduction of every society is believed to have been achieved. For reformation that is aimed at reintegration to be successful, there is the need for offenders to be isolated for specific reformation and reintegration treatment that will enhance the smooth reintegration of offenders into the society. This is often achieved through incarceration in prison (now known in Nigeria as correctional homes). However, the correctional homes have faced the problems of congestion, poor funding, and other social issues that have made the onerous roles of correctional homes and integration extremely difficult.

Globally, the prison population rates have risen and continue to rise since the 1990 (Dunkel & Geng, 2015; Walmsley, 2016). As of 2016, it was estimated that well over 10 million people were incarcerated worldwide (Coyle et al. 2016). According to Walmslay (2019), the prison population rate in Nigeria is put at 37% (i.e. 37 per 100,000 national population), with a total inmate population of 63, 262 (17,004 convicted and 46,258 awaiting trial) as of September 17 2020 (corrections.gov.nh/about_ncos 2020). The implication is that those convicted will undergo rehabilitation and reintegration. The purpose of imprisonment is to reduce future criminality by ensuring that the offender can live a law-abiding and self-supporting life upon return to society (Huber, 2016).

Reformation

The global practice in reforming erring members is to make the offenders go through the lens of criminal justice administration. The main purpose of criminal justice is to ensure fairness to the concerned parties (offender, victim, and society). It is based on fairness that reformation becomes meaningful and integration becomes smooth and desirable. In some traditional African societies such as the Igala people of North-Central Nigeria, the error or deviation of members had to be cited, reported or uncovered by the institution of the incarnate beings/masquerades (usually the Abule). The allegation was then confirmed and appropriate sanction(s) imposed by the council of elders in the full glare of citizens to achieve deterrence (Ukwede, 2003; Miachi, 2012). Where such deviations directly affected individuals, prescribed restitutions were paid to the victim(s), and where it was against the society, it was paid accordingly. The offender is believed to have learnt his/her lesson thereafter and free to rejoin the society.

However, modern societies often invoke the powers of criminal justice administration (police, court, and prison) to effect correction and reformation of offenders. Having gone through the process, the offender is deemed ripe for reintegration into the society. The reason for this is succinctly captured by Odoma (2014:34) thus:

Although, there are different approaches to the reformation of criminals across societies, and that not every criminal undergoes similar reformation style, what is in vogue in different jurisdictions is that such criminals are first incarcerated. They are removed from their usual physical environments after their conviction to reformatory homes, usually a prison confinement where their activities are controlled and monitored. This is to allow for specific and selective treatment.

The criminal justice system is, however, a product of formal/industrial organisation. One of the major characteristics of formal organisations is that they exist on carefully articulated rules regarding interactions, social order, remuneration, promotion, sanction, etc. Formal rules are the hallmark of industrial organisations and modern societies (Erin, 2018). In industrial societies, violations of rules are either cited by or reported to the police/policing

authorities which effect arrest and process cases as appropriate to the court for legal interpretation. The judiciary (court) tries, and pronounces appropriate sanctions according to the laid down rules. From the court, offenders are discharged, fined and sentenced according to laid down rules and thereafter, handed over to the prison authority where all prescribed sentences are served. Reformation programmes are carried out by the prison, which keeps custody of convicts throughout the duration of incarceration (Conklin, 2007; Odoma, 2014). At various stages of criminal justice, there are vicissitudes of social issues that define the deviant, the treatment and success or otherwise of reformation programmes of the society. Some of these social issues are discussed below.

Crime Commission and Arrest

Crime commission and arrest of criminal members of the society is often influenced by several social challenges that have always been cogs to the wheel of justice system of the society. Human societies, for instance, are generally stratified. There is power play in social stratification. Due to power play in social relations, there appears to be two forms of laws in the same society: one for the poor and the other for the rich. Sadly, what is crime in most societies is actually a definition and label of the rich and influential to check and control the weak and poor in society. The implication is that, some personalities are labelled criminals while others in similar behaviours and circumstances are not. Crime report and arrest in such situations are always subjective. Thus, because of multiple definitions of crime occasioned by power play, persons exhibiting similar behaviour in similar circumstance receive different treatments in the same society. While some are criminalised, arrested, and prosecuted, others are not and thus escape arrest and prosecution. Where they are arrested, they may not be prosecuted, and if prosecuted, the tendency to be sentenced is always slim (Giddens and Duneier, 2000).

