
| RESEARCH ARTICLE

The Impact of Civil War on Prisons in Nigeria and Its National Security Implication

Dominic Akpan PhD¹ ✉ and Julius Ogueri Ebereonwu²

^{1,2}University of Uyo, Nigeria

Corresponding Author: Dominic Akpan PhD, **E-mail:** kolinx2013@gmail.com

| ABSTRACT

Prior to the advent of colonial administration in Nigeria, punishment and prisons were under the control of traditional institutions. However, the emergence of colonial rule in Nigeria witnessed the introduction of English penal codes by the British colonial administrators through various ordinances and proclamations. The English law and prison system protected British economic interests and was used to punish natives who were resisting and committing offences against the colonial order. The study examines the effects of the Nigerian Civil War on prisons in Nigeria from 1967 to 1970. The study used both primary and secondary sources of evidence. Using the historical method of analysis, the study finds out that, at independence in 1960, the Nigerian prisons inherited its feature from the colonial prisons system. Following the ethno-religious crises that engulfed the nation by 1966, and the setbacks witnessed in the Nigerian Prisons, government constituted the Gobir Panel which brought about the abolition of Native Authority prisons and the subsequent unification of the Prisons Service in Nigeria, marking the beginning of Nigerian Prison Service as a composite reality. However, the outbreak of the Nigerian Civil War in 1967, could not give room for this reform to take its full measure. Prisons in Nigeria became a horrifying scene as prisoners became victims of murder, prison abandonment, prison-yard violence, prison break, and tortures, among others. The study concludes that, prisons challenges and its attendant Nigerian Civil War within this period is associated with a failure of state capacity.

| KEYWORDS

Nigeria Civil War, Nigeria Prisons, National Security, State Capacity, Nigeria

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1. Introduction

The Nigerian prisons have been enormously characterized by some problems, which several studies have indicated to be the reasons for the inadequacies of the system as a corrective institution. In various respects, life in Nigerian prisons in general is overly regimented to the extent that there is strict control in virtually all activities of the inmates. This often leaves the prisoners in a mentally brutalized manner with broken body and spirit, which destroys the individuals. In this regard, it is appears that the prisons system in Nigeria was faced with the problem of destroying the individual members of the community, which negates the essence of imprisonment, amounting to human development wastage in the national calculus.

It is evident that various prisons in Nigeria were saddled with the problem of turning out maladjusted releases. Studies like Obioha,¹ Adetula² have shown that contact with the prison institution in Nigeria made the less hardened individuals to be more hardened in criminal activities upon release, with more tendencies than not, to relapse to criminal activities, which generated high frequency of recidivism. According to Adetula, the penal institutions subsystems, the justice, the police, prison yard and the operatives ways of administering justice is believed to bring about breeding and enhancing criminal behaviour and recidivists than serving; deterrence, repentance, reformatory and reconciliatory attitudes between ex-convicts and people in free society to enhance confidence in physical and conceptual security.³ In most prisons in Nigeria, the remand and convict populations; the minor and serious offenders, the younger and older inmates were not systematically sorted out in different cells according to the Standard Minimum Rules (SMR) for imprisonment, which prescribes that prisoners should be locked up according to their various categories.

Over the years, the Nigerian prisons were identified as a veritable avenue for human resources wastage in the society. There was idleness and wastage among the inmates, while old time trade ideas and occupations vanish.⁴ Some of the institutional problems witnessed in Nigerian prisons were rooted colonial prison system. At independence in 1960, the inability of the state to tackle its security issues, bordering on state capacity syndrome affected the Nigerian prison. To resolve these issues by setting up prison systems that could tackle the challenges, some experts from the United Kingdom were commissioned to aid with reorganizing Nigerian prisons. After the experts intervened, a report was issued which subsequently led to a promulgation of Decree No.9 of 1966. This law gave a legal backing for the unification and operation of the Nigerian Prison Services. However, the crisis that erupted in the country between 1967 and 1970 further exacerbated the problems and brought a new trajectory to the reforms and administration of Nigeria.

The study examines the effects of the Nigerian Civil War on the Nigerian Prisons. 1967 is chosen as the originating chronology because it marked the beginning of the Nigeria Civil War; while 1970 is chosen to mark the end of the war.

