

Rehabilitation Programmes and Recidivism
in the Zambian Prison System.

By

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A B S T R A C T

1. STATEMENT OF THE PROBLEM

Zambia has seen a tremendous rise in crime, and consequently the government has been preoccupied with how the rising crime rate could be reduced. There have been different strategies adopted by the government in order to curb the rising crime rate and rehabilitation of prison inmates is one of them. But even though it is one of the purposes of imprisonment in general and rehabilitation programmes in particular (which in Zambia mainly consist of teaching a skill to the prison inmates) to convert "criminals" into law abiding citizens, the high rate of recidivism (i.e, the return of exprisoners to prison) shows that rehabilitation does not have the intended effect on a large percentage of prisoners as the following table shows:

TABLE I: PERCENTAGE OF FIRST OFFENDERS AND RECIDIVISTS

Year	First Offenders	Recidivists	Percentage of previous convictions		
			One	two	three or more
1973	54.24	45.76	16.10	14.01	15.65
1974	52.42	47.56	17.66	14.72	15.20
1975	54.49	45.61	19.10	14.10	12.31
1976	58.41	41.59	20.17	11.23	10.19
1977	66.33	33.67	15.83	9.64	8.20
1978	55.21	44.79	19.68	14.07	11.04

Source: Annual Reports, Zambia Prisons Department.

The percentage of recidivism does not seem to decline, it is high, and the question arises: why is this so? Could it be that the causes of crime cannot be found in the individual who violated a law? In order to deal with the problem of this study effectively an effort is made to examine how the different theories on the causes of crime can be used to analyse recidivism among Zambia's prison inmates - an issue which will be dealt with in the next section.

However, not only the different theories might help us to find an answer to the problem of recidivism in spite of rehabilitation but there are several other factors, listed below, which could contribute to the understanding of the problem and at the same time give us an answer to the main question: why do rehabilitation programmes within the prison setting fail to prevent recidivism for a large number of prisoners?

1. The official purposes of imprisonment are contradictory, for instance, imprisonment is supposed to retribute and deter criminals thereby creating an unfavourable environment for rehabilitation. Since a prisoner is in a constant mental torture because of the deprivation of liberty, goods and services, heterosexual relationships and security, he cannot successfully relearn appropriate behaviour.
2. Imprisonment can be criminogenic in nature, new criminal activities can be learned from fellow inmates.
3. There are different types of prisoners and those greatly in need of rehabilitation are often the ones who are least motivated to seek it.
4. In correspondence with most theories one of the causes of crime in other countries, the majority of the prison population in this country is also drawn from the lower class, whose social situation is quite desperate, in that they lack skills, education and employment and live in squalor. All these factors can be crime breeding and render rehabilitation ineffective. The ex-prisoner has often his marriage shaken, employment lost, in addition he is stigmatized by society and denied all chances to better his living, even though he has learned a skill in prison.

II. The theoretical framework of analysis:

The reasons why people commit crime are the subject of great debate among criminologists which have developed different theories.

1. The classical view

According to the classical view of the last century, criminality is based on the principle of "free will" but following the hedonistic principle of seeking pleasure and avoiding pain. According to this view imprisonment should be harsh so as to retribute and deter people from committing crimes.

2. The biological theory

This theory offers that criminals are born and show certain physical features. According to these two outdated theories there is no room for rehabilitation.

3. Merton's theory

Merton sees the causes of crime in the social structure and the disadvantage of the lower class to reach societal goals of wealth and success. Rehabilitation which is aimed at changing the individual would not eliminate the causes of crime.

4. The theories of subculture

Also according to the theories of subculture rehabilitation would not eliminate the causes of crime because they too consider juvenile delinquency as a group phenomenon of the lower class and their social situation.

5. Sutherland's theory

Even according to Sutherland's theory of differential contacts it is problematic to change the individual in prison and not the group outside the prison from which crime was learned.

6. The labelling theory

States that crime is a process provoked by the labelling of society and imprisonment is the most crucial step of the process of identification of an individual with criminal roles, and no rehabilitation programme could make up for it.

7. Marxian theory

According to this theory crime is a feature of capitalism, the unorganised war of the lower class against the bourgeoisie arising out of their desperate social situation and will wither away when the world reached a socialist stage.

8. The critical criminology

A similar stand takes the more and more influential critical criminology which tries to combine the Marxian with the labelling theory.

Common to most of the theories of the 20th century is the notion that crime is related to the societal structure and they therefore exonerate the individual from criminal responsibility. This focus will be the main tool of our analysis for rehabilitation programmes in relation to recidivism.

III. The Hypotheses

Taking into account the different theories on the causes of crime, research related to the topic as well as general empirical observations, it is appropriate to hypothesize that:

1. the intended positive elements of the rehabilitation programmes have less influence (cause) on the recidivists and their social situation (effect) than the general negative effects of imprisonment (cause)
This is because not only are the rehabilitation programmes unable to eliminate the crime causing social situation, at the time of first offence, but the general negative effects of imprisonment often even worsen this situation.
2. Either the previously existing or the worsened social situation becomes a cause for recidivism (effect).
3. No significant difference is expected between groups of people learning a skill in prison and those learning no skill, because of the much more powerful negative effects of imprisonment.

IV. The Objectives of the Study

This study has the following principle objectives:

1. To provide an analysis why rehabilitation programmes within the prison setting are failing to prevent recidivism.
2. To show that imprisonment has a negative effect on a large percentage of individuals.
3. To show that no significant difference exists in the social situation of recidivists whether or not they underwent rehabilitation programmes.
4. It is also an attempt to provide a basis for further studies especially for the search of alternatives to imprisonment and for the evaluation of the already existing alternatives to imprisonment, an overdue problem, which can only be touched upon in passing in this study.

V. The Methodology of the Study

In order to test the hypotheses and achieve the objectives of the study, the method will be a five-fold one, which shows that it will not primarily be a quantitative but to a large extent a qualitative descriptive one:

1. Observation and description of the rehabilitation programmes

In Lusaka Central Prison, in Kabwe Maximum Security Prison and in ^{Livingstone} ~~Mongu~~ Prison will bring light on the rehabilitation programme as such.

2. The study of prisoner's files will be a necessary pre-requisite for the selection of samples but also a useful compliment to the questionnaire.

3. The questionnaire will be the basis for structured interviews on two representative samples of male prisoners of the three prisons with approximately the same level of education and age, all without skills at the time of first offence. Each sample will comprise 50 persons. Sample A will be drawn from prisoners who underwent rehabilitation, while sample B will represent those who did not learn a skill while in prison. Both groups will be recidivists with three or more imprisonments. The questionnaire will aim at comparing the social situation and integration at the time offirst and last offences, in other words, before the first and last imprisonment.

In addition, the questionnaire will aim at comparing the social situation and intergration between the two groups beforethe last imprisonment.

Length of intervals between imprisonments and types of offence will be taken from the prisoner's files. Social situation and integration will be measured by such categories as income, job situation, education, housing, marital status, family situation, relatives, network, of friends.

4. In each group four or five people will be chosen for a qualitative case study which can shed more light on the biography and development of recidivists than a quantitative study can do.
5. Lastly the study of documents will be utilized such as the Prison Act of 1965, the Prisons Standing Orders, the Prisons Regulations and Rules, Prisons Annual Reports and other.

VI. The Significance of the Study

1. It is a pioneer work since no research on rehabilitation programmes of Zambia's prisons has been carried out.
2. It is a contribution to the consideration of the problem of crime which by far exceeds the simple concepts underlying rehabilitation programmes.
3. However, since society cannot be changed overnight and until alternatives for incarceration are found, the study might provide some valuable information for prison officials, police, magistrates, government officials and many others on how to improve the prison setting and as such provide a stimulus for more effort in the search for effective alternatives.
4. In the long run it is hopefully a contribution to reduce crime.

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I have a lot of debts which I can only acknowledge and not able to pay in writing this dissertation. Many people have commented on various portions of the manuscript at different stages of it's development. Their comments have been intellectually helpful and emotionally supportive.

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TABLE OF CONTENTS

	<u>Page.</u>
Title of Dissertation	1
Copyright.	ii
Declaration	iii
Approval	iv
Abstract.	v
Acknowledgement.	xi
Table of Contents.	xiii
List of tables.	xvi
List of Appendices.	xvii

CHAPTER ONE

1. Introduction.	1
2. Definition of terms.	2
3. Statement of the problem.	5
4. Hypothesis.	7
5. The method.	8
6. The objective of the study.	10

CHAPTER TWO

REHABILITATION AND THE THEORIES ON THE CAUSES OF CRIME.	11
1. The classical view	11
2. The biological theory.	13
3. The theory of anomie.	14
4. The theory of differential contacts.	19
5. The theory of subculture.	20
6. The labelling theory.	21
7. The Marxian theory on crime.	23
7b. The critical criminology.	25

Summary

CHAPTER THREE

THE PRISON AND ITS INMATES.	31
1. Official purpose of imprisonment.	31
(a) Retribution.	31
(b) Deterrence.	32
(c) Rehabilitation.	33
2. The effects of imprisonment	35
3. Different types of prisoners.	38
Summary.	41

CHAPTER FOUR

REHABILITATION IN ZAMBIA'S PRISONS	43
1. Discipline.	43
2. Treatment.	43
3. The provision of industrial and agricultural skills and education.	57
Summary.	58

CHAPTER FIVE

THE SOCIAL SITUATION OF RECIDIVISTS.	62
1. Age.	62
2. Social status of recidivists.	64
(a) Area of residence	64
(b) Income.	69
(c) Job situation.	73
(d) Education background.	77
3. Marital status and family situation of recidivists..	79
4. Childhood experience, present problems and plans for the future.	81
Summary.	91

CHAPTER SIX

COMPARISON OF THE SOCIAL SITUATION BETWEEN
REHABILITATED AND NON-REHABILITATED RECIDIVISTS. 92

1. Age of rehavitlated and non-rehabilitated
recidivists 93

2. Social status of rehabilitated and non-rehabilitated
recidivists. 94

 (a) Area of residence. 94

 (b) Income. 97

 (c) Job-situation. 99

 (d) Education. 100

S u m m a r y 102

CHAPTER SEVEN

TYPES OF OFFENCES AND BIOGRAPHIES OF RECIDIVISTS..... 103

1. Types of effences. 103

2. Biographies. 107

B i b l i o g r a p h y 128

LIST OF TABLES

1.	Committals to prison before independence	1
2.	Committals to prison after independence	1
3.	Percentage of first offenders and recidivists	6
4.	Utility of imprisonment	51
5.	Reaction to imprisonment	51
6.	The worst thing during imprisonment	52
7.	Treatment by prison officers	53
8.	Treatment by Police officers	54
9.	Age of recidivists	63
10.	Area of residence	66
11.	Area of residence of recidivists coming from and returning to urban areas	67
12.	Income of recidivists	70
13.	Income of recidivists compared to urban household incomes	72
14.	Job situation of recidivists	76
15.	Educational background of recidivists	79
16.	Marital status	80
17.	Family situation	81
18.	Description of childhood	84
19.	Persons recidivists grew up with	85
20.	Subjective feelings of acceptance or rejection in childhood	85
21.	Frequence of having been beaten in childhood	85
22.	Biggest problem of recidivists at present	87
23.	Future plans of recidivists	89
24a.	Age of rehabilitated recidivists	94
24b.	Age of non-rehabilitated recidivists	94
25a.	Area of residence of rehabilitated recidivists	96
25b.	Area of residence of non-rehabilitated recidivists.....	96
26a.	Monthly income of rehabilitated recidivists.....	98
26b.	Monthly income of non-rehabilitated recidivists	98
27a.	Job situation of rehabilitated recidivists	99
27b.	Job situation of non-rehabilitated recidivists	99
28a.	Educational background of rehabilitated recidivists...	101
28b.	Educational background of non-rehabilitated recidivists	101
29.	Offences committed in order of frequency and popularity	105

LIST OF APPENDICES

	Page.
1. Questionnaire	131.
2. Distributions of Urban Wages and Salaries.	141.
3. Standard Deviation.	142.

CHAPTER I

1. INTRODUCTION

Like other societies, Zambia after Independence has been experiencing a terrible rise in crime. There is a lot of evidence to this effect. Firstly our newspapers the Daily Mail as well as the Times of Zambia have almost become crime bulletins, there hardly passes a day without a publication of criminal activities in one form or another, and secondly the number of persons being committed to Zambia's prisons has risen considerably as compared to pre-Independence period as the following tables show:-

Table 1: Committals to prison before Independence

1945	9,461	1948	7,970	1951	9,232
1946	9,177	1949	9,385	1952	9,985
1947	7,732	1950	8,572	1953	9,512

Source: W.C. Clifford, Crime in Northern Rhodesia

Prison reports for the years 1953 to 1963 when the Prison Service became federal are not available.