The Nature of Criminal Justice System

Reformation and reintegration of criminal members of the society is largely determined by the nature and effectiveness of the criminal justice system. The criminal justice system consists of the police, judiciary, and the prison. The effectiveness of these parts of the system is required for a successful reformation of deviants and their reintegration into the mainstream society. In

Nigeria for instance, the police which is saddled with detection and arrest of criminals has been accused of vices ranging from ineffectiveness to extortion, extra-judicial killings, indiscriminate arrests, intimidation of law-abiding citizens, etc. (Odoma, 2011). This scenario coupled with the conflicting expectations of the police to use their initiative/discretion in the arrest and prosecution of offenders often creates avenues for ambiguities in crime management (Reid, 1997; Aina, 2014). For instance, after months of delay by the police to charge cases to court, further delays are often experienced in the court. Such delays are sometimes attributable to the failure of the police to bring the accused to court. The result of such delays is injustice (Ladele, 2013).

In the same vein, most prisons in Nigeria where the convicted criminals are expected to be reformed for subsequent reintegration into the society have over the years suffered from neglect, poor funding, poor sanitation and overcrowding (Ajah and Nweke, 2017; Okon, 2018). As a result, rather than reforming convicted inmates, our modern prisons have succeeded in producing hardened criminals that keep terrorising the society (Conklin, 2007). These anomalies are products of social issues such as neglect by personalities and authorities, corruption, bribery and injustice. Thus, many inmates die in the same prisons that ought to reform them, while many who managed to exit the prison life see themselves punished than reformed. On return to their communities, the problem of stigma and discrimination by peers and significant others in the community await the ex-convicts (Ladele, 2013), making social lives miserable and unpredictable.

The State of Correctional Institutions

One of the key correctional institutions in Nigeria is the prison. The prison is critical in the correction and reformation of criminals because it houses the inmates for as long as most reformation programmes last. The nature of the prisons service wields enormous impacts on the prospect of inmates internalising reformation processes and thus achieving a smooth reintegration into the mainstream society. The Nigeria prison now known as the Nigerian Correctional Service is an arm of the criminal justice system domiciled in the Ministry of Interior. The operational powers are from the Nigerian Correctional Act, 2019. The birth of modern correctional service in Nigeria can be traced back to 1861 when the western model was established in Nigeria by the colonial

government. In 1872, the broad street prison was established with an initial inmate capacity of 300. By 1910, more prisons were established in Degema, Calabar, Onitsha, Benin, Ibadan, Sapele, Jebba, and Lokoja. The colonial prison was not meant to reform offenders since there was no systematic penal policy to be used for penal administration. Prisoners were used for public works and other jobs for the colonial administration (corrections.gov.ng/about_ncos, 2020).

It has been argued that colonial prisons were not meant for the rehabilitation or reformation of criminals. They were rather for punitive purposes (Uche et. al, 2016). The colonial prisons were therefore built in Nigeria for the actualization of punitive objectives. The handover and the "Nigerianisation" of the prison system notwithstanding, the structure of Nigerian prisons has not experienced significant change over the years (Ladele, 2013). Most of the prisons in Nigeria today were built during colonial days to suit the punitive interest at the time. The implication of this is that, since the structures have not changed, the colonial objectives underlying their existence could not have changed.

Equally, the prisons are generally overcrowded because they were originally built for fewer inmates than they accommodate today (Okon, 2018). Whatever reforms the state initiated into the modern prison system appear beclouded by the sufferings faced by inmates in correctional homes. The suffering is occasioned by overcrowding and the corresponding scarcity of essentials. Rather than creating avenue for reformation, the modern prisons in Nigeria proliferate recidivists (Ekpeyong and Undintimi, 2016).

The poor conditions of modern Nigerian prisons and the impacts they have on inmates and their welfare have been put at the doorsteps of neglect and poor funding by governments (Uche et. al, 2016; Okon, 2018). The poor funding of the prisons has further generated some social and health challenges such as poor sanitation, feeding, toilet, and beddings that have made inmates in collaboration with prison officials to revolt, leading at times to cases of jailbreaks. This has made the prisons across the nation to lack the needed capacity for rehabilitation of offenders. Rather than releasing reformed ex-convicts, the prisons tend to produce hardened criminals who have learnt more sophisticated tricks of

committing crimes than they knew before incarceration (Ekpeyong and Unduntimi, 2016).

Arising from myriad of problems identified with our prisons, it is apt to state that even when ex-convicts are not stigmatised by the society, based on their mentality from prison socialisation, they would have fashioned a form of subcultural group with values that can hardly be compatible with that of the mainstream society. This makes the expected reintegration often problematic. It is in the utmost interest of the larger society to ensure that incarcerated offenders are not only punished but also reformed through adequate care by the state, while the society should embrace them on return, to make the reintegration process smooth.