1.1 Origins of the Nigeria Prisons

Imprisonment as a means of punishing offenders was not new to many pre-colonial communities in Africa. In Nigeria, for example, different communities had their own legitimate methods of dealing with deviant members of their societies. The Ogboni Rose among the Yoruba, the Eweda among the Edo or Binis, served as prisons. In the northern parts of the country the Fulani had similar institutions while among the Tiv and Igbo, there were indications of functional equivalents of prisons. The Lagos Blue Books shows the existence of a place of confinement at Faji where culprits were imprisoned and employed mainly in street cleaning. Between 1873 and 1900 this place of confinement was referred to as a goal and its staff called "Gang Drivers" because of the nature of the job in which the prisoners were employed.⁵

The origin of modern Correctional Service in Nigeria is 1861. That was the year Western-type prison was established in Nigeria. The declaration of Lagos as a colony in 1861 marked the beginning of the institution of formal machinery of governance. At this stage the preoccupation of the colonial government was to protect legitimate trade, guarantee the profit of British merchants as well as guarantee the activities of the missionaries. By 1861, the acting governor of the Lagos colony formed a Police Force of about 25 constables. This was followed in 1863 by the establishment in Lagos of four courts: a Police court to resolve petty disputes, a criminal court to try the more serious cases, a slave court to try cases arising from the efforts to abolish the trade in slaves and a commercial court

¹E. E. Obioha, *Prison Culture in Nigeria; A Study of Life Within Agodi Prison Community*, Ibadan. M.Sc Dissertation, Unpublished. Ibadan: Department of Sociology, University of Ibadan 1995.

²G. A. Adetula, A. Adetula, A. F. Fatusin, "The Prison Subsystem Culture: Its Attitudinal Effects on Operatives, Convicts and the Free Society. *Ife Psychologia* Vol. 18, No. 1 (2010), pp. 232-251

³*ibid.*

⁴E. E. Obioha, *Prison Culture in Nigeria; A Study of Life Within Agodi Prison Community...*

⁵Musa A. Egu, *History of the Nigerian Prisons Service: An insider's Account* (Abuja: Garkida Press Limited, 1990).

to resolve disputes among merchants and traders.⁶ The functioning of these courts and the police in that colonial setting necessarily meant that prison was needed to complete the system. By 1872, the Broad Street prison was established with an initial inmate capacity of 300.

In the Niger Delta, the relationship between the local people and the British merchants had before then been moderated by special courts of merchants backed by the British Navy especially with the appointment of John Beecroft as a consul in 1849. The need for a merchant court was underscored by the fact that most conflicts between the merchants and the local people were in the main commercial. Also, there was evidence of prison in Bonny at this time and those who were later to oppose British rule were usually deported as happened in the case of Jaja of Opobo and King Dappa of Bonny.⁷ However, the progressive incursion of the British into the hinterland and the establishment of British protectorate towards the end of the 19th century necessitated the establishment of the prisons as the last link in the Criminal Justice System. Thus by 1910, there already were prisons in Degema, Calabar, Onitsha, Benin, Ibadan, Sapele, Jebba and Lokoja.⁸ The declaration of protectorates over the entire territory by 1906 effectively brought the entire Nigeria area under British rule. However, that did not mark the beginning of a unified Nigerian Prisons.

Even so, the colonial prison at this stage was not designed to rehabilitate anyone. There was no systematic penal policy from which direction could be sought for penal administration. Instead prisoners were in the main used for public works and other jobs for the colonial administration. For this reason there was no need for the recruitment of trained officers of the prisons. Hence colonial prisons had no trained and developed staff of their own and instead the police also performed prison duties. As time went on ex-servicemen were recruited to do the job.

They were also very poorly run and the local prison conditions varied from one place to another in their disorganization, callousness and exploitation. But so long as they served the colonial interests of ensuring law and order, collecting taxes, and providing labour for public works, they were generally left alone. The result was that the prisons served the purpose of punishing those who had the guts to oppose colonial administration in one form or the other while at the same time cowering those who might want to stir up trouble for the colonial set up.⁹

The Prison regulation was published in 1917 to prescribe admission, custody, treatment and classification procedures as well as staffing, dieting and clothing regimes for the prisons. These processes were limited in one very general sense. They were not geared towards any particular type of treatment of inmates. Instead they represent just policies of containment of those who were already in prison. Besides, they were limited in application to those who were convicted or remanded in custody by criminal courts of the British-inspired supreme or provincial types. Those remanded or convicted by the Native courts were sent to the Native Authority prisons. The prison regulation also distinguished between Awaiting Trial and convicted inmates and even stipulated the convict – category to be found in each type of prison. But the limited application of this general rule to the national Prison while the native Authority Prison went their own way effectively stultified the appearance of a national Prison goal-orientation in terms of inmate treatment.¹⁰

It was not until 1934 that any meaningful attempt was made to introduce relative modernization into the Prison Service. It was at this time that Colonel V. L. Mabb was appointed Director of Prisons by the then Governor Sir Donald Cameron. Although a military officer, Mabb had an understanding of what prisons should be; and he went on to do his best. Mabb focused his attention on the formation of a unified Prison structure for the whole country which had a partial result. He succeeded in extending the substantive Director of Prisons' supervisory and inspectoral powers over the Native Authority Prisons by this time dominant in the North. It was also during his tenure that the Prisons Warders Welfare Board was formed.