Table 2: Committals to prison after Independence

1964	37,523	1969	55,386	1974	50,143
1965	39,812	1970	49,183	1975	52,532
1966	42,265	1971	43,887	1976	53,075
1967	41,761	1972	46,190	1977	50,151
1968	46,289	1973	31,343		

Source: Annual Reports, Zambia Prisons Department (These committals include persons sent to prison on remand).

It can be seen from both tables that crime has terribly risen after Independence consequently the government of the Republic

of Zambia has declared a war against crime and rehabilitation of prison inmates is one of the weapons the government employs in order to combat crime. In his booklet entitled Humanism in Zambia and a Guide to it's Implementation Part II President Kaunda of Zambia has declared that reforming prison inmates should be the primary goal of our prisons as follows:

"We do not believe in punishing people for the sake of punishing them, we believe in reforming them".¹

2. Definition of Terms

(a) Crime

In this study must - for operational purposes - be understood in the same way as it is understood by the agencies of social control the police, court, prison authorities and all those immediately responsible for the introduction of rehabilitation programmes. This understanding is narrow and confines itself to understand crime as violation of the law. No distinction is made between white collar crime and the so called classical crime. However for analytical purposes it is necessary to keep this distinction in mind throughout the study.

(i) White collar crime: the main characteristics of this kind of crime is that it is committed by people in powerful positions to increase their wealth and privileges and to stabilize social inequalities. The damage done by people who commit white collar crime surpasses the damage done by classical crime many times and usually involves the magnitude of hundreds of thousands or millions of any one currency, e.g. using bribe money to increase profits, embezzlements A.S.O. Usually only

¹Kenneth D. Kaunda, Humanism in Zambia and a guide to it's Implementation. Part II, Lusaka - Government Printers 1974

Several hundreds of thefts or housebreakings can reach the damage of one embezzlement. Another characteristic of white collar crime is that those criminals who are involved in it are only seldom punished and hardly ever labelled as criminals, although they would deserve it so much more than somebody who lives in poverty and steals one hundred Kwacha.

(ii) Classical crime is crime mainly, but not only, committed by the lower class such as theft, burglary, assault, robbery or even murder. As we will see in the next chapter, the bulk of all crimes in most countries are classical crimes (petty crimes in comparison to white collar crimes) against property. Our sample of recidivists will verify this point particularly. For taking K10 or K100 here and there or breaking into a house and taking some food, some cloth or other things, people are supposed to be rehabilitated. This attempt of the lower class to get some material goods, which they lack, by illegitimate means most theories will consider as "a normal reaction to certain social structures and a dependant variable to those structures".¹ In other words the wider the gap between poor and rich and given some other structures (like over urbanisation a.s.o.) the more this reaction will intensify. But this is not the concern of law enforcement agencies or those responsible for rehabilitation so the first mentioned operational definition must be followed.

(b) Criminal: From the above definition of crime it follows that a criminal is a person who has deliberately violated a law and for the scope of this study it mainly means a person who has done so in a classical

¹Thorsten Sellin, "A Sociological Approach" in M.F. Wolfgang, L. Savitz, N. Johnston, The Sociology of Crime and Delinquency, John Wiley and Sons, Inc., N.Y. 1970.

sense and most important who was tried sentenced and convicted. But this definition is, of course again the narrow one used by the instances of social control and the one on which rehabilitation is based. It implicitly overlooks the fact that the majority of crimes especially of the white collar crimes never get to the knowledge of the police and that therefore the law breakers, the so called criminals in prison, only constitute a small minority of all law breakers, the unfortunate few who have been caught, while the criminals outside the prison have done the same or much more harm to society.

(c) Rehabilitation: Although officially prison authorities in many countries including Zambia are using three techniques, which - so it is believed-should bring about rehabilitation of prison inmates, which are discipline, treatment, education and the teaching of skills, for the purpose of this study only the teaching of skills is considered as rehabilitation. This, one could say is "rehabilitation proper" or "rehabilitation programme". This narrowing down of the term can be justified for two reasons. Discipline and treatment as it is exercised in prisons is so totally interlocked and diffused with punishment for the purpose of retribution and deterrence (as we will see later on) it constitutes so much of a mental torture for the vast majority of prisoners that it is too questionable whether these two techniques can ever bring about rehabilitation, since rehabilitation means motivating and enabling the prisoner not to commit crime again, but develop a sense of personal responsibility. It is already common knowledge that this cannot be done by punishment.

Secondly, only education and the teaching of skills was chosen to be considered as technique for rehabilitation, because this technique can be measured much more easily than the other two.

3. Statement of the Problem

Even though rehabilitation of inmates has been declared as a prison policy in Zambia so that crime be reduced we have a high percentage of recidivism (i.e. the return of ex-prisoners to the prison) as the following table shows:

Table 3: Percentage of first offenders and recidivists

<u>Year</u>	<u>First Offenders</u>	<u>Recidivists</u>	<u>Percentage of previous convictions</u>		
			<u>one</u>	<u>two</u>	<u>three or more</u>
1973	54.24	45.76	16.10	14.01	15.65
1974	52.42	47.58	17.66	14.72	15.20
1975	54.49	45.61	19.10	14.10	12.31
1976	58.41	41.59	20.17	11.23	10.19
1977	66.33	33.67	15.83	9.64	8.20
1978	55.21	44.79	19.68	14.07	11.04

Source: Annual Reports, Zambia Prisons Department (These committals include persons sent to prison on remand)

Although first offenders seem to constitute the majority of prisoners one must bear in mind that not all of them will remain first offenders simply because all recidivists have been first offenders at one time. And considering the percentages ranging from 33.7% to 47.6% of recidivists which would become even higher when persons on remand are substructured from the first offenders it can be said that actually the majority of prisoners are or become

recidivists. Since the percentage of recidivists in most years is almost half even a small percentage of first offenders who will return to prison makes the proportion of prisoners on which rehabilitation has failed or is about to fail a majority. In addition the percentage of recidivists does not even seem to decline, it remains high and rehabilitation cannot be considered successful.

One might argue: even if rehabilitation is not successful on the majority of prisoners it works at least on a minority. However it remains questionable whether this minority would have committed crime again without rehabilitation or even without imprisonment.¹ It could well be that the reaction of their families and friends was more or less a different one than the reaction of families and friends of recidivists, it could well be that religion prevented them from committing further crime, that they were lucky and did not lose their job while in prison and so on.² However the problem for which this study will try to find an answer is not, why do some people never come back to prison again, but why does the majority come back again and again inspite of rehabilitation?

¹Unfortunately there are enormous methodological constraints to the empirical investigation of this aspect. One would have to conduct a survey amongst people who have been in prison once or twice, but not anymore afterwards in order to see whether there are factors that distinguish them from recidivists or whether it was rehabilitation working on them. However it would be next to impossible to find such a sample especially not a representative one.

²"Measuring Crime" Task Force Report, Science and Technology, Presidents commission on Law Enforcement and Administration of Justice Washington D.C. 1967 in M.E. Wolfgang, L. Savits, N. Johnston, The Sociology of Crime and Delinquency, second Edition John Wiley & Sons, Inc. New York, 1970, p.102.

4. The Hypotheses

It was hypothesised that the intended positive influence of the rehabilitation programmes, which are supposed to make the prisoner abstain from further criminal offences are not as effective as the negative effects of imprisonment. These negative effects of imprisonment worsen the social situation of a large part of ex-prisoners in contrast to the intended improving of that situation by rehabilitation programmes, so that it compares unfavourably to the social situation at the time of the first offence; although social situation had already crime causing effects. In other words two forces of social influences are working on the criminal, a positive one, the rehabilitation programme, and a negative one, the prison environment with all its consequences. While the particular social situation of a large part of first offenders was the cause for committing or becoming a criminal, the worsened social situation after imprisonment is hypothesised as a result of the negative effects of imprisonment. To put it in a more systematic way, there are basically five hypotheses related to each other.

1. Rehabilitation programmes have less influence (cause) on the recidivists (effect) than the effects of imprisonment (cause).
2. Rehabilitation programmes are unable (cause) to eliminate the crime causing social situation at the time of first offence (effect).
3. The effects of imprisonment are the cause for the ex-prisoners' worsened social situation.
4. Either the previously existing or the worsened social situation becomes the cause for recidivism (effect).

5. No significant difference is expected between groups of people learning a skill in prison and those groups learning no skill because of the much more powerful negative effects of imprisonment.

5. The Method

Observation and description of rehabilitation programmes

I undertook observational tours in three big prisons: viz Kabwe Maximum Security Prison, Livingstone Central Prison and Lusaka Central Prison. In each prison before I started final interviews with prisoners I began by observing the prison inmates in different situations e.g. at work in prison workshops, in farms, gardens, and at play in football grounds. The indications which I noted and received during these observations enabled me to understand the social life of prisoners generally, and the intensity and effectiveness of the rehabilitation programmes in particular. By observation I was able to see the facilities provided for the rehabilitation of prisoners.

Kabwe Maximum Security prison was selected because it is the only prison in Zambia which keeps long sentenced inmates i.e. from 5 years to 40 years or more, and as such it is here that rehabilitation of inmates is supposed to be more efficient since skills are taught to inmates for a long enough period. Lusaka and Livingstone Central Prisons were selected because they contain a large percentage of recidivists.

Study of prisoners' files and selection procedures

All the files of the recidivists with three or more than three previous convictions were piled up in each prison. A

representative sample of one hundred recidivists was chosen from the files by selecting every third or fourth file. In Maximum security prison 60 recidivists were selected for interviews, in Lusaka Central Prison 25 were selected and finally in Livingstone 15 were selected. Some of the necessary information for this research i.e. types of offences, number of imprisonments, length of imprisonments, and length of intervals between imprisonments, were extracted from the files, this shortened the time for interviews and some proof of the correctness of oral interviews was made possible. The selection of only those recidivists with three or more than three previous convictions was chosen so as to be able to observe developments better and see differences for instance, between the situation before the first and last imprisonment clearer than it could be the case, if second offenders were included.

The questionnaire and the interviews

A structured, locked questionnaire was developed with some open questions (see appendix) and the interviews carried out with the free agreement of the prisoners. The main variable measured and used as a basis of comparison, as can be seen in chapter V and VI were age, income, area of residence, job situation, education, marital status and family situation.

Study of documents

In the description of the rehabilitation programmes in Zambia various documents were utilised. The most important being the following:

(i) Prison Act 1965: This is a legislation enacted to regulate the establishment and government of the prisons throughout the country.

(ii) Prison Standing Orders: These are documents which are issued by the Commissioner of Prisons in exercise of the powers conferred upon him by the prisons act. They are intended to spell out more fully what the prisons act means.

(iii) Prisons Regulations and Rules: These are documents which deal with the question of the administration of prisoners.

Case Studies

Five in-depth interviews were conducted with recidivists mainly bringing to light their life stories in order to see whether a qualitative analysis would support our quantitative findings.

The data was analysed manually.

6. The Objectives of the Study

This study tries to provide an analysis why rehabilitation programmes within the prison setting are failing to prevent recidivism. It tries to find out whether imprisonment has a negative effect on a large percentage of individuals. It tends to show that no significant difference exists in the social situation of these ex-prisoners who underwent rehabilitation programmes and those who did not. During all these analyses it might become clear that prisons actually never fulfilled their purpose as little as they do today: they do not prevent crime. It is also an attempt to provide a basis for further studies especially for the search of alternatives and for the evaluation of the already existing alternatives to imprisonment, an overdue problem, which can only be touched upon in passing here.

CHAPTER II

REHABILITATION AND THE THEORIES ON THE CAUSES OF CRIME

The reasons why people commit crime are a subject of great debate among the criminologists who have developed quite contradictory theories. For the purpose of this study the most important theories on the causes of crime should be analysed with special regard to their relevance to the idea of rehabilitation of prisoners.

1. The classical view

It was put forward by Cesare Beccaria in Italy (1738-94) and Jeremy Bentham in England (1748-1832)¹ This view explains criminal acts from the then general theory of action according to which human beings act based on their free will but following the hedonistic principle in that they seek pleasure and try to avoid pain. Punishment must be severe enough in order to outweigh the pleasure of the criminal act. The causes of crime are in no way related to society or its structure nor can society or even a small fraction of society, as for instance the family of a criminal be made responsible for the criminal act. The sole causes of crime are seen within the individual who is not willing to endure pain, but is pursuing pleasure when committing a crime.

As much as this theory is outdated amongst the social scientists and criminologists it is still incredibly up to date within the law, the legal institutions and actually the large majority of the rest of society, as we shall see when discussing the different purposes and effects of imprisonment.