Types of Offender Reintegration Programmes

Reintegration programme refers specifically to interventions designed to help offenders who have been placed in an institution, such as a reform school, a detention centre, or a prison, a mental health institution or a residential drug treatment centre. These intervention programmes include rehabilitation, education and prerelease programmes offered in prison, as well as conditional release, post-release and aftercare interventions. There are two main types of offender reintegration programmes from the global perspective:

1. Institution-based programmes (offered by community-based agencies) are designed to prepare offenders to reenter the society. In addition, some of the programmes include education, mental health care, substance abuse treatment, job training, counseling, and mentoring. The programmes are more effective when they are centred on a full diagnosis and assessment of offenders (Travis, 2000). Some of the programmes are offered prior to the release by the agencies, which are equipped to provide aftercare and follow-up with the offenders following their release from confinement. Programmes and interventions are offered in the institutional setting itself, before the offender's release, to help them resolve issues, address risk factors associated with their behaviour and acquire the necessary skills to lead to law-abiding and self-supporting lives, as well as prepare them for their release and re-entry into society.

- 2. Surveillance-based programmes (community-based) are designed to deal with the supervision of offenders in the community after their release from prison. Four models of parole supervision can be identified (Maruna and LeBel, 2002):
- a. Risk-based supervision: This is premised on the principle that offenders are dangerous and need to be controlled and closely monitored.
- b. Needs-based supervision: This focuses on offender's criminogenic needs, which means that parole supervisors help offenders get appropriate treatment programmes such as cognitive skills training and additional counseling (Burnet and Maruna, 2004).
- c. Middle-ground supervision is a combination of the two deficit models.
- d. Strengths-based supervisions model: This views offenders as "assets to be managed rather than mere liabilities to be supervised" (Maruna & LeBel, 2002). This approach is based on the assumptions that prisoners are stigmatised and that it is this stigma, rather than any inherent danger, that makes them more likely to commit further crime. The community-based programmes facilitate the social reintegration of offenders after their release from custody. This takes some form of community supervision as well as various forms of support and assistance to offenders and even sometimes to their family.

Types of social reintegration

There are two major types of social reintegration: institutional and community social reintegration (Holiday et al, 2012). The institutional social reintegration is meant to transform the offender before leaving or being released into the community. The attitudes of the offender are changed within the institutions of corrections. The community reintegration deals with building the capacity of offenders through the organization of community resources in order to help them in reintegration. Such resources, which include support from family and other relevant institutions, help in quick reintegration (Borzycki, 2005). Furthermore, Holliday et al (2012) identified three phases of reintegration of offenders into the community: institutional phase deals with risk assessment, classifications, placement and a sentence/treatment plan; the structure re-entry begins a few months before release and early months after release and entails specific plans; community reintegration include community supervision and aftercare.

Challenges of Reintegration

Individual characteristics

Individual offender's experiences and characteristics are particularly important in successful reintegration of ex-convicts. The experiences include the period immediately after release and the months and years that follow (Bushway, 2001). However, it has been suggested that an individual's long-term postprison reintegration is likely to depend on a variety of personal and situational characteristics. These characteristics are best understood in a longitudinal, lifecourse framework that include pre-prison circumstances (e.g., demographic profile, work custody and job skills, criminal history, substance abuse involvement and family characteristics; inprison experiences (e.g., length of stay, participation in treatment programmes, contact with family and friends as well as prerelease preparation. Others include: immediate postprison experiences; (e.g., moment of release, initial housing needs, transition assistance, family support); post-release integration experiences(e.g., employment experiences, influence of peers, family connections, social service support and criminal justice supervision), (see Laub & Sampson, 2001; Travis et al. 2001; Maruna, 2001; Solomon et al 2001; Viser & Travis, 2003; Viser, 2007; Rolston & Artz, 2014).

Means of livelihood

The propensity of ex-convicts to find employment in the labour market is much lower than for those in the general population (Berg & Huebner, 2011). This situation is compounded by the general economic situation of the country and the fact that some of them may be having limited education, work experience and the necessary skills to function in the workplace. In addition, negative perception by employers and the public prevents ex-convicts from gaining an employment. Studies in advanced economies show that about 70% of offenders and ex-offenders are high school dropouts. Many of them are viewed negatively by employers and even former employers (those in employment before incarceration) and even within their formal professional networks. The gap in their resume or curriculum vitae CV makes it difficult for them to get jobs (Berg & Huebner, 2011). Another study by Holzer, Steven, and Michael, (2007) identifies physical and mental issues as limiting the employability of former incarcerated men because of history of substance abuse. Other studies found

that a criminal record or time in prison makes individuals significantly less employable, given that most employers do background checks on prospective employees (Brwon, 2011; Schmitt & Warner, 2011). The importance of employment to ex-prisoners has been noted by Adams, Chen & Chapman (2016). They observe that it is critical that employment opportunities be given to ex-convicts to support their reintegration into society and reduce the chances of recidivism.