⁶*ibid.*

⁷Musa A. Egu, *History of the Nigerian Prisons Service: An insider's Account...*

⁸*ibid.*

⁹*ibid.*

¹⁰Musa A. Egu, *History of the Nigerian Prisons Service: An insider's Account...*

His efforts were to be continued by his successor R. H. Dolan (1946 – 55). Mr. Dolan was a trained prison officer and when he assumed duties in Nigeria he already had a wealth of experience in prison administration in both Britain and the colonies. Although a scheme for the introduction of vocational training in the National Prisons had been introduced in 1917 and it failed except in Kaduna and Lokoja prisons where it was functioning in 1926, Mr. Dolan reintroduced it in 1949 as a cardinal part of a penal treatment in Nigeria.¹¹ He also made classification of prisoners mandatory in all prisons and went on to introduce visits by relations to inmates. He also introduced progressive earning schemes for long term first offenders. He also transferred the Prisons Headquarters formerly in Enugu to Lagos to facilitate close cooperation with other Department of State. He also introduced moral and adult education classes to be handled by competent Ministers and teachers for both Christian and Islamic education. Programmes for recreation and relaxation of prisoners were introduced during his tenure as well as the formation of an association for the care and rehabilitation of discharged prisoners. But above all, he initiated a programme for the construction and expansion of even bigger convict prisons to enhance the proper classification and accommodation of prisoners.

On manpower development, he was instrumental to the founding of the Prison Training School, Enugu in 1947. He also saw to the appointment of educated wardresses to take charge of the female wings of the prisons and he generally tried to improve the service conditions of the prison staff. In addition, he took classification a step further when in 1948 he opened four reformatories in Lagos and converted part of the Port-Harcourt prisons for the housing and treatment of juveniles. Five years later he was to build an open prison in Kakuri - Kaduna to take care of first offenders who had committed such crimes as murder and manslaughter, and who are serving terms of 15 years or more. The idea was to train them with minimum supervision in agriculture so that on discharge they could employ themselves gainfully. In fact, Dolan's tenure represented a very high point in the evolution of Nigeria Prisons Service.¹²

The Gobir report brought the abolition of Native Authority prisons in 1966 and the subsequent unification of the Prisons Service in Nigeria, marking the beginning of Nigerian Prison Service as a composite reality. Prior to this, the prisons in the North were under the general supervision of the Northern Inspector General of Police who was ex-officio Director of Prisons. In the same vein the Director of Prisons was in charge of the prisons in the south. As a consequence of the Gobir report, the Native Authority prisons were abolished with effect from 1st April, 1968. However, due to the vagaries of the civil war then raging in the country, it was after the Nigeria Civil War that the government's white paper on the reorganization of the prisons was released. It was later followed by law which spelt out the goals and orientation of the Nigerian Prisons Service. The Prisons was charged with taking custody of those legally detained, identifying causes of their behaviour and retraining them to become useful citizens in the society.

1.2 Structure of the Nigerian Prisons

The structures of most of the Nigerian prisons were antique and dilapidated, with disastrous sanitary conditions, and without adequate vocational or recreational facilities. These may be related to the fact that most of the prisons were built in the 19th and early 20th centuries. For instance, Warri prison was built in 1805; Azare in 1816; Bauchi in 1820; Ningi in 1827; Misau in 1831; Degema in 1855; and Calabar in 1890.¹³ Others were built in the early 20th century: Abeokuta old and Onitsha in 1900; Idah Prison and Arochukwu in 1901; Umuahia in 1902; Zaria in 1903; Bidah and Awka prisons in 1904; Benin and Kazaure in 1908; Pankshin, Agbo, Ubiaja, Ahoada in 1910; Owo and Aba in 1911; Ikot Abasi, Old Prison Kebbi and Biu prisons in 1912; Okigwe in 1913; Suleja, Illorin, Malumfashi and Yola prisons in 1914; Kaduna, Ankpa, Enugu and MPS Oji prisons in 1915.¹⁴ Amnesty International reported that many of them were

¹¹*ibid.*

¹²I. W. Orakwe "The Origin of Corrections in Nigeria," Nigeria Correctional Service, Available at: https://www.corrections.gov.ng/page/about-ncos/history-of-ncos?menu_id=2&sub_id=3

¹³J. D. Aiyedogbo, Nigerian Prisons: A Sociological Study. Sokoto Prison as a Case Study. B.Sc Project, Unpublished. Sokoto: Department of Sociology, University of Sokoto 1988.