¹discussed by George B. Vold, Theoretical Criminology Oxford University Press, New York, 1958.

The reason why this view, which is based on the notion of "free will" and the hedonistic principle is still very much up to date in the heads of judges, lawyers, clergymen and laymen is the fact that the fathers of this view were actually not interested in explaining crime, in setting up a theory (as little as are judges and students of law today) but they were social critiques and reformers, concerned with diminishing the extent of cruelty in the punishments of the 18th century and their theory came up so to speak as a social by-product.¹

Although this theory seems to be logically inconsistent in itself since the absolute freedom of will apparently must be diminished because of the imagined hedonistic principle that guides (forces?) people to pursue pleasure and avoid pain, it still does not lose its validity for law enforcement agencies because the adherence to the concept of free will is not based on scientific findings or logical thinking, but is a belief that almost takes the place of a religious belief and questioning of which is strictly forbidden.

However even such great thinkers as Kant believed that we must assume the existence of our free will for practical reasons although he admitted that we cannot prove it theoretically. Kant feared that the non-existence of free will would mean that all our actions are determined by outside forces and moral responsibility would vanish. However, as Odera Oruka states: without free will morality would not be possible or an illusion, but it would not include blame and punishment.

¹ D.O. Gibbons, Society Crime and Criminal Careers. Prentice Hall, New York, 1977, P. 130f

Even without a free will immorality and immoral conduct would still be censured and considered undesirable or repugnant to the good of the human community. But those who perform such conduct would not themselves be blamed or punished".....but....." the conditions and factors which cause people to perform immoral actions would be understood and removed."¹

It becomes clear from the above that as long as the classical view on crime is predominant in the attitudes and opinions of those responsible for our legal institutions as well as in the general public the aspect of punishment in dealing with law breakers will prevail over real rehabilitation and little or no attempt will be made to understand and remove causes of crime.

2. The biological theory

Although the belief that biological factors determine human behaviour is generally accepted by scientists and laymen alike the "findings" of the Italian Criminologist Casare Lombrosso (1836-1909) in the last century went too far and were disapproved in many ways. Lombrosso believed that criminals were born and tried to prove that they showed certain definite physical characteristics.² Apart from the shakiness of his and his successors methods we know today how erroneous it would be to do research on prisoners believing that those are the real criminals. It is an established fact that only a small number of all crimes gets to the knowledge of the police and a much smaller number of cases is successfully investigated and convicted. Research findings on hidden crime usually referred to as dark figures, tell us that the majority of people of most societies have been breaking the law at one time or the other.³

¹Odera Oruka, Punishment and Terrcrism in Africa, East African Literature Bureau, Dar es Salaam, 1976, p.8.

²D.G. Gibbon, cp. cit., p. 136f

³R. Hood & R. Spark, Key Issues in Criminology, Weidenfel & Nicolson, London, 1970. P.46.

So the prison population as already mentioned can only be considered as "the unfortunate few" who have been caught, while many others who committed the same crime have not been caught. Any attempt to find a different biological set up amongst the prisoners compared to the nonimprisoned population could only be built on false premises.

Also the fact, that what is called crime varies over time periods and from society to society renders a biological causation of crime illogical and is based on no grounds. If there would be any truth in a biological determination of criminal behaviour then punishment as well as rehabilitation would be absolutely and totally unwarranted and fruitless.

3. The theory of anomie

This theory was first developed even before the biological theory came about, namely by Durkheim.¹ This theory no longer, or better, already then, saw the causes of crime not in an individual action but in the social structure of society. Pathological social conditions, especially anomie, a state of lack of normative control and egoism, a state where social norms permit unrestricted individualism lead to crime. It is probably worth noting that Durkheim distinguishes between social and non-social causes of crime, as well as between normal and pathological and between functional and disfunctional kinds of crime. According to him a certain amount of crime is normal in each society but it becomes pathological when it exceeds the normal and accepted rate in times of anomie.

¹Emile Durkheim, "The Normal and the Pathological" in M.F. Wolfgang, L. Savitz, N. Johnston, op.cit., p. 11 ff

Then crime according to him is disfunctional. But in a normal state of affairs crime can have a possitive function, namely where it brings about social change. The two famous examples he gives are Socrates who had to drink the poison, because his teaching violated the then existing law and Galileo who was burnt because he found out that the earth is turning around the sun and not vice versa which went against the teachings of the Bible as it was understood at that time. All the freedom of thinking of the time of enlightenment could not have come about, according to Durkheim, if people would not constantly have broken the rules of the restricting legal system and other institutions. May be one could also see a positive function in the very frequent violation of laws protecting property. May be these frequent violations done by the recidivists of Zambia's prisons could carry the message that the property taken away so frequently by the lower class from the well-to-do must sooner or later be more equally distributed.

Merton further elaborated on Durkheim's thought concerning the theory of anomie within the functionalist analysis.¹ He like Durkheim rejects the psychoanalytic perspective. Morton restricts himself to the question of variables which determine frequency and the kind of deviance within a social system. Each society consists of a social structure and a cultural structure. The cultural structure consists of culturally defined goals and institutionalized means.

¹ Robert K. Merton, "Social Structure and Anomie" in M.F. Wolfgang, L. Savitz, N. Johnston op.cit., p. 138 ff and R.K. Morton, Social Thoery and Social S+tructure, Free Press, New York, 1957.

Norms define which means are permitted to achieve the goals and which are not. In the anomie type of society too much weight is given to the culturally defined goals and the means are neglected. In the American society Merton sees an example of this kind of disintegrated culture with too much stress on material goals: wealth and wealth-related success. Society is no longer capable to control means of individual satisfaction of wants. This problem of society's incapability or even unwillingness to control the means of individual satisfaction of wants can probably best be applied to Zambia's white collar crime. Here individuals of powerful positions have access to many means to increase their privileges, in other words, to satisfy their wants not to fulfill their needs. Since those individuals are in powerful positions themselves there is either no control or only a very weak one. People discovered committing white collar crimes are rarely put into prison and so we will not find them amongst the imprisoned recidivists.

Merton did not deal with white collar crime but used the official crime statistics of his time as a point of departure. We know today that in these statistics the lower class is very much over represented, because of the bias of the agencies of social control and in addition to this we know about the already mentioned dark figures, the fact that the majority even of classical crimes never get to the knowledge of the police and this dark figure is *obviously much bigger* in the category of white collar crime.

But since Merton took the official statistics as a fact and ignored white collar crime and since his original concept of anomie simply meant too much stress on goals and disregard for the means in the entire society he had to solve this apparent

contradiction that it is as he believed mainly the lower class who commits crime. So Merton had to redefine his term anomie. He elaborated more on the term social structure which he previously neglected. He defines how social structure as a system of normative regulations and a complexity of social relations in which the members of a society are differently integrated. Merton now distinguishes between a normative level of permitted goals and an actual level, the opportunity structure. With this formulation Merton "found" the obvious that within a structure of a society the actors have different access to the legitimate means and therefore class specify different chances to achieve societal goals. What would be more obvious in the Zambian society than this? although with one re-refinement: having less access to legitimate means, means at the same time having less access to illegitimate means. The lower class can only commit classical crime: steal and break into houses. They cannot embezzle or use large amounts of bribe money to increase profits. Usually in 100 thefts or house-breakings there is not so much money amassed than in one white collar crime. And for those petty things our prisons are overcrowded.

Merton finally understands by anomie the breakdown of the cultural structure which occurs especially where a sharp discrepancy exists between cultural norms and goals on one hand and the social structural opportunities to act accordingly on the other hand. This is probably one point in Merton's theory which is best applicable to the Zambian situation especially to the lower class of the urban population who is able to compare daily. The opportunities of the majority of the people to ever reach wealth

and success are almost zero but they at least would like to have a decent life. So here the discrepancy between the norms (which prohibit them from stealing) and the goals (that one should be dressed nicely and have nice furniture a.s.o) on one hand and the very slim opportunities on the other hand is felt most deeply which causes the lower class to engage in petty crimes against property. But according to Merton this cause becomes especially effective only against the background of an egalitarian ideology which postulates success as compulsory and reachable for everybody. Merton again had the American society in mind. Is the egalitarian ideology applicable to Zambian society? At the first glance, yes. Also here leaders do not get tired of proclaiming it as a classless one. Hard to believe for the masses who live in poverty and see the riches of the small upper stratum. This leads us to a major difference between the American society Merton studied in the thirties where poverty was not so rampant anymore as it is in Zambia now. America had already benefited from the industrialization of the West and the exploitation of the colonies and the lower stratum was no longer living in absolute poverty while in Zambia today the lower class 60% of the urban population (not to speak of rural poverty) still suffer from neo-colonial exploitation and the unequal distribution of wealth within the country. So if this lower class and especially the unemployed tries to get a little more property by stealing or breaking into houses it can hardly be considered as Merton's "striving for wealth and success" but fulfilment of basic human needs which it is deprived of.

In so far the theory of anomie can be useful as theoretical framework of analysis of our study of rehabilitation which of course presupposes an analysis of the causes of crime but only with

considerable changes and refinements as they have been mentioned in this discussion. The idea of rehabilitation could probably find the strongest support in this theory in so far as lack of opportunity of the lower class to achieve societal goals is seen as a cause of crime and rehabilitation intends to increase these opportunities by educating the prisoners and teaching them skills.

4. The theory of differential contacts

At the same time Merton developed his theory of anomie Sutherland developed the theory of differential contacts. He did not ask for structural conditions of society that could lead to crime, but what are the processes by which criminal behaviour is mediated from person to person or from a group to a person. He came up with the finding that criminal behaviour is learned just like any other behaviour. In any society people can have contacts with law-abiding groups or groups more in favour of law breaking. According to Sutherland an individual's behaviour is determined by which ever group one has "more" association with. The "more" according to him is composed of frequency, duration, priority and intensity of this association.¹

If one follows this theory then rehabilitation within the prison setting becomes once more problematic. The highest amount of discipline or even the learning of a skill would after release hardly change the particular group membership of a person, especially if he is not provided with alternative groups for association. In addition, if crime is learned and a prisoner is put together for years and years with people who have also learned crime it remains

¹E.H. Sutherland & R.D. Cressey, Principles of Criminology, J.B. Lippincott Company, Philadelphia, 1955.

questionable whether relearning via discipline and training can be successful. According to Sutherland the process of learning criminal behaviour includes the techniques as well as the motivation for it. Although Sutherland sees the individual too passive as if one would not have any other choice than just to learn crime, the motivation is still transmitted in a totally different setting. Whether in a prison setting, which the vast majority hates, anybody can be motivated to learn how to change behaviour or even change his group affiliation remains again very questionable.

5. The theories of subculture

In continuation of the structural functionalist theory of anomie the theories of subculture try to give similar explanation of the causes of crime with particular emphasis to youth delinquency in the form of gang delinquency. Although it is one of the most surprising findings of the survey of this study, that 86% of the recidivists got imprisoned the first time below the age of 25 years it is nevertheless questionable whether gang delinquency as such has taken shape in Zambia today. However some of the explanations of these theories might be useful to understand some causes of crime in Zambia and whether these causes are taken into consideration in the idea of rehabilitation or not.

In the theory of subculture Cohen propounds that people commit crime because they react to failure and frustration in regard to the value system of the upper stratum of society. The lower and upper class youths have the same aim of success and life style, but the former experiences failures on objective and subjective levels. The upper class institutions reject the youth

from the lower class frequently and this leads to subjective feelings of inferiority.¹ A glance into the educational institutions of Zambia and its colonial set up with its tendency to prepare pupils for white collar jobs and the enormous percentage of dropouts can tell us how much failure and frustration the Zambian youth experience especially from the lower class. If upper class pupils fail, their parents always find ways and means for alternatives.

According to Cohen a sufficient number of persons with the same experience of failure and frustration create a subculture where a different system of status is formed where the youth can be successful and retribute to the norms under which his ego has suffered by defining the opposite as "virtue" and "merit"; e.g. to be brave on burglary trips gives status within the gang and the more successful housebreakings the better.

Cloward and Ohlin found two more kinds of subcultures in addition to Cohens subculture as reaction, namely the criminal subculture, where criminal activities are seen as gainful business and which is not confined to youth only and the subculture of withdrawal meaning mainly groups of drug addicted youth.² More research is needed to find out to which extent both of these subcultures are found in Zambia and whether rehabilitation within the prison setting can counteract these subcultures.

6. The labeling theory

In the 1960s the history of criminology experienced a total departure from all previously developed theories. The labeling

¹ Albert K. Cohen, Delinquent Boys. The Subculture of the Gang, New York, 1955.