Family setting

The family is an important institution in understanding the reintegration of former prisoners. Such characteristics as nature of family contact (e.g., frequency, antisocial, prosocial) and type of support offered, if any (e.g., emotional, financial and housing) are pertinent. Other things within the family setting that could influence reintegration are family structure and experiences on criminal activity and even the impact of returning prisoners to their families. Strong family ties during incarceration between prisoners and their family members seem to have a positive relationship on reintegration success.

Relevant literature has demonstrated that convicted offenders who maintained consistent contact and connection with their families during sentences have a lower rate of rearrest than those who do not. Ex-offenders upon release will depend on family members to be reintegrated, first into the family, then into the larger society. On one hand, they depend on family members for financial and emotional support. On the other hand, offenders may find it difficult to reestablish broken relationships with family and community members at large. Some may face rejection from family members, and the community may ostracise them, which may make readjustment difficult. The product of rejection from family, friends, and community may force the ex-offenders into choosing criminal acts or criminal friends. The role of the family setting in reintegration is very important as it provides the base for necessities of life such as food, shelter, and accommodation. (see Laub & Sampson, 2001; Travis et al. 2001; Maruna, 2001; Solomon et al 2001; Viser& Travis, 2003; Viser, 2007; Rolston & Artz, 2014; Uggen et al 2003). In the Nigerian context, care professionals such as social workers, welfare officers can play a vital role of educating family and community members on the need to support ex-convicts to readjust into the society.

Change of environment

The prison environment is characterized by routine, and has a culture quite different from the outside world. Thus, readjusting to the normal environment becomes difficult for many ex-convicts, especially those who spent a lengthy period in the prison/jail. Studies have observed that many prisoners spent time in jail learning attitudes and ways of life that will not help them to adjust to life upon release (Davis et al 2012).

Lack of aftercare services

The problem of adjustment after imprisonment has been largely attributed to lack of or inadequate aftercare services to ex-convicts. Aftercare has to do with checking on the offenders to know if they are adjusting well to the outside environment and helping them handle problems associated with transition. These include counselling, giving food parcels, providing temporary accommodation, and ensuring that their financial needs are met (Altschuler & Armstrong, 2001). Muntingh (2001) notes that supports for ex-offenders are critical once they are released and should focus on five domains: finding employment, financial support, accommodation, coping skills, family and social supports. These make aftercare essential for offender reintegration.

Community influences

The community characteristics, which the prisoner returns, are very important in determining successful reintegration. An environment that is characterised by severe poverty, social disorganisation, and high crime rates may affect reintegration. Housing values and availability, job availability or proximity to jobs, health care services, and substance abuse treatment in the environment influence reintegration. Evidence shows that availability of social services facilitates reintegration. Factors such as; social organisation of a neighbourhood, density of networks among residents, satisfaction with one's community, job availability, as well as non-availability of alcohol and illegal drugs, all affect reintegration. Other factors include accessible and affordable housing and availability of health care facilities (see Laub & Sampson, 2001; Travis et al. 2001; Maruna, 2001; Solomon et al 2001; Viser & Travis, 2003; Viser, 2007; Rolston & Artz, 2014; Harm & Phillips, 2001; Ritchie 2001; Lynch & Sabol 2001; Clear et al 2003; Sampson, 2002).

Stigmatisation of ex-convicts

Stigmatisation has assumed the status of a daunting social problem in the Nigerian social system. It has made an indelible mark in the minds of inmates and ex-convicts as well as the entire society. This no doubt affect social relations in the society several years after offence and correction have been implemented. Even when offenders serve their terms in correctional institutions or get pardon from relevant agencies of the criminal justice administration, they are hardly ever forgiven. For instance, there is a popular belief in Nigeria that the late Chief Obafemi Awolowo was the best President that Nigeria never had. However, when Awolowo was pardoned for a treasonable offence, the fact that the offence took him to jail beclouded the administrative and political virtue in him. The previous offence, though pardoned, denied Chief Awolowo his aspiration of becoming a president in Nigeria several years after, even when many were aware of his political ability to deliver (Ojukwu, 2012; Ayodele, 2015; Utomi, 2018).

Furthermore, stigmatisation often instigates proliferation of crimes in society as victims withdraw to fate and self rather than open up to have the injustice done to them addressed. This gives criminals free rein to play their ignoble role of destabilising the society undetected. For instance, victims of rape and husband battering hardly report because of the social stigma attached to the crime and victims in society. Arising from this, victims become reserved in their interactions with other members of society and thus have their anger bottled-up only to vent them in one form of crime or the other.