¹⁴O. Nnoli, *Ethnic Conflicts in Africa* (Dakar: ODESRIA, 1998), p 78; O. Obasanjo, *My Command: An Account of the Nigerian Civil War 1967-70* (Ibadan: Heinemann, 1981), p. 42.

in need of renovation, as the infrastructure was old, some buildings cannot longer be used and ceilings in some rooms are about to collapse. Equally, a large number of prisons were constructed with mud bricks such as Azare, Suleja, Dekina and Koton Karfe prisons.¹⁵

2. Nigeria Civil War, Nigeria Prisons and State Capacity

State capacity is the ability of a government to accomplish policy goals, either generally or in reference to specific aims.¹⁶ More narrowly, state capacity often refers to the ability of a state to collect taxes, enforce law and order, and provide public goods. A state that lacks capacity is defined as a 'fragile state' or, in a more extreme case, a 'failed state.' Higher state capacity has been strongly linked to long-term economic development, as state capacity can establish law and order, private property rights, and external defense, as well as support development by establishing a competitive market, transportation infrastructure, and mass education. State capacity can be measured by government's effectiveness index and government competitiveness and relates to political efficacy. The collective role of state capacity is to ensure national security policies of a nation.¹⁷

State capacity as a driving force for internal civil conflict has been a deeply researched topic by academic scholars in international relations and political economy studies. This is because state capacity, as the state's ability to enforce its will, crosses into many different dimensions.¹⁸ Cullen Hendrix defines state capacity into three distinct categories: military capacity, administrative/bureaucratic capacity, and the quality and coherence of political institutions.¹⁹ Mauricio Cardenas draws on Hendrix's definitions of state capacity when it comes to military capacity, administrative/bureaucratic capacity, and political institutions, but also adds fiscal capacity as a valuable factor used to measure state capacity.²⁰ Additionally, Cardenas provides a broad, general definition of state capacity as the ability of the state to provide public goods and support the economy with a sound legal framework.²¹

The first category of state capacity borders on military capacity. According to Hendrix and Cardenas, the most accepted definition of military capacity is that it is the representation of the state's ability to eliminate any rebellion or dissent that would threaten its authority.²² According to Hendrix, military capacity is operationalized as a variable through military personnel per capita.²³ Cardenas agrees with Hendrix on the operationalization of military capacity through military personnel per capita but would also add military spending per capita as a variable that is necessary to operationalize to fully measure a state's military capacity.²⁴

Throughout literature in the social sciences, state military capacity has been examined as a primary identifying trait of the strength of a nation-state. Hendrix characterizes the national military as the centerpiece of the state's repressive capabilities, and notes that it has occupied a privileged place in empirical studies that link repressive capacity to the onset, duration, and termination of civil conflict.²⁵ By the same token, military capacity has also been the measurement of the competency and ability of rebel groups to successfully combat the state's forces.

The second category within the literature of state capacity is bureaucratic and administrative capacity. As a categorization of state capacity, both Hendrix and Cardenas define bureaucratic and administrative capacity as the

¹⁵*ibid.*

¹⁶Martin J. Williams, "[Beyond state capacity: bureaucratic performance, policy implementation and reform](#)" *Journal of Institutional Economics*, Vol. 17, No. 2 (2021), pp. 339–357; Mark Dincecco, [State Capacity and Economic Development: Present and Past](#) (UK: Cambridge University Press, 2017), pp. 1, 15–24.

¹⁷*ibid.*

¹⁸Rodrigo L. Cotto-Abreu, *The Relationship Between State Capacity and Internal Armed Conflict*, Student Publication, Spring 2022

¹⁹C. S. Hendrix, "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict," *Journal of Peace Research*, Vol. 47, No. 3 (2010), pp. 273–285.

²⁰M. Cardenas, "State Capacity in Latin America," *Economía*, Vol. 10, No. 2 (2010), pp. 1–45.

²¹*ibid.*, p. 3

²²*ibid.*, p. 3; C. S. Hendrix, "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict...p. 274.

²³Hendrix, "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict...p. 274.

²⁴M. Cardenas, "State Capacity in Latin America...p. 3.