² R.A. Cloward & L.E. Ohlin, Delinquency and Opportunity, Glencoe, ILL. 1960.

theory with its phenomenological and interactional approach declared war to all previous theories on crime and crime causation including the structural functionalist theories. Common to all previous theories was the assumption that there exists a common system of values and norms in each society which enjoys general validity. This was fundamentally questioned by the labeling theory according to which values and norms are a social construct and are valid only if they are subjectively meaningful to the individual. In so far no individual really commits a crime but just follows particular values and norms in the action. It is only society which labels certain people as criminals. No prevention or curative measures are possible. What is recommended by the exponents of the labeling approach is radical non-interference. One must bear in mind that the exponents of this theory mainly had in mind such deviants as homosexuals and drug addicts. Deviance and criminality is seen as a process whereby the beginning of this process, the so called primary criminality or first offence is very much neglected in this analysis. The process of secondary criminality which includes the recidivists of our study, is seen as mutual escalation of crime control and sanctions. The more especially a juvenile is labeled as a deviant or sanctioned, e.g. when his significant others reject him the more he will identify with the role as a deviant and the more he will be controlled and sanctioned. The most crucial step in this process is getting arrested, imprisoned and being labeled as a criminal. After release society with its discriminatory attitude towards ex-prisoners takes care that the identification with one's role as a criminal is complete. So basically it is the agencies of social control and other societal sanctions which are responsible for the criminal career of individuals.¹

Considering the high number of recidivists of our prisons and that of many countries the world over there might be some truth in this theory of course within limits of application. The effects of labeling might be one of the constraints that render rehabilitation ineffective for too many.

It is probably one of the biggest merits of the labeling theory to have done away with the distinction between criminals and non-criminals, which is of course, related to the other merits of having found out about the unreliability of criminal statistics, especially the already mentioned dark figures. Since we know that the majority of people of most societies break the law at one time or another but are not discovered or officially labeled the only criterion that distinguishes criminals from non-criminals is the fact of having been discovered.

7. The Marxian theory on crime

In the same century as Durkheim developed his theory of anomie, but only some decades earlier in 1845 Engels wrote about the conditions of the working class in England.² He saw in crime the unorganised revolt of the working class against the capitalist order which brought misery to the people. This capitalist system also promotes criminal activities because it upholds free competition, individualism and egoism.

¹D.C. Gibbons, op.cit., pp. 214-220
and M. Phillipson, Sociological Aspects of Crime and Delinquency.
London, Routledge and Kegan Paul, 1976.

²Fredrick Engels, The Conditions of the Working Class in England,
Blackwell, Oxford, 1958.

Engels also refers to the crime of the bourgeoisie although these are not identical of what we understand today under white collar crime but they belong to the crime of the powerful. He is accusing the bourgeoisie of mass murder, whole sale robbery and all the rest of the crimes in the calender. In England at that time too many workers and their children were dying of malnourishment or leaving in misery because of starvation wages, unemployment a.s.o. similar to the situation of the third world today.

Marx referred to crime only sporadically but developed a theory of the state and the law. Law in a capitalist country is there to safeguard private property of all kinds and to reproduce the very system itself. The working class is disadvantaged by the laws of the capitalist economy and disadvantaged by the distribution mechanisms. Violation of the law is the only possibility to participate in the wealth which the workers themselves have produced. Crime against property is seen as the bulk of crimes which can be empirically proved today.¹

Crime according to the Marxian theory can be overcome after a successful class struggle of the workers against the bourgeoisie. Crime is still there in the socialist countries of today (although to a much lesser extent than in the capitalist ones) because no country has achieved full communism yet.

¹In West Germany in 1977 81.7% are crimes against property (D.K. Pfeiffer and S. Scherer, Criminology, Kohlhammer, Berlin, 1979) in Britain in 1971 there were 96% of all crimes against property (I. Taylor, P. Walton, J. Yound "Prospects for a radical theory and praxis concerning crime".)

Although this percentage is lower in Zambia, in 1977 55% of all the reported crimes were crimes against property (official statistics of the police headquarters) it is still the majority. In addition it is very well possible that the dark figure is particularly high as far as petty crimes against property are concerned.

It becomes clear from this theory that rehabilitation of individuals is useless, if not the working class itself brings about a radical change of the system. Only after the system is changed rehabilitation of offenders makes sense and is vigorously applied in most socialist countries in re-education camps and the like.

8. The critical criminology

This theory takes a critical stand against both the labeling as well as the Marxian theory on crime, but on the other hand tries to combine relevant aspects of both. It is necessary to recognise objective economic structures but we must combine these with an analysis of subjective consciousness and action.

Amongst the structural causes in explaining crime the political economy of the capitalist state as well as the political economy of the social reactions in a capitalist state are both considered as contributing factors. Amongst the immediate causes the social psychology of crime as well as the social psychology of the social reactions is considered. We can see here clearly the combination between the Marxian and the labeling approach. The Marxian approach sees as structural causes of crime only the capitalist political economy in other words the class structure and unequal distribution of wealth in that society and as immediate cause the social psychology of crime, namely the proletariats undeclared and unorganised war against the bourgeoisie. The labeling approach on the other hand considers the political economy of the social reactions in other words the alliance of the legal institutions and agencies of social control with those in power as structural causes and the social psychology of these institutions and agencies as immediate causes because their attitudes

and main aims are to protect themselves and to consolidate their power and to label anybody as a criminal who goes against their property and power.

However, critical criminology goes actually a step further: not only is the structure of a capitalist society considered as the cause of crime, but that very structure that state of affairs is seen as being criminal in itself. When children die of malnourishment, because of unequal distribution of wealth then this unequal distribution of wealth is considered as the crime, since it causes the untimely death of children. Those in power upholding such structures are then considered as criminals.

Another feature of critical criminology is its concern with the law and the legal institutions. While the labeling approach concentrated on the function of the instances of social control critical criminology concentrates on questions of how do these institutions come about, how are they organised internally, which consequences do they have and for whom.

To all these questions most exponents of critical criminology, who range from moderate reformists to radical Marxists and Neo-Marxists, do not only try to find an answer theoretically but also practically with a view to change society.

Rehabilitation of prisoners in a capitalist society according to this newest theory is of course irrelevant as much as it is for the labeling approach in general or for the Marxian approach before society is changed. Since the prison as a legal institution is questioned as such and crime is defined in a much wider sense than the narrow definition of a violation of the law, then there is no basis for rehabilitating violaters of a questionable law who are inmates of an even more questionable institution, the prison.

Summary

In the discussion above about the theories on the causes of crime, it is apparent that some theories give the rehabilitation of prison inmates a limited chance in the reduction of crime, the majority, however, especially the more recently developed theories, regard rehabilitation of prison inmates as not possible or of no value at all, at least not in a capitalist society.

Rehabilitation is not possible or almost impossible according to the classical view

the biological view

the theory of learning crime and

the labeling theory

For the classical view, to which we actually still owe the prisons as they are, namely instruments of punishment, rehabilitation especially as we understand it in this research, namely as the teaching of skills, is beyond its cope, such a thing was never thought of, when this theory was developed. The only aspect of rehabilitation that could be integrated into this view would be discipline, in so far as this discipline causes pain.

For the totally outdated biological theory criminals are born and rehabilitation would therefore be impossible, since rehabilitation cannot change the physical make-up of a person. Sutherland's theory of differential contacts, offers that criminal behaviour is learned. By having contacts with law breaking groups one becomes a criminal. Since in prison one comes into contacts with even more law breakers it becomes doubtful as to whether rehabilitation within the prison walls can be a success. Even if rehabilitation programmes within the prison would have a relearning effect they are unable to change the prisoner's group membership after release, so it is doubtful also in

this regard whether they are able to change the prisoner to a law abiding citizen. The labeling theory sees crime as a social construct. It is society which labels certain people as criminals. The more especially a juvenile is labeled as a deviant when others reject him the more he will identify himself as a deviant. This theory sees rehabilitation of prison inmates as impossible in this prison setting. This is because when a convict comes into the prison he is labeled as a criminal and society shuns him. He therefore identifies himself as a criminal and in the process his criminality deepens. When he gets released from the prison society discriminates against him. For instance he is denied employment. As a consequence his criminality deepens even further.

Rehabilitation finds little place in the theories of anomie and subculture.

The theory of anomie sees crime as emanating from society's social structure particularly when there is a sharp discrepancy between cultural norms and goals on one hand and the social structural opportunities on the other hand. Society sets goals, but lack of opportunities especially for the lower class to achieve these goals lead them to commit crime. According to this theory rehabilitation of prisoners would be of some value, but only to a very limited extent namely only in so far as it equips them with skills to achieve some of the society's goals. However it neither lifts the individual into the middle class nor does it change the society structure as a whole. So even if we imagine an ideal rehabilitation programme and each individual would be rehabilitated, thousands and millions of others would commit crime because of lack of means to achieve society's goals.

The different theories of subculture see juvenile delinquency and crime as resulting from the failures and frustrations of the lower class, especially the youth, to attain success. Since this is experienced more or less in the same way by many youths usually living in the same area, they come together and form a subculture with its own norms and values which contradict those of the official culture. Rehabilitating the youth would mean making him conform to the official norms and values e.g. hard working, brave and enduring in learning a skill not housebreaking. However even if this could be achieved the same limitations as in the theory of anomie would apply here. As long as a class is there in society whose members experience failure and frustrations because of their class position, crime will be there and not even the most ideal rehabilitation programme could wipe it out.

Rehabilitation is considered as not possible within the capitalist system by the Marxian theory and the critical criminology.

The Marxian theory sees crime as inevitable in a capitalist society. The capitalist economy is inherently crime producing. Its criminogeny is obvious in many ways for instance it creates the immoral, greedy, avaricious, economic man who accumulates wealth and property at the expense of others to further exploit others. It creates unemployment as well as marginal and meaningless employment, relative and real poverty. In short capitalism leads to the creation of haves and have-nots as well as the perpetuation if not the widening of the gap between them. So rehabilitation can only be meaningful after the proletariat has overthrown the bourgeoisie thereby creating a socialist state.

This is also basically true for the critical criminology however intensified in as far as the law and legal institutions as well as the prison in a capitalist society are questioned and the stress regarding crime is put on the state of affairs, the basis for rehabilitation is also questioned seriously.

So we can safely say that rehabilitation of prisoners without the change of the structure of society is not really based on any of the theories on crime, which would be one explanation of its failure and therefore make us understand recidivism.

CHAPTER III

THE PRISON AND ITS INMATES

The prison is a relatively new invention which came about at the beginning of the capitalist industrialisation in Europe in the 17th century. The first prison was established in 1555 in Britain. At that time 50-60% of the urban population in Europe lived below the subsistence level and the bourgeoisie did not want to be bothered by thieves nor by beggars: in addition the most cruel kinds of punishments, flogging and mutilation had only short term deterring effects so the prison came into fashion.

Imprisonment was always connected with hard labour, because the bourgeoisie started to discover the advantage of cheap labour power under conditions most favourable to themselves.

The replacing of physical punishment by prisons did not mean a more rigorous and less cruel penal system, because within the prisons the most cruel punishments persisted: cutting of scarce meals, shortening of resting hours, arrest, chaining and physical punishment were used frequently. Torture was only abolished in 1876.

Even today it is the bourgeoisie in most capitalist countries who does not want to be bothered by thieves or even beggars and who the labour force is taken advantage of, officially it is said that prisons are there to reduce crime. This works, so it is believed, through three basic ways: by retribution, deterrence and rehabilitation; these views seem contradictory to each other.

Special purposes of Imprisonment

Retribution

In its classical form it means mere vengeance that is an eye for an eye and a tooth for a tooth. In its modern form it means that the sentence of the offender should be proportionate to his

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culpability. In other words it should not be too short nor too long but be proportional to the gravity of the offence. It rests on the view that it is right for the criminal to be punished, because man is always responsible for his actions, society naturally hates criminals because they break it's norms and thereby threaten it's existence. It is therefore natural that criminals must be punished to the satisfaction of the society. Society likes to see to it that criminals get their just deserts because man has a natural instinct for vengeance. So the prison authorities must see to it that the offender remains in the prison for the whole term unless he earns a remission for good conduct and industry to satisfy the society's desire to punish certain offenders accordingly.