The problem with rehabilitation and reintegration of ex-offenders is not limited to Nigeria. Ex-convicts appear to face similar social situations across societies with the ultimate implication of the proliferation of recidivists in the society. For example, recidivism has been on the increase in South Africa because of the difficulties ex-offenders face at the point of their reformation and reintegration into the mainstream South African society. Chikadzi (2017) posits thus:

These challenges include rejection by family members and being stigmatised by society, inability to break into the labour market, struggling with adjusting to a new environment after spending many years in prison, inferiority complex, which affects mental health and lack of, or inadequate aftercare services. This largely compromises the effectiveness of offender reintegration and increases the chances of recidivism amongst ex-offenders. Thus, despite the excellent legislation on offender rehabilitation and reintegration in South Africa, such as the White Paper on Corrections, programming remains poor. Policies by their very nature are simply ideals until they get to be realised through good programming. Apart from this, excellent policy documents will continue to mean nothing for the many prisoners whom the system is failing.

It is important to note that when offenders are not well reformed and/or well reintegrated into the society, such society pays dearly for the failure, as the cumulative effect will be insecurity, restiveness, and multiplication of criminal activities across the society. The onus is that of the state to ensure commitment and political will to give the needed attention to the state of correctional institutions and the welfare of inmates who will necessarily return to the same society that produced them.

Drawing inspiration from the outcome of a study conducted among female Russian ex-inmates, Moran (2012) presents a kind of stigma that ex-convicts suffer on release and which make indelible marks on their bodies and psyche. The after effect is that it negatively affects their reintegration into the society. Moran avers that the act of recording dates or inscribing on the bodies of convicts the expected time of release from incarceration and other inhumane practices meted on convicts complicates the problem of social stigma faced by ex-convicts on release. The difficulty ex-convicts face at erasing or overwriting the conspicuously unwanted inscriptions years after their release, complicate the problem of reintegration of ex-offenders into the mainstream society.

Generally, across societies, there appears to be some form of disconnect between the purpose for creating correctional institutions (reformation) and the outcome (reintegration). This breeds dissatisfaction among inmates and exoffenders who often feel offended by the perceived unjustified treatments unleashed on them by the society. To undo this popular perception of exconvicts, there is the need for the state to develop political will by returning to

the process of reforming convicts with the aim of ensuring that the objective is followed to the latter. This will ensure a fulfiled outcome. Furthermore, reformation programmes should be planned and executed with a peep into life after reformation. Then reintegration will be seen to have meaning. As noted by Moran (2012), conspicuous stigma of ex-offenders evidently affects their self-esteem in a way that makes ex-inmates reluctant to engage in mainstream social practices, with implications for likely success of reintegration.

Recommendations

We recommend that, if the postcolonial Nigerian society does not seek to proliferate the army of hardened and sophisticated criminals exiting prisons, the following must be put in place:

- a. Stigmatisation and inhumane treatment of convicts and ex-convicts must be checked.
- b. The society must be ready to accept ex-convicts as reformed citizens who should be accorded recognition as they settle down for a new life in their society.
- c. The state must show greater commitment to caring for our correctional institutions by funding and equipping them with relevant training aids that will enable them deliver on their mandate to the society.
- d. The three tiers of government should develop and establish a national integration programme to address the challenges of reintegrating exconvicts and victims alike back into the society. The programme should have representatives of families of victims and offenders, community-based organisations, the police, welfare officers, social workers, sociologists, criminologists, and health professionals.

Conclusion

To conclude, we reassert the all-time relevance of correction and reformation of deviant members of the society so that they can be smoothly reintegrated into the society as refined citizens able to lead normal lives. Reintegrating them into the society will also let them join in reproducing in younger generations the cultural values of the society that produced them. This position notwithstanding, we acknowledge the social factors that are potential inhibitors of objective reformation and reintegration programmes of the society. They include stigmatisation of ex-convicts to the extent that years after their release

from detention, they find it difficult, if not impossible, to fit into the society. In the same vein, the inhuman treatment received during reformation and the neglect of the prisons and inmates have not only made ex-convicts develop another sub-cultural group to which they readily show allegiance after their terms, but also make them see their incarceration only as a period of punishment. This reenacts the colonial purposes of the prison system.

Finally, the rehabilitation gives birth to reintegration and without reintegration, rehabilitation will be a waste of time and resources. Rehabilitation is to guide and lead an offender into a new lease of social life and reintegration is to help the offender practice the new way of life imbibed.

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