²⁵C. S. Hendrix, "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict...p. 274.

state's professionalization of the state bureaucracy and its ability to provide legal protection.²⁶ Cardenas provides seven different measures that are related to the revenue generation ability and bureaucratic quality of the state. The first two are related to the state's ability to raise revenue from the public: (i) GDP share of total tax revenues and (ii) GDP share of income tax revenue.²⁷ The remaining measures that Cardenas uses are measure of the risk of outright confiscation and forced nationalization of property; the government effectiveness index which measures the quality of public services, the capacity of the civil service and its independence from political pressures, and the quality of policy formulation; the Political Instability Task Force State Capacity Survey which asks respondents to rate the "state's ability to formulate and implement national policy initiatives."²⁸

The other category of state capacity within the literature examines state's political institutions, their quality and coherence. According to Cardenas, the quality and coherence of political institutions is measured through examining the degree to which the democratic and nondemocratic features of the state interfere in its political system.²⁹ This aspect of state capacity is defined by Hendrix as the degree to which democratic and non-democratic features are intermingled in the political system.³⁰

On this note, the idea Nigeria Civil War and the problem associated with Nigeria Prisons have been linked to the theory of state capacity as being the source of the government's inability to manage both national crisis which led to the war and institutional failure witnessed in the prisons during the civil war.

3. Civil War and Prisons in Nigeria

The origin and nature of Nigerian prisons were shaped by several events leading to the crisis of 1967. Upon Nigeria's independence from Great Britain in 1960, serious doubts existed as to whether the disparate parts of the new Federal Republic would be able to co-exist peacefully. These doubts were due in large measure to the fact that various regions of colonial Nigeria had been arbitrarily joined together by the British in 1914, without regard to the linguistic and ethnic diversity within the colony's borders. The various groups that had been united by the colonial government were so culturally and historically different that it appeared nearly impossible to unite them.³¹ Thus, the Nigerian state was divided along ethno-religious lines.

The friction this caused became evident in the years leading up to Nigerian independence. When independence was granted, the leaders of the new Republic embarked upon an aggressive campaign of social engineering to try and mitigate the differences in Nigerian society. These efforts came to an emphatic close when a prominent politician from the western region, Obafemi Awolowo, was tried for treason, found guilty and jailed.³² This sparked riots in the west, further exacerbated by allegations that post-independence elections in that area had been effectively rigged. A state of emergency was subsequently declared in the west, and a federal administrator was appointed in lieu of elected government officials.

Uncertainty and chaos continued until early 1966, when a number of young southern officers staged a coup. In the process of seizing governmental power, the officers also arranged to have a number of northern political figures slain while sparing politicians and government officials from the south. The coup actually failed, but the Nigerian Senate subsequently handed power over to Major-General Aguyi Ironsi, thus bringing about Nigeria's first military government. In a self-proclaimed attempt to stifle further political violence, Ironsi centralized governmental control by promulgating a Unification Decree. This only served to alienate northern leaders, who felt the coup to be the latest in a series of southern attempts to seize control of the government at their expense.³³

²⁶M. Cardenas, "State Capacity in Latin America...p. 3; Hendrix, "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict...p. 275.

²⁷*ibid*, p. 4

²⁸*ibid*.

²⁹*ibid*, p. 275.

³⁰*ibid*., p. 276.

³¹Hendrix, "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict...p. 277.

³²*ibid*.

³³O. Nnoli, *Ethnic Conflicts in Africa...*

The result was a counter coup led six months later by a cadre of northern officers hoping to break up the federal union and let the north secede. Although the putsch failed to divide the country, it aggravated already inflamed regional tensions. Eastern immigrants in the north were attacked by local populations, provoking a mass displacement of south-easterners returning home to escape the violence. Attempts by south-eastern leaders (with assistance from various international bodies) to ameliorate the situation by way of a reorganization at the federal level failed, and in 1967 the military government declared a "police state" in an attempt to rein in the eastern secessionist movement. The leader of the southeastern region, Lt. Colonel Odumegwu Ojukwu, then declared his region independent, renaming it the Republic of Biafra, and sparking a bloody three-year war between Biafran troops and the Federal army.

The Nigerian Civil War, also known as the Biafran War (July 6, 1967 through January 13, 1970), was a political-ethnic armed conflict caused by the attempted secession of the provinces of the south east of Nigeria, under the name of Biafra Republic. The war lasted two and a half years, and included the support of powers and superpowers to the two warring sides, with arms shipping from France, South Africa and Portugal to the rebels of the south, and support of the USSR and Great Britain to the federal government. Most African governments also supported the latter.³⁴

Before the Civil war, the state of lawless and crime had already swept across the country, increasing the number of inmates in Nigerian prisons. The ethnic tensions witnessed among the populace also was reflected in the prisons as inmates were divided along ethnic lines, leading to murder, fights and maltreatments, among others. Violence trickled down from the political gladiators to prisons inmates. The lack of proper planning and revengeful intention of the second coup manifested itself as chaos, confusion, and the scale of unnecessary killings spread across the country. The lawlessness, disorderliness, senseless looting and killing spread throughout the Nigeria like wildfire.³⁵ According to Gowon in 1966:

The country has been plunged into a national disaster by the grave and unfortunate actions taken by a section of Army against the public... which was done by elimination of political leaders and high-ranking Army officers, a majority of whom came from a particular section of the country... and concluded that the basis for trust and unity is not there anymore.³⁶

Gowon further said:

I received complaints daily that up till now the Easterners living in the north are being killed, molested and their properties were being looted. It appears that this is going beyond reason, and now at the point of recklessness and irresponsibility. There are many mad and lunatic-fringe men roaming about today, acting on their own, without any authority or instruction from either the Army authority, or any civil organizations.³⁷

In this state of lawlessness, many people who took law into their hands were arrested and taken into custody by the army and police, increasing the number of inmates in the Nigerian prisons. In the light of this, a prison decree (Decree No. 9) was made in 1966 by the Federal military government. According to this decree the Native Authority Law of Northern Nigeria and the Local Government Law of Western Nigeria was placed under the control and supervision of the Federal Director of Prisons and the operational control over all prisons.³⁸ This was to ensure that all prisons in Nigeria follows a laid down uniformed rules geared towards expunging issues of ethnicity in Nigeria Prisons.

³⁴O. Nnoli, *Ethnic Conflicts in Africa...*

³⁵O. Obasanjo, *My Command: An Account of the Nigerian Civil War 1967-70* (Ibadan: Heinemann, 1981), p. 6.

³⁶*ibid.*

³⁷"[Yakubu Gowon Archives](#)" *The Guardian Nigeria News - Nigeria and World News*. Retrieved 25 February, 2022.

³⁸Federal Republic of Nigeria, Decree No. 9. National Prison Service, 1966.

However, during the Civil War, the issue of ethnicity in Nigerian prisons even got worse, as inmates were divided along ethnic and religious lines. Also, the number of inmates and prisoners of war skyrocketed during the Civil War, and this crisis further exacerbated with limited facilities to hold inmates and poor prison administration. As the war began, the government was concerned with moving prisons that were of non-Biafran origin. However, violence rocked Nigerian prisons, leading to maltreatment and mass killing of prisoners. In addition, prison houses were not too different from other flashpoint of conflict were armed conflict threatened the peace of Nigeria. In most circumstances, prison crises were staged to point out some lapses on the part of government to making life unbearable to prison inmates. Among these lapses were overcrowding, lack of medical facilities and personnel, poor hygiene, among others.³⁹

The situation for prisoners especially combatants and civilian prisoners got worse as many of them were subjected to physical torture, starvation and molestation especially female Biafran combatants. Captured combatants were at greater risk of being killed by the federal forces or being poisoned in the prison. In a survey undertaken by the International Committee of the Red Cross (ICRC):

More than half of the respondents in areas, 58 percent of those who lived outside the area of conflict and 51 percent of those who lived in it, say they would refuse to help a wounded enemy combatant who had killed someone close to them. Similarly, more than half of those who report they lived outside the area of conflict (57 per cent) say they would not save a surrendering enemy combatant who had killed someone close to them - compared with 39 per cent who lived in the area of conflict.⁴⁰

The above report explains the situation with combatant prisoners who were captured at both divides. The government of Nigeria and that of southeast were inclined to limit the rights of captured combatants or prisoners of war. Captured combatants and prisoners of war at Nigerian and Biafra prisons were tortured to death. A significant number of Nigerian prisoners of war were subjected to torture in order to obtain important military information.⁴¹ The killing of prisoners was approved in retribution, especially when it was that other enemy's camp was doing so.

That notwithstanding, not every experience was the same; there were prisoners who were treated well, especially notable figures. Some prisoners fared better in terms of shelter, clothing, rations, and overall treatment than others who suffered from harsh living conditions, severely cramped living quarters, outbreaks of disease, and sadistic treatment from guards and commandants. In all, the major challenge of prisons during the Civil War was overcrowding and maltreatment of prisoners based on ethnic sentiments.

The Nigerian Prison was a source of internal security threat. Prison facilities in Enugu, Abakiliki, among others, during the Nigeria Civil War were attacked and a number of hardened criminals were released and conscripted into the fighting troops.⁴² Also, fatal riots were recorded in prisons facilities. The growing influence of Biafra soldiers was one of the reasons why the prisons service was vulnerable. These attacks were made possible as security equipments in the prison facilities across the country were outdated and needed to be fortified.⁴³ Most of the prisons were left at dilapidated state before the war and the fighting troops leveraged on this. Also, the training and armory of prisons appeared not to be sophisticated enough for challenges of insecurity that the war presented.