(b) Deterrence:

This is a utilitarian approach to punishment. It's premise is that punishment as an infliction of pain is unjustifiable unless it can be shown that more good is likely to result from infliction of pain. The good that is thought to result from punishing criminals is the prevention or reducing of a greater evil, crime. It works on the basis of the classical hedonistic calculus which states that human action is motivated by the consideration of pleasure and pain. Therefore a person does something because after calculating the pleasure and pain involved, he decides that the pleasure of doing the act outweighs the pain he will suffer for doing it. So according to the principle of deterrence after the offence has been committed the pains for committing such an offence has to be made more severe so as to outweigh the pleasure obtained from it. Deterrence as a principle of imprisonment is of two types viz. general deterrence that is preventing potential offenders from committing the offence in question

and specific deterrence, that is preventing the particular prisoner from committing again that or other offences. So by keeping the offender within the prison and subjecting him to strict discipline and other punitive measures we tend to show that deterrence is our aim of imprisonment. Capital and corporal punishments are meant to deter potential murderers and other serious offenders from committing offences. The question as to whether or not punishment deters is a controversial one. Capital punishment has been used to prove that punishment does not deter. It is argued that if fear of punishment deters the most severe punishment should presumably deter most effectively and certainly no punishment is more severe than death, no threat of punishment more drastic than the threat of death. Yet the Royal Commission on Capital Punishment¹ after scrutinizing the statistics from all over the world concluded that there was no evidence that abolishing of the death penalty has ever produced an increase in the murder rate or that restoration of the penalty has ever caused a decrease.

(c) Rehabilitation:

As a philosophy of imprisonment rehabilitation involves the encouragement of prisoners to abstain from criminal behaviour by providing them with social, educational or vocational facilities to such an extent as to enable them to conform to the social and economic pattern of life outside the prison world. It advocates the following:

- (i) Prisoners should as far as possible, be employed on work of vocational value; their work in prison should teach them new skills or increase existing skills so as to enhance their productive and earning power on release.

¹As quoted by SoI Rubin, The Law of Criminal Correction, West Publishing Co. St. Paul Minn. 1963, p.370.

- (ii) Special attention should be given to education.
- (iii) The exercise of personal influence on the character and training of individuals by members of prison staff.
- (iv) The provision of every opportunity for the development of a sense of personal responsibility including for suitable prisoners training in open conditions. Since rehabilitation will be discussed in detail in the next chapter it should remain brief at this point. However one quotation from the already mentioned Task Force Report, "Measuring Crime" could highlight its problematic:

"Rehabilitation appears in many cases to have been relatively ineffectual; limited data suggest that roughly one person in three released from prison will return and that over three quarters of those once arrested will be subsequently arrested. Rehabilitation is an extremely complex task in which methods that succeed in one instance fail in another. Furthermore gains in treatment may be easily effect by factors entirely unrelated to the criminal justice system, such as the inability of the offender to get a job or the acquaintances he makes when he returns to the community."¹

Taking these aims of imprisonment together it can be seen that every penal system has a dilemma. The dilemma is that every sentence should have an element of each of these three aims of imprisonment. That is it should retribute, deter and rehabilitate. The problem is that these aims are greatly opposed to each other; for example, retribution and deterrence naturally advocate for harsher and tougher prison conditions because they concerns themselves with vengeance and on the other hand rehabilitation advocates

¹Task Force Report "Measuring Crime" in M.E. Wolfgang, L. Savitz, N. Johnston, op.cit., p.111

for humane and better prison conditions. How then can these two directly opposite objectives be fulfilled together in the same prison? The proponents of retribution are likely to accuse those favouring rehabilitation of trying to turn prisons into hotels in which prisoners live in comfort and luxury, on the other hand the proponents of rehabilitation are likely to look at retributionists as uncivilized and out of date whose thinking and actions are those of the 19th Century who still advocate an eye for an eye and a tooth for a tooth. So the reconciliation of these aims of imprisonment is a big problem for any penal institution.

2. The effects of imprisonment:

There are a number of authors like Donald Cressey who maintain³ that prison experience is highly criminogenic in nature. They have the conviction that prisons make criminals and they will always remain what they have been in the last century, namely seminaries for crime, no matter what is done to the prison environment. There are however some who think that the prison can change the inmates from criminally inclined to law abiding citizens by the introduction of rehabilitative programmes in the prison. Those who think that the prison experience is criminogenic characterise the prison as a total institution in which the authority is autocratic. The prison officer issues orders and the prison inmates obey them without fail. Life is quite different in everyday institutions and that in a prison, sleep, work and play take place within a clearly defined geographical area, in company with the same

³ Donald R. Cressey, "Contradictory Directives in Complex Organisation, the Case of the Prison" Administrative Science Quarterly 0 (1961), 14.

people and under the control of the same authority. Prisoners' contact and communication with the outside, world is very limited and strictly controlled. In the prison as a total institution according to Gresham M. Sykes (4) Prisoners undergo five losses as follows:-

(i) The deprivation of liberty. Since the inmate must live in the confines of the prison his contact with the outside world is severely restricted.

(ii) The deprivation of goods and services. Once inside, the inmate has lost the privilege to choose for himself what he requires. He cannot own furniture for example, because it belongs to the prison, all that the inmate has is supplied by the institution.

(iii) The deprivation of heterosexual relationship. This is the state of being cut off from normal sexual intercourse with the opposite sex.

(iv) The deprivation of autonomy or independence. His behaviour is strictly controlled by subjecting him to a vast body of rules and regulations. For instance the language he uses in his letters, the hour he spends at work or in his cell, and the times at which he eats are all controlled.

(v) The deprivation of security. By sending our offenders to a prison they are automatically thrown into a prolonged contact with other men, who in many cases have a long history of violent, aggressive behaviour and therefore their security is in danger. The implication of a prison being a total institution is that a

(4) Gresham M. Sykes, The Society of Captives Princeton, N.J. Princeton University Press 1950 pp. 63-83.

prisoner is constantly in a mental torture and therefore whatever rehabilitative programmes are introduced in the prison; to him they mean punishment in disguise, the prisoner accepts them only as a part of his punishment.

In such an environment therefore there cannot be any rehabilitation as Sir Alexander Paterson¹ has said "you cannot train men for freedom in a condition of captivity". Clemmer describes the process by which the prison turns offenders into criminals and he calls this process prisonization.² He defines prisonization as the process of assimilation of the prison culture by inmates as they become acquainted with the prison world. By this process inmates assimilate antisocial attitudes and those other influences which breed and deepen criminality and as a consequence therefore when inmates are discharged from the prison they are graduates in crime and their behaviour upon release is contradictory to anticriminal norms of the outside world. Clemmer observes that the degree of prisonization varies with time spent in the prison, the longer the period spent in the prison the deeper is prisonization. In this way Clemmer maintains that imprisonment influences the rate and seriousness of crime. It is also maintained that imprisonment influences the rate and seriousness of crime by worsening the social situation of the offender. When an individual enters the prison he is separated from his wife and family; and the

¹As quoted by Lionel W. Fox, The English Prison and Borstal Systems, Rontledge and Kegan Paul Ltd., Broadway House, Carter Lane, London, 1964, pp. 68-74.

²Donald Clemmer, The Prison Community, New York, Holt, Rinchart and Winston, 1958, p. 229.

wife experiences all kinds of hardships e.g. financial problems, the burden of looking after children alone, sexual deprivation, e.t.c. As a consequence a lot of marriages break down as a result of imprisonment. Similarly an individual might have had a stable job prior to conviction but whilst in prison he loses his job so that when he comes out of prison he has no means of livelihood since most of the labour laws discriminate against ex-convicts as a consequence they revert to crime again. The stigma of having been in prison will make the ex-convict a lonely man without trustworthy friends; as a result he engages in criminal activities. All these are arguments which are advanced by several authors that prisons breed crime.

3. Different types of prisoners

Is every person whose conduct is deemed criminal in need of rehabilitation? It is an observable fact that not everybody who commits an offence and is sent to a prison is a hardcore criminal who needs to be rehabilitated. The shining example is a motorist who commits a traffic offence and is sent to a prison for two months. Is he in need of rehabilitation? Truly speaking he is not, because he does not live on crime, the commission of the traffic offence is accidental, all in all despite the fact that he is in prison he is still an honest and law abiding citizen. Clarence Schrage, (7) identifies four types of prisoners found in prison. The first type is called the "right guy" or the antisocial inmate who is highly

(7) Clarence Schrage, "Leadership Among Prison Inmates",
American Sociological Review, 19, (1954), 37.

recidivistic mainly from lower-class backgrounds with families having other delinquent members. They earn their livelihood on crime. In prison this type is antiadministration and pro-inmates code activities. The second type is called "Square John" or the pre-social inmate. This type shows no prison criminal pattern and no history of previous convictions, their offences are situational. In prison this type co-operates with the authorities and rejects the inmates code activities.

The third type is called the "Politician" or the pseudosocial inmate. In prison he displays chameleonic attitudes he shifts his allegiances from staff members to inmates and vice versa according to the exigencies of the moment.

The last type is called "Outlaw" or the antisocial. This type has a high recidivism rate mainly reared in foster homes or in very bad parental care. He lacks skills and abilities and does not plan for the future. In prison he is undisciplined, a trouble maker who is chiefly involved in riots, escape plots, and assaults on both inmates and officers.

This analysis shows that not everybody who is in prison needs rehabilitation. The "Square Johns" are situational offenders they do not live on crime they normally have good education and better skills, whereas the "right guy" and the "outlaws" are greatly in need of rehabilitation. The big problem here is that those inmates i.e. the "right guy" and the "outlaws" who are greatly in need of rehabilitation are the ones who are least motivated

to seek it. "Right guys", who stick to the inmate code and hate all what is authority can never benefit successfully from the rehabilitative programmes in the prison. This is because they do not accept, or rather they are not willing to learn from the prison officers since they hate them. In the case of the "outlaws" who are trouble makers, escapees, assaulters and rioters they cannot learn well because the prison officers are always strict on them taking care of what they do in case they plan to escape. So the types which could benefit very much from rehabilitation like the "Square Johns" do not very much need it, because they are educated and have skills and moreover their coming to the prison is accidental, crime is not their career.

Although we do not intend to prove Clarence Schrage's types of prisoners empirically in this study, the discussion can at least remind us that it is probably one of the main false assumptions of rehabilitation that the same method is supposed to work for everybody. It is an established fact that the prison population varies just as much as the outside population, e.g. we can find people of highest and people of lowest intelligence. In addition we need only common sense to understand that it is a different thing altogether if one steals food or even money because he is hungry or otherwise poor or if somebody makes stealing to be his career although he is not poor. The two types apparently need a totally different treatment.

Summary

Prisons are thought to be performing three main functions for the society:

- (a) Retribution - Which means that the sentence for offence should be proportional to the gravity of the offence or to the offender's culpability.
- (b) Deterrence - It is believed that imprisonment deters the criminals as well as the would be criminals i.e. it prevents the prisoner from committing further crime and the potential offenders from committing the first crimes.
- (c) Rehabilitation - This is the encouragement of prisoners to abstain from criminal behaviour by providing them with social, educational and vocational facilities to such an extent as to enable them to conform to the social and economic patterns of life outside the prison world.

These functions of imprisonment should be achieved simultaneously i.e. in every prison sentence there is an element of retribution, deterrence and rehabilitation. These aims even though they supplement each other they are at the same time contradictory to each other, for instance retribution and deterrence advocate for harsher penal systems whereas rehabilitation advocates for humane penal conditions. Prison experience is regarded by many authors as highly criminogenic in nature. Prisoners assimilate antisocial activities through a process called prisonization. This makes rehabilitation of prison inmates in the prison rather difficult.

The other obstacle for the rehabilitation of prison inmates within the prison setting is that the prison population varies just like the outside population. In prison there are prisoners who are as law abiding as any other people who are not in prison, they happen to be in prison accidentally and these do not need rehabilitation because they do not live on crime. There are at the same time hardcore prisoners who live on crime and these prisoners are difficult to rehabilitate because they are unco-operative and in most cases uneducated and there is a wide range of different types between these two extremes. The prison authorities tend to provide rehabilitation programme uniformly in the prison without taking into consideration that the prison population varies.

CHAPTER IV

REHABILITATION IN ZAMBIA'S PRISONS

As mentioned in the introduction Zambia's Philosophy of Humanism does not believe in punishing people but in reforming them. However this remains very questionable since Zambia's prisons do not seem to be very different from other prisons in developing countries. Since Zambia is a developing country and lacks resources the prisons are of course much worse off in many aspects than in the Western world.

In addition it can be shown that prison's rules and regulations as well as the rationale for rehabilitation have been taken over from the colonial power or from other western countries. In Britain as well as here three techniques are considered to rehabilitate prisoners:

discipline

treatment

education and the teaching of skills.

1. Discipline In Zambia prison inmates are subjected to a host number of rules and regulations which are strictly enforced. Discipline is considered to be one of the most important tools of rehabilitation. The inculcation of discipline in the minds of prison inmates is intended to help prisoners to cope with life when discharged from the prison, that is to be law-abiding. So we can see that here the cause of crime is seen in lack of discipline closely related to the classical view, of the 18th century discussed in chapter I and refuted by all theories on crime of this century. Discipline is intended therefore to induce an offender to conform to the proper standards of behaviour within the community. How much here as well as in the West, the

fact that the cause of crime must be seen in societal structures, is overlooked as well as the fact that learning cannot take place in a state of mental torture shows the following quotation from the Manual of Correctional Standards of the American Correctional Association which states¹

"Discipline looks beyond the limits of the Inmate's term of confinement. It must seek to ensure Carry-Over-Value by inculcating standards which the inmate will maintain after release. It is not merely the Person's ability to conform to institutional rules and regulations but his ability and desire to conform to accepted standards for individual and community life in free society. Discipline must develop in the inmate personal responsibility to that social community to which he will return."

The minor and major offences within the prison setting as well as the minor and major punishment for them which are laid down in the Prison Act Cap 134 of the laws of Zambia shows the big discrepancy between Zambian Humanism and the reality of prisons with its most cruel punishments as well as the discrepancy between the development of personal responsibility -- which would be an essential part of rehabilitation -- and absolute submission and force. The minor offences are as follows:--

- (i) disobeying any order of the Officer Incharge or of any other Prison Officer or any rule or order made by prison authorities.
- (ii) treating with disrespect any prison officer or person authorised to visit the prison.
- (iii) being idle, careless or negligent at work or refusing to work.
- (iv) using any abusive, threatening, insolent or other improper language.

¹American Correctional Association, Manual of Correctional Standards (New York, The Association, 1959) p.232

- (v) being indecent in language, ~~act~~ or gesture.
- (vi) committing any assault or act of violence.
- (vii) communicating with another prisoner, or any other person without authority.
- (viii) leaving his cell or ward or place of work or other appointed place without permission.
- (ix) disfiguring, damaging or interfering with any part or fitting of the prison or any property which is not his own.
- (x) receiving or having in his possession any prohibited article or attempting to obtain such article.
- (xi) making repeated and groundless complaints or malingering.
- (xii) quarrelling with other prisoners.
- (xiii) wilfully bringing a false accusation against any prison officer or other prisoner.
- (xiv) doing any act calculated to create unnecessary alarm among prison officers or prisoners.
- (xv) committing any act of insubordination.
- (xvi) refusing to wear the clothing issued to him or exchanging, losing, discarding, damaging, altering or defacing any part of it.
- (xvii) offending in any way against good order and discipline.

The major offences are as follows:

- (i) mutiny or incitement to mutiny.
- (ii) committing or taking part in an assault or attack on a prison officer.
- (iii) committing or taking part in an aggravated or repeated assault on another prisoner.
- (iv) committing a minor prison offence after having twice previously been found guilty of the same minor prison offence.
- (v) escaping, conspiring with a person to procure the escape of a prisoner or assisting another prisoner to escape from the prison in which he is detained or from a conveyance, hospital, or other place whatsoever where or in which he may be or whilst in course of removal in custody from one place to another or from any other lawful custody.
- (vi) possessing any instrument or other thing with intent to procure his own escape or that of another prisoner.

- (vii) committing any act of gross misconduct or insubordination.
- (viii) attempting to commit any of the foregoing major prison offences.
- (ix) aiding or abetting the commission of any of the foregoing major prison offence.⁽²⁾

A charge in relation to an offence against prison discipline is heard and determined by an officer incharge or a visiting justice. Where a prisoner has been found guilty of an offence against a minor prison offence following hearing and decision of the charge the punishment inflicted can be one or more of the following:³

- (a) Confinement in a separate cell for a period, not exceeding seven days.
- (b) Confinement in a separate cell with penal diet not exceeding seven days.
- (c) Reduced diet with or without confinement in a separate cell for a period not exceeding seven days.
- (d) Forfeiture of remission of sentence not exceeding ~~thirty~~ thirty days of the total remission earned.
- (e) Extra work for a period not exceeding three days.

The punishment inflicted for a major prison offence can be one of more of the following:-⁴

- (a) Confinement in a separate cell for a period not exceeding twenty-five days.
- (b) Confinement in a separate cell with penal diet for a period not exceeding twenty-five days.
- (c) Reduced diet, with or without confinement in a separate cell for a period not exceeding twenty five-days.
- (d) Forfeiture of remission of sentence not exceeding sixty days of the total remission earned.

²Prisons Act 1965 pp. 435-427

³Ibid p. 428

⁴Ibid pp. 429-430

- (e) Extra work for a period not exceeding ten days.
- (f) Reduction in stage or postponement of promotion, in stage, of forfeiture of privileges.
- (g) Forfeiture of earnings not exceeding three quarters of the amount earned.

In a time where punishment is more and more disappearing in the homes, the schools and the church based on psychological findings, the rationale behind these cruel punishments shows absolute lack of knowledge. It is the argumentation from the last century. For example if a prisoner is in solitary confinement in a punishment cell it is hoped that he will take the opportunity to think what he loses by being completely cut off from the prison community as well as from the general community. His desire towards resocialization and reformation is supposed to be awakened. If punishment would not be out of all proportions especially against petty offences against property (e.g. for stealing a cupboard worth K140 - one goes in for five years although this sum of money is given as salary for 2-3 days to people in high positions for sometimes no work) and if all the other shortcomings of the prisons already discussed would not be there then forfeiture of remission would look less cruel at the first glance. The fact that the prisoner has to stay longer in prison if his conduct is bad will stir in him the will to behave well, so it is hoped. And it is also hoped that after release the prisoner will reason that if he "behaves well" he will not have to go to prison again. Unfortunately the majority of prisoners do not reason like that. It is actually surprising that after centuries of failure of the prison in the West this argumentation is still not abandoned. It becomes once more clear that the causes of crime are not misbehaving as such; and even if it

would be called misbehaving then this misbehaviour is caused by societal forces which are far beyond the individuals control. Looking at the list of offences it becomes apparent that they are much too detailed leaving a prisoner without any freedom of activity at all. This makes prison discipline too distant from the reality of life outside the prison walls. They prohibit almost everything that a prisoner may wish to do. In the process more infractions are made and more punishment meted out. This situation leads to a prisoner to be hostile to the prison administration and the community as a whole thereby making rehabilitation impossible.

Some of the methods of punishment which the custodial officers use unofficially are still inhuman, brutal and barbaric in nature. The use of force and physical punishment is still prevalent in Zambia. Prison officers still resort to flogging, beating with fists and clubs, handcuffing to cell doors, exposing prisoners to the cold etc. Prison officers are always seen moving with clubs and in most cases prisoners are beaten indiscriminately. The use of force does not promote rehabilitation in any way it only brings more violence and a state of anarchy as it is well known that violence begets violence, Prisoners sometimes retaliate against some individual officers who use force on them.

2. Treatment

Treatment means the mode of dealing or handling prisoners in general, it includes such things as the rights and privileges of prisoners, facilities provided to them, and the relationship between prisoners and the prison staff. Good treatment of prisoners may lead to the prisoner to abandon his antisocial behaviour and

thereby enable him to lead a useful life when discharged from the prison. The question remains whether stealing such small quantities by those who don't have from those who have is really antisocial behaviour. Naturally a prisoner develops a hostile feeling towards members of the society because he feels that he is rejected, his reaction is that of hostility towards members of the society. So conditions in the prison - in total contradiction to the reality of Zambia's prisons - should ideally and officially not be such that they increase and deepen this hostility, instead they should build confidence in the prisoner and make him discover himself and believe in his worth thereby bringing him closer to the society. Treatment therefore should make the prisoner realise that the society still wants him back, that he is not an outcast or rejected. Prison life should not be a hell on earth but a place where people should be helped to abandon their antisocial behaviour and take their role as useful citizens.

It is sometimes argued, that if treatment in this ideal sense should be achieved, people would flock to prison, especially in a developing country like Zambia where unemployment is probably around 35% and poverty widespread. In prison they could get fair treatment and secure at least one meal a day or even two. However no proper research has been carried out, to show how much this assumption can be based on facts. As far as the real prison conditions of today are concerned our sample survey shows, that the majority of the prisoners neither see their imprisonment of being useful nor do they show any liking for it. The question: are you gaining anything from this imprisonment and did you gain anything from any other imprisonment,

was negated by three quarters of the sample.

Table 4: The utility of imprisonment

	Present imprisonment	Previous imprisonment
Yes	24	26
No	76	74

In table 5 below the majority of the recidivists were either depressed, guilty or were feeling ashamed of being in prison. These feelings support the views expressed by many theorists as discussed in the previous chapters that an individual should be exonerated from criminal responsibility. Individuals commit crimes because of the factors which are beyond their control. By being ashamed, guilty and depressed for having broken the law, it implies that no one really wants to be a criminal; everybody wants to be law abiding, but because of the circumstances which are beyond the individual's personal control, the laws are broken. Rehabilitation programmes therefore, could only be successful if they would equip the individual, prison inmates with skills which would enable them to cope with life dictated by their respective environments outside the prison and if

Table 5:

Reaction to imprisonment

	%
ashamed	43.5
guilty	44.5
depressed	44
angry	4.3
revengeful	0.5
indifferent	1.4
Total	138.2

in addition the structure of society would change and unemployment kept at a minimum level.

The question, do you think the length of the sentence is proportionate to your offence, was also negated by 60%. It is however surprising that the considerable proportion of 40% considers their suffering appropriate to their offence could well be, since all of them are recidivists, that their long "criminal career" they got used to such sentences.

Our sample of recidivists was also asked: what do you consider as the worst thing during your imprisonment, and

each respondent was allowed to make up to three choices from the eight codes given.

Table 6: The worst thing during imprisonment

	%
The separation from wife and children	40
The work which is too hard	35
Having no sex	27
To live and sleep with too many people	23
Treatment of prison officers	13
No alcohol	5
Others	5
Nothing bad	5
Total	148

Separation from wife and children was most frequently indicated as the worst suffering of imprisonment, followed by too hard work. It is probably interesting to note that in a sample survey of ex-prisoners in Austria where 149 people were interviewed who had left prison shortly before the interview,¹ also exactly 40% found separation from their families as one of

the worst thing of imprisonment, although there to live and sleep with too many people ranked higher because this was indicated as one of the worst sufferings by 53%. Work which does not seem to be too hard there was disliked only by 8%, but the fact that one cannot have sex by 36% and the treatment by prison officers by 31%. Bad treatment by prison officers does not seem to constitute a major suffering in Zambia's prisons (13%) although not the least either.

This shows some internal consistency of the results because of the 6 codes of question 73 - how do the prison guards treat you - also 15% chose "brutal" and "rude" although an additional 19% said they were unfair. However it is a majority (57%) who consider them as fair and 9% even as friendly and very nice.

Table 7: Treatment by prison officers

	%
Brutal	6
Rude	9
Unfair	19
About fair	57
Friendly	6
Very nice	3
Total	100

¹S. Knauder, The Social Situation of Ex-prisoners in Austria, unpublished material, 1980.

In the already mentioned survey in Austria also 12% considered the prison officers as brutal and rude, 24% as unfair, 25% as fair and 32% as friendly or very nice.

This more or less positive picture also in Zambia becomes much worse when the treatment by the police is analysed. Here two thirds were pushed, slapped or injured (30%) during interrogation.

Table 8: Treatment by police officers

	%
Threaten you	9
Push you around	11
Slap you	25
Injure your body	30
They were fair and polite	25
Total	100

Did the comparison between Zambia and Austria of the judgment of prison officers seem to be in favour of the later the comparison between the police officers during interrogation does not. There seem to be countries in the so called "developed West", where the police are even more brutal than in some African countries. There is the already mentioned survey where even 36% said they were injured during interrogation. But surprisingly enough exactly the same percentage a mere 24% found the police fair and polite. If Zambia follows the Western path then the police will go on with its cruel illegal business for centuries to come. This breaking of the law can be considered as much more crucial than all these petty thefts of our recidivists, but the state does not at all intend to

inflict punishment on the police. What a hypocritical law, the breaking of which is deliberately and consciously encouraged. There is only one way out of it; a neutral lawyer must be present in all interrogations as it is done in Sweden. The attitude formed by these experiences of police brutality greatly influences the future idea and behaviour of recidivists. If a recidivist is treated harshly from the time of his arrest, he is likely to feel that his punishment has begun before he has even been proved guilty. If questioning is accompanied by verbal bullying or physical beating, the recidivist will get the impression that the police regard themselves as "above the law" rather than servants of the law. This will convince the recidivists of the unfairness of the system from the very start. The pains of imprisonment in addition to the recidivists, reinforce the grudges and grievances against the system which have already been formed, through the police brutality. This therefore implies that a recidivist comes to the prison with a negative attitude towards the law enforcement agencies in general. This attitude makes the rehabilitation of prison inmates whilst in prison difficult. There is therefore a strong possibility that under the system as it now operates i.e. unfairness of the police, the experience of being brought to justice is far from reforming the offender, actually it strengthens his criminal tendencies and simply supplies him with a return ticket to prison.