Another issue of prisons during this period was welfare challenge. From the foregoing, it appeared that there was negligence on the part of the government towards the welfare of inmates. Inhuman treatment and deprivation of

³⁹O. Nnoli, *Ethnic Conflicts in Africa...*

⁴⁰*ibid.*

⁴¹*ibid.*

⁴²Oteh Chukwuemeka Okpo, Flora Ntunde O, Alexander Anichie, "The Nigerian Police, Safety and Public Policing: An Overview" *International Journal of Asian Social Science*, Vol. 2 No. 8 (2012)

⁴³Punch Newspaper, March 15, 2014

basic facilities was the major feature of Nigerian prisoners, as they were deprived of their rights. Although they were incarcerated and some of their rights such as the right to freedom were suspended during the period of incarceration, other rights such as right to dignity appeared not to be respected. On the Nigeria part, captured Biafran agitators were sentenced to death and many were tried in the court. The prison culture was dominated by aggression, running counter to the values of humaneness, softness, openness, and anti-oppression.⁴⁴

As indicated above, congestion of prisons was major feature of Nigerian prisons within the period under review because of the chaos that met the state of Nigeria as at the time. Congestion had their consequences on the inmates, the prison system and the society. Overpopulation placed a lot of strain on maintenance cost, stretches the work force and various other facilities provided in the prison. The few facilities available became grossly inadequate for inmate population. Life in prisons was degrading, brutal and dehumanising. In reality, it was harsh and life-threatening. There were cases of prison abandonment by prison personnel especially in the Biafran enclaves. As the war broke out, some of the prison warders abandoned their duty post for the safety of their lives. For instance, the Owerri prison was abandoned at the start of the civil war. This situation worsened the state of insecurity in the region as criminals were let loose.

To address the ongoing prison crisis, the government 4 January 1969, responded by ratifying the International Convention on the Elimination of All Forms of Racial Discrimination (CERD).⁴⁵ After the war, an estimated 3 million Nigerians including those captured and held in prisons died, with scores more injured, displaced or rendered homeless.⁴⁶ War victims and prisoners suffered numerous medical and psychological traumas -many of which never fully disappeared. The international community mounted a vigorous campaign to aid the war victims, with the ICRC and the Catholic relief agency, Caritas, playing prominent roles.⁴⁷ Following the cessation of hostilities, the military government immediately launched a programme to re-integrate the south-east back into Nigerian society under the slogan of the "Three Rs": Reconstruction, Rehabilitation and Reconciliation.

4. Conclusion

Punishment of crimes and prison system before the advent of colonial rule was not alien to pre-colonial Nigerian societies. In the pre-colonial era, penal and confinement in prisons were considered as corrective measures to behaviour considered detrimental to societal well-being. Punishment and prisons were under control of heads of families as rulers of different communities. However, the emergence of colonial rule in Nigeria witnessed the introduction of administrative institutions by the British colonial administrators such as Native Courts, Native Police, and Native Treasury, through various ordinances and proclamations. The British colonial administrators considered the English legal and penal code as an important agent of effective colonization. However, the English law and prison system protected British economic interest and civilizing mission which were used to punish natives who were resisting and committing offences against the colonial order.

At independence in 1960, the Nigerian prisons inherited its feature from the colonial prisons system as political gladiators or the ruling political party in power used the prisons as source of intimidation to political opponents. This was witnessed in the imprisonment of the NPG-NCNC coalition government against Obafemi Awolowo of Action Group in 1963. Several others became victims of political victimization by imprisonment. Following the ethno-religious crises that engulfed the nation in 1966 from the military coup and counter coup, the Nigeria populace was divided along ethnic line. Considering this crisis, the Nigeria Police and other security agencies sprang into action to arrest and detain those people who took the law into their hand. Consequently, this increased the number of inmates in the Nigerian prison as this exacerbated crisis such as overpopulation, ethnic division among inmates. With this situation, the military government under General Yakubu Gowon constituted the Gobir Panel

⁴⁴Oteh Chukwuemeka Okpo, Flora Ntunde O, Alexander Anichie, "The Nigerian Police, Safety and Public Policing: An Overview...

⁴⁵Emeka E. Obioha, "Challenges and Reforms in the Nigerian Prisons System," *Journal Social Science*, Vol. 27 No. 2 (2011), pp. 95-109. Available at: <http://krepublishers.com/02-Journals/JSS/JSS-27-0-000-11-Web/JSS-27-2-000-11-Abst-PDF/JSS-27-2-095-11-1116>.

⁴⁶O. Nnoli, *Ethnic Conflicts in Africa...*

⁴⁷International Committee of the Red Cross, "People on War" Country Report on Nigeria, Reported by Greenberg Research, Inc., 1999.

which brought about the abolition of Native Authority prisons in 1966 and the subsequent unification of the Prisons Service in Nigeria, marking the beginning of Nigerian Prison Service as a composite reality.