Another aspect of the treatment of prisoners becomes clear when we look into their daily schedule. A prisoner's working day starts at 7.30 am. At 5.30 in the morning the inmates are summoned

from sleep by three loud strokes from the gong, in fifteen minutes they should be dressed and be ready to be counted in order to ascertain that nobody has escaped from the prison during the night. After counting they are required to stand in queues according to their working parties in readiness to be taken away to their respective places of work. The working hours extend from 7.30 a.m. to 1.30 p.m. from Mondays to Fridays with no interval of meals. Prisoners do not take breakfast they have only two meals diner and supper. Dinner is taken immediately after labour almost at the same time with supper with only few minutes interval. At 4.30 p.m. all prisoners are required to queue up to be counted and thereafter locked up in their cells to sleep.

The prisons Act 1965 lays down the rights of prisoners.

Some of these rights are:

- (a) Communication with the outside community
- (b) Medical facilities
- (c) Religious facilities
- (d) Right to consult the respective lawyers
- (e) Release on parole.

(a) Prisoners are allowed to be visited by their families once every two weeks on Sundays. They are also allowed to write and receive letters subject to censorship. The only flaw is that such visits are too brief lasting for ten to fifteen minutes only and when such visits are taking place there should not be any physical contact between a prisoner and his visitors, i.e. they cannot sit side by side but separated either by a meshed wire or wall with pigeon holes. To make matters worse a prison officer must be nearby when a prisoner and his visitor are talking to each other, he must listen to all the conversations and the

prisoner and his visitors must speak in a language which the prison officer understands. These restrictions deepen the prisoners hostilities towards society, because he feels that he is an outcast.

(b) Medical facilities are provided for prisoners. Every prison has it's clinic headed by a qualified medical assistant on secondment from the ministry of health. The Officer Incharge must hand to the medical assistant a daily list of prisoners who are ill, or who complain of illness. Where a prisoner needs a specialist treatment he is referred to the big hospital or if a prisoner appears to be insane he is referred to Chainama Hills Hospital. Whenever the medical officer is of the opinion that the life of any prisoner is being endangered by his continuance in prison he must state that opinion together with the grounds for it in writing to the Officer Incharge of the prison who must send the report to the Commissioner of Prisons. The Commissioner of Prisons will seek authority from the President of the Republic of Zambia to have the prisoner released from the prison on the grounds of bad health.¹

(c) Prisoners are also allowed to attend church services within the prison. Priests and other religious leaders are allowed access to prisoners on Sundays, and religious literature is not subject to censorship.

All these efforts to achieve the rehabilitation of inmates through good treatment of prisoners are frustrated by the bad relationship between prisoners and the custodial staff. Prison officers are prohibited to be familiar with prisoners. The

¹Prisons Standing Orders, Government Printers Lusaka p55.

social distance between prisoners and staff is very wide and the relationship is based on the good versus evil dichotomy. The staff's role is to command and so represent the good and the offenders who have been labeled as criminals are expected to obey the commands and so represent the evil. The prison officers of this country believe in the old saying "familiarity breeds contempt". They believe that by being familiar to prisoners escapes from prisons would be prevalent. In the colonial days prisons officers were told "Kaili ali Njoka" which means a prisoner is a snake do not come near to him. This mentality still prevails among the prison officers. An ex-prisoner is not allowed to come to prison to visit his friends until after six months after release from the prison.

It is therefore doubtful whether without a measure of familiarity rehabilitation can take place. Familiarity is necessary in order to reduce in the minds of the prisoners that they are outcasts of society.

3. The provision of Industrial and Agricultural Skills and Education

The provision of industrial skills, agricultural skills and education is considered by the government as by far the most important tool of rehabilitation. When prisoners are admitted in the prison the Reception Board¹ which is composed of the Officer-Incharge of the prison, other senior prison officers and a medical officer meets to interview the prisoners and decide who should go to industry, agriculture and education. The Reception Board takes into consideration when allocating prisoners the skills which each one of them knows before coming to prison, the

¹Prisons Act, government Printers Lusaka, p.78.

length of the sentence, type of offence, character and educational backgrounds. Those prisoners who possess skills before coming to prison, those who are serving long sentences, and those who have committed dangerous offences stand a very good chance of being placed in either carpentry or tailoring shops. In total contradictions to the principles of rehabilitation, those who possess skills already are preferred over those without skills, because the prison department is profit oriented, it competes with other industrial enterprises in producing goods of high quality and quantity. Those prisoners who serve long sentences and those who have committed dangerous crimes like armed robbery cannot work outside the prison for fear that they might escape so they can only work either in carpentry or tailor shops which are inside the prison and heavily secured. The prisoners with good educational backgrounds stand a better chance of continuing their education in the prison than those who are illiterate, which shows that rehabilitation is not really taken seriously. Prison farms and gardens absorb prisoners of short sentences and those who committed less serious offences. It must be pointed out that prison industries, agriculture and education only take a small number of the prison population the majority of the prison population are given non-rehabilitative jobs such as kitchen duties, cleaning the police stations, cleaning the courts, cleaning prison officers quarters and clubs, cleaning the town. It is a custom that every police station, court, and Town must have a group of prisoners assigned to it doing all sorts of menial jobs every day. So if a prisoner is assigned by the Reception Board to work for a particular police station he will be going there everyday until when he is released from Prison. The jobs which prisoners do

at these stations are mainly cleaning offices and surrounding, polishing shoes and slashing grass.

Summary

There are three techniques for rehabilitating prisoners in Zambia viz. discipline, treatment and the teaching of vocational skills. these techniques have been inherited from the colonial government and are based on the western model. Their success in developing countries like Zambia is questionable, because of the major differences which exist between industrialized and developing nations especially with regard to resources and manpower. In addition, some of these techniques are still based on the out dated classical theory on the causes of crime which sees no connection between crime and social structure and therefore are not based on the insights of contemporary social sciences. For instance the inculcation of discipline in the minds of prisoners is thought to help prisoners to be law abiding when released from the prison. But discipline is mainly experienced as punishment, it leaves prisoners with virtually no freedom of action and robs away prisoners personal responsibility which is an essential part of rehabilitation.

Treatment as a tool for rehabilitation is inhibited by the unfairness of the law enforcement agents i.e. unfairness of the courts, police brutality and the cruelty of prison officers. Over crowdedness in the Zambian prisons as well as lack of trained and highly educated manpower and resources also makes good treatment of prison inmates very difficult. The pains of imprisonment viz

the deprivation of liberty the deprivation of goods and services, the deprivation of heterosexual relationship, the deprivation of autonomy or independence and the deprivation of security makes the prison environment very uncongenial to good treatment.

Nevertheless there is some rehabilitation going on in Zambia's prisons: industrial and agricultural skills are taught and some education, to a very limited extent though, is provided.

CHAPTER V
THE SOCIAL SITUATION OF RECIDIVISTS

It was one of the main concerns of this study to find out what really is the social situation of our recidivists like. In accordance with most of the theories, classical crime is mainly committed by the lower class. We hypothesized that it was actually the bad social situation which has a crime causing effect; this situation we thought is worsened by repeated imprisonment.

In this chapter we will see how far our hypothesis can be proved or must be rejected. Of course only a limited number of variables could be considered to determine social situation,

these were: age,
 income,
 area of residence,
 occupation,
 education and
 family situation (both natural and marital)

1. Age

One of the most unexpected findings in our survey was the age of first offenders. Although it was known that the population of developing countries in general and of towns and cities in particular is considerably younger¹ than the population of

1. M. Peil, Consensus and Conflict in African Societies, Longman Group, London, 1977, pp. 329-330, and M.E. Clinard and J.D. Abbott state in Crime in Developing Countries on p. 84-85 that in Africa South of the Sahara 40% of the total population were under 15 years and roughly 60% were under 21.

industrialised countries, this would not necessarily mean that 72% of first offenders must be below the age of 25 and 39% below the age of 20 years. However, Tanner's study in East Africa supports our findings to some extent since he found an average age of convicted persons of 25 years,¹ although this does not directly show the age of first offenders of recidivists.

The picture changes drastically if we consider the age of recidivists at the time of interview, where the selective criteria was at least two previous convictions. Now only 11% are below 25 and 27% are above 40 years.

Table 9: Age of Recidivists⁺

AGE	Before first imprisonment	Immediately after first imprisonment	Before last imprisonment
20	39	35	0
20-25	23	36	10
26-30	14	15	25
31-40	13	12	38
41-50	1	2	10
51-60	0	0	0
TOTAL	100	100	100

This shows that the majority of the recidivists begin their

1. R.E.S. Tanner, Three Studies in East African Criminology, Skandinavian Institute of African Studies, Uppsala, 1970.

+ In this and some of the following tables of this chapter the number equals the percentages because we had a sample of one hundred.

criminal careers while young. A number of them probably begin serving their sentences in juvenile institutions such as remand homes, approved schools and reformatories before they come to prisons when they attain the age of eighteen years.

Young men are particularly likely to get into trouble because they migrate in the largest numbers, and must face most fully the discontinuities brought about by social change. Traditional ceremonies symbolising adulthood and full membership in the community seem less meaningful in the urban areas. Moreover the schools have socialised them to expect independence and wage employment, and they are often faced with unemployment or low income in societies which glorify material possessions.

2. Social status of recidivists.

(a) Area of residence

Although the bulk of all petty crimes against property is committed by low income people living in low cost residential areas this does not necessarily mean it must be the lowest cost housing areas, as for instance squatters, and it does not mean that all low cost housing areas automatically harbour the highest number of criminals. Clifford found out in West Africa that the disadvantages of low-income, poverty and misery do hinder an immense number of people from resisting the temptation, to commit petty crimes against property.¹ However, Bamisaiye reveals that crime is not confined only to the low income group. In his study in Ibadan he discovered that crime was higher in areas where the middle income immigrants lived, than where the low-income indigenous people lived.²

1. William Clifford, An Introduction to African Criminology
Nairobi: O. W. P., 1974, p.187.

2. A Bamisaiye "The spantial Distribution of Juvenile Delinquency and Adult Crime in the City of Ibadan;" International of Criminology and Penology, 2, 1974; pp. 65-83.

He attributes this finding to the fact that in the place where the indigenous people lived there were effective social control mechanism, which inhibited the occurrence of both juvenile delinquency and adult crime. Offenders were more often handled without reporting them to the police, than in areas in which the middle and high-income immigrants lived. Clinnard and Abbott also found significant differences in crime rates within the low-income Section of Kampala society. They discovered that where the community elders continued to maintain their authority and were able to promote cohesiveness, crime rates were low, and where cohesiveness did not exist the crime rate was high.

"By cultural homogeneity and strong emphasis on tribal and kin ties, members of the low crime community manage to evade, the heterogeneity, impersonality, and anonymity that prevailed in areas of high crime. The predominance of primary bonds reduced the propensity to steal from a neighbour and made the unnoticed entrance of a stranger less likely. Older persons demonstrated a critical capacity to maintain the unity of the population and helped to enforce compliance to community rules.¹

Martin says concerning the squatter areas in Zambia that people are basically the same than in any other place but they have a more effective system of government. The police are almost absent in squatters; people do their own policing. The City Councils gave no services to the squatters and have no control over them. The self government functions mainly through the the medium of the party. The squatter community had coherence and stability while in conventional housing areas such as Matero

1. M.B. Clinnard and D.J. Abbott, Crime in developing Countries, John Wiley & Sons, New York, 1973, p. 257.

"every man is to himself". The people of squatter areas are often involved in self-help projects as constructing clinics, bus shelter a.s.o. Squatters are the bridgehead between rural and urban life.²

But what does the survey of our recidivists reveal concerning the Zambian low cost housing areas and squatters respectively? Before we can answer this question it is necessary to discuss another main finding which Table 10 reveals, namely the extreme under-representation of the rural population amongst the recidivists.

Table 10: Area of residence of recidivists

Housing Area	Before first imprisonment	Immediately after first imprisonment	Before last imprisonment	National distribution of population
High Medium	15	12	6	4.2
Low Cost	39	37	35	19.2
Site & Service	4	6	6	6.4
Squatter	20	21	42	12.2
Village	22	24	21	58.0
Total	100	100	100	100

The fact that the village population is extremely under-represented amongst recidivists before first as well as before last imprisonment as Table 10 shows can have basically two reasons. Either people commit less crime in villages on one hand (because there is not so much property around or because cultural values, norms and social control is till more intact) or offenders are dealt

with in local courts under customary law on the other hand or both reasons are at work. But even if both reasons are the case the former seems to have the higher relevance.