However, the outbreak of the Nigerian Civil War in 1967, could not give room for this reform to take its full measure. Prisons in Nigeria became a horrifying scene as prisoners were murdered in cold blood by inmates as prisons were divided along ethnic lines. Prisoners of war were also murdered by prison officials. In some prisons, prison officials abandoned their post and sought for refuge. Prisons breaks were recorded especially in the secessionist enclaves. However, due to the vagaries of the civil war then raging in the country, it was after the Nigerian Civil War that the government's white paper on the reorganization of the prisons was released. The ethnic tension witnessed among the populace was reflected in the prisons as inmates were divided along ethnic lines, leading to murder, torture of inmates, fights and maltreatments, among others. The study notes that, the Nigerian Civil War and the problem of Nigerian Prisons during this period was associated with state capacity as being the source of the government's inability to manage both national crisis which led to the war and institutional failure witnessed in the prisons during the civil war. In the course of carrying out this research, few challenges were encountered. For instance, due to the massive landmass of the country, the issue of logistics affected the overall process of managing available resources, documents, transportation and methodological issues. Carrying out oral interviews with former head of states, ex-prisoners and prison officers, constituted some of the challenges as those to be interviewed were not readily accessible. These affected the profundity of information which would have added value to the research. It is suggested that future researchers may give attention to regional analysis and specific study areas. Also, future researchers may also consider a comparative study of the impact of civil war on prisons in Nigeria. More importantly, attention may be given to the Civil War and its post-traumatic syndrome on ex-prisoners of war.

References

- [1] Adetula, G. A., Adetula, A., and Fatusin, A. F., "The Prison Subsystem Culture: Its Attitudinal Effects on Operatives, Convicts and the Free Society. *Ife Psychologia* Vol. 18, No. 1 (2010), pp. 232-251
- [2] Aiyedogbo, J. D., *Nigerian Prisons: A Sociological Study. Sokoto Prison as a Case Study*. B.Sc Project, Unpublished. Sokoto: Department of Sociology, University of Sokoto 1988.
- [3] Cardenas, M., "State Capacity in Latin America," *Economía*, Vol. 10, No. 2 (2010), pp. 1-45.
- [4] Cotto-Abreu, R. L., *The Relationship Between State Capacity and Internal Armed Conflict*, Student Publication, Spring 2022.
- [5] Dincecco, M., [State Capacity and Economic Development: Present and Past](#), UK: Cambridge University Press, 2017.
- [6] Egu, M. A., *History of the Nigerian Prisons Service: An insider's Account*, Abuja: Garkida Press Limited, 1990.
- [7] Federal Republic of Nigeria, Decree No. 9. *National Prison Service*, 1966.
- [8] Hendrix, C. S., "Measuring State Capacity: Theoretical and Empirical Implications for the Study of Civil Conflict," *Journal of Peace Research*, Vol. 47, No. 3 (2010), pp. 273-285.
- [9] *International Committee of the Red Cross*, "People on War" Country Report on Nigeria, Reported by Greenberg Research, Inc., 1999.
- [10] Nnoli, O., *Ethnic Conflicts in Africa* (Dakar: ODESRIA, 1998
- [11] Obasanjo, O., *My Command: An Account of the Nigerian Civil War 1967-70*, Ibadan: Heinemann, 1981.
- [12] Obioha, E. E., "Challenges and Reforms in the Nigerian Prisons System," *Journal Social Science*, Vol. 27 No. 2 (2011), pp. 95-109. Available at: <http://krepublishers.com/02-Journals/JSS/JSS-27-0-000-11-Web/JSS-27-2-000-11-Abst-PDF/JSS-27-2-095-11-1116>.
- [13] Obioha, E. E., *Prison Culture in Nigeria; A Study of Life Within Agodi Prison Community*, Ibadan. M.Sc Dissertation, Unpublished. Ibadan: Department of Sociology, University of Ibadan 1995.
- [14] Okpo, O. C., Ntunde, O. F., and Anichie, A., "The Nigerian Police, Safety and Public Policing: An Overview" *International Journal of Asian Social Science*, Vol. 2 No. 8 (2012)
- [15] Orakwe, I. W., "The Origin of Corrections in Nigeria," Nigeria Correctional Service, Available at: https://www.corrections.gov.ng/page/about-ncos/history-of-ncos?menu_id=2&sub_id=3
- [16] Punch Newspaper, March 15, 2014
- [17] *The Guardian Nigeria News - Nigeria and World News.* "[Yakubu Gowon Archives](#)" Retrieved 25 February, 2022.
- [18] Williams, M. J., "[Beyond state capacity: bureaucratic performance, policy implementation and reform](#)" *Journal of Institutional Economics*, Vol. 17, No. 2 (2021), pp. 339-357.