Because if we now have a look at Table 11 it seems as if it were the city environment proper particularly the high¹ medium and low cost housing areas (not the squatters which under some aspects could be called semi-rural areas) which cause young men to take up a criminal career.

Table 11: Area of residence of recidivists coming from and returning to urban areas only.

Housing	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment		Proportion of population ²
High/Medium	15	19.7	12	16.4	6	7.6	8.4
Low Cost	37	49	34	46.5	5	31.6	43.4
S & SS	4	8.5	6	8.3	6	7.6	16.5
Squatters	29	26.3	21	28.8	42	53.2	31.7 ³
TOTAL	76	100	73	100	79	100	100

1. Although one must bear in mind that recidivists who said that they came from a high cost housing area could have been house servants themselves or sons of those.
2. Extracted from the Third National Development Plan, Government Printers, Lusaka, 1979, p. 320.
3. In Lusaka 48%.

However, while interpreting Table 11 we must also take into consideration table 9, namely the age difference between first offence and time of interview. Those 27% who are now over 40 years could have started their criminal careers well before or around the time of independence when the percentage of the squatter population was considerably lower. However, since this applies only to about a quarter, we can still consider the proportion of recidivists coming from squatters as under-represented.

But why is it that apparently not the youth from squatter areas but young men from the city area proper become criminals? Could it be that their parents or uncles or cousins (in case they were staying with relatives) although they are not the poorest are still unable to find places in schools or jobs for their young ones, or have they become so urbanised that they only strive for material goods themselves and are unable to transmit values and norms to their offspring which would prevent them from committing crimes? (See theory of anomie). Or could it be that this youth feels the failure and frustration more than the squatter youth and is less willing to endure hardship? (Compare the theories of subculture). Although Clinard and Abbott, as already mentioned, acknowledged that not all squatter or slum areas must have a higher crime rate than the other city areas they still maintain that in general the majority of the reported crimes in industrialized as well as in developing countries are committed by slum or squatter dwellers. Many studies are quoted from Peru, Mexico, Uganda, India, and the United States. They argue that it is the squatters or slum way of life especially its subculture which is based

1. Clinard and Abbott, Op. cit. pp. 142-147.

on the social disintegration of community life which provides the criminal attitude and predisposition as well as the milieu for juvenile delinquency and adult crime rather than the individual or family.¹

Their survey findings may be correct because they looked only into the frequency of reported crime, but they make two mistakes. Firstly they are equalising squatters and slums, which cannot be done since slums especially in the United States are deteriorating while squatters in many developing countries are improving and show no sign of social disintegration. Secondly, by looking at the frequency of reported crime only, they do not see that people do not become criminals there, but that they are the only alternative for people repeatedly convicted who started their criminal careers in decent housing areas but now face even more problems such as unemployment and lack of housing.

Under the aspect of residential areas our hypothesis that the social situation worsens after repeated imprisonment can be considered as verified.

(b) Income

There are numerous ways in which people acquire incomes legitimately. The economists have simplified the matter by dividing the income into four major categories viz. wages and salaries, rent, interests and profits. The last three involve the ownership of property which yields an income, whereas wages involve payments for personal services. In this research income means wage income or salary income and to a lesser extent profit income for those who own small groceries and small enterprises, but

not rent and interest incomes since these two involve the ownership of capital be it land or loanable funds which the people in the sample do not own. Does the income of recidivists decline?

However, to find an answer to the above posed question, Table 12 might not suffice. From Table 12 it looks as if the income situation before last imprisonment was considerably better than the one before first imprisonment. Yet, several factors must be taken into consideration: there is, firstly, again the difference in age: a group of people where the majority falls between 26 and 50 years normally has a higher income than a comparable group with the majority below

Table 12: Income of recidivists.

Kwacha	Before first imprisonment	Immediately after first imprisonment	Before last imprisonment
Nil	20	22	11
40	27	23	16
41-80	16	18	22
81-120	8	7	9
121-250	8	9	10
Above 250	2	4	9
TOTAL	100	100	100

25 years about 40% even below 20 years, as is the case with our sample before their first imprisonment. Secondly we must consider the increase of numerical wages in general and in Zambia in particular, in the last seven years or so as a consequence of the even more drastic price increase. Since it is difficult to know whether the income situation of our recidivists has worsened or not because of the intervening variable "age" it is only possible to find out whether

the income situation of recidivists is better or worse than that of the rest of the population.

Only figures from the urban wage earners are available and therefore those recidivists coming from or returning to the village had to be excluded* as well as those who did not set any income or did not know (or did not want to tell) their income.

The comparison of the income of the recidivists with the result of the household budget survey of 1974 or its projection to 1980 is problematic particularly before first and immediately after first imprisonment, because at that time only approximately one third of our recidivists were married and heads of households.

*Monthly income of those who come from or return to the village

Kwacha	Before last imprisonment		Immediately after first imprisonment		Before last imprisonment	
Nil	5	23	5	21	4	19
40-40	5	23	7	29	5	25
40-80	3	14	4	17	2	9
80-120	1	4	1	4	2	9
120-250	1	4	1	4	2	9
250+	0	0	1	4	4	19
Don't know	7	32	5	21	2	10
TOTAL	22	100	24	100	21	100

Before last imprisonment the comparison is somehow warranted, because three quarters of the recidivists are married. From the comparison of the last two columns of table 13 it appears that the

recidivists are much poorer than the rest of the population, because 57% of the recidivists earn less than K80 per month while only 15% earn less than K80 in the estimates of 1980.

Table 13: Income of recidivists compared to urban household incomes

Kwacha	Proportion of households 1974	Before first imprisonment %	Immediately after first imprisonment %	Before last imprisonment %	Proportion of households 1980 ⁺
40	15	22 43	16 34	11 20	1
40-80	37	13 25	14 30	20 37	14
80-120	19	7 14	6 13	7 13	37
120-250	15	7 144	8 17	8 14	27
250+	14	2 4	3 6	9 16	21
TOTAL	100	51 100	47 100	55 100	100

Although we do not know whether it is repeated imprisonment that leads to their bad income situation or this situation exists because they started off much poorer or whether there are other intervening variables we can at least say with certainty that recidivists before their last imprisonment are much poorer than the rest of the population and that imprisonment or rehabilitation does not lift their income situation up to the same level as it exists for the population in general.

+The table of the household budget survey of 1974-75 includes estimates of 1976. (See Appendix II). On the basis of the difference between 1974 and 1976 the increase from 1974 to 1980 has been calculated. No household budget survey has been carried out since 1974.

(c) The job situation

The disadvantages of being unemployed create a criminal environment because they lead to all sorts of deprivations such as bad housing, bad health, educational problems, bad family life and insufficiency in relation to a certain standard of living. Asumi's Abeokuta Prison study reveals that the vast majority of the prison population, 86%, were unemployed or marginally employed at the time of their criminal offence in Nigeria.¹ This confirms that unemployment creates a criminal environment which leads to recidivism.

In our sample 34% are unemployed before first imprisonment and 35% immediately after first imprisonment. But this percentage decreases by 7 or 8 percent before last imprisonment which can probably mainly be attributed to the increase in age. However, regular employment also decreases by 6% from the time before first imprisonment to the time before last imprisonment, and this is most likely due to repeated imprisonment. Although the difference is slight, it adds to the already alarming situation. There is on the other hand a considerable increase in the proportion of self-employed rising from 10% before first imprisonment to 25% before last imprisonment, which could be attributed to both: to the increase in age, but also to the learning of a skill as this increase is considerably higher for those who learned a skill in prison than for those who did not, as we will see in Chapter VI.

1. T. Asuni, The Prison System in Nigeria, Lagos University Press, Lagos, 1968, p. 263-237.

The causes for the problem of unemployment are many and varied, but chief among them are:

- (i) the high rate of urbanization: Zambia is one of the fastest urbanizing countries in Africa with a rate of 70% per year. This has resulted in the situation that almost half, 43% of the people live in towns and cities. According to the 1980 Census of Population and Housing Preliminary Report, seventy eight percent of the urban population live in the ten major urban areas. This rapid urbanization almost doubles the rate at which the formal sector earning employment has increased, in other words there are more people in urban areas than job openings.
- (ii) the school leaver problem: The school leavers are entering the job market in much larger numbers than there are people leaving it through retirements.
- (iii) Capital intensive technology: Zambia has preferred labour saving technology in her development and there is a conviction among planners that labour-intensive technology is inferior and inefficient. Major public works such as building, dam construction, mining, road construction etc. display a wide range of capital intensive, labour saving equipments like bulldozers, automatic hoists, mixers, tippers, tractors, combine harvesters and so on brought in from the advanced countries at a very high cost. So these labour saving equipment create a lost of unemployment, and to make matters worse industries in Zambia are heavily concentrated in the major ten urban areas so much so that the population is encouraged to drift to these areas from the rural areas.

Since there is a close association between unemployment and the commission of crime, crime is likely to rise due to the seriousness of the unemployment problem now facing Zambia.

In our sample, the occupations of the recidivists vary greatly so that it becomes difficult to group them into categories. An enumeration will give the reader a clearer picture of what kind of jobs the recidivists were involved before their last imprisonment.

9 cultivating the land	2 Miners	Borchole maker
6 Mechanics	3 Plumbers	Riding Horses
4 Fishmongers	2 Foremen	Mail Messenger
1 Fisherman	2 Clerks	Checker
4 Selling: 1 fish	Cook+	Office Orderly
2 mishanga	Painter	Garden Boy
1 chitenge	Shoe Repairer	House Servant
4 Labourers	Machine Operator	Watchman
3 Carpenters	Builder	Petrol Attendant
3 Tailors	Bricklayer	Sign Writer
2 Barmen	Welder	Businessman
2 Charcoal Burners	Baker	Supervisor
2 Charcoal Sellers	Panel Beater	Accountant Clerk
	Hawker	Army Officer ⁺⁺

+ The following occupations are represented only by 1% each.

++ 28 did not name any job.

Judging from these occupations it is apparent that there is a high proportion of unskilled and semi-skilled workers. The majority of these occupations are for the lower class in society, mainly educated only up to Grade Seven and slightly above, and their remuneration hardly gives their families a decent living. It is due to the unreliability of some of these jobs, their low rewards and uncertainty which drive their occupants into criminal activities.

In Table 14 below the percentage of those recidivists without employment and marginally employed is quite high. These findings support the fact that the disadvantages of being unemployed create a criminal environment. Zambia is currently facing a terrible unemployment problem.

Table 14: Job situation of recidivists

	Before first imprisonment	Immediately after first imprisonment	Before last imprisonment
regular employment	46	43	40
self-employment	10	14	25
worked on the land	7	6	8
helped someone regularly	3	2	0
did not work at all	34	35	27
TOTAL	100	100	100

According to the 1969 Census of population, the overall level of unemployment was 34% for men and 66% for women,¹ although no figures on unemployment are yet available from the 1980 census, facts like inflation and economic recession in general give an indication that

the situation might not have improved since or might even have become worse.

(d) Educational background

The link between crime and education is to be found in the problem of unemployment of the educated people. The problem of not being able to offer employment to the primary school leavers hits most of all the developing countries of the world. This problem originates from the colonial educational system which had popularised the white-collar employment and planted a loathe for manual work. The colonial educational institutions were preparing young men and women for better opportunities in the urban areas. As a result an educated young man or woman was expected by his parents, relatives and friends to find a job and work in the area. After independence with the introduction of the universal primary education and the abolition of the inequalities in the school enrolment systems it became apparent that there are more educated people than job opportunities. Educated young men and women are still compelled to migrate from the rural areas to the cities in search of white colloar employment as it was done in the past. Since the job openings do not match with the school output a lot of these young men and women, loiter in the urban areas without jobs, consequently they engage in criminal activities. Recidivists grows out of this situation because when young men become convicted for various offences after their release from the prison they chose to remain in the urban areas in the hope of securing employment thereby becoming more vulnerable to commit further offences. There are many studies which show a high correlation between migration to cities, and education. A study for example of rural-urban migration is Kenya clearly shows that the propensity to migrate to the

cities varies directly with the level of educational attainment.¹

According to this study educated people migrate to the urban areas more than uneducated ones. In another study of the educational backgrounds of inmates at Karikivi and Agoni prisons it was discovered that 66.7% of the prisoners were educated as compared with 33.3% who had no formal education. Educated are more vulnerable to urban migration where they may become unemployed and ultimately convicted for criminal offences.

Table 15 shows that the majority of the inmates are literate i.e. 73% as compared with only 27% who are non-literate. Literacy means the acquisition of any degree of formal education and a proficiency in reading and writing. From Table 10 it can be seen that offences are committed mostly in towns. It reflects the predicament of those who armed with some degree of formal education migrate to urban areas in search of employment. Since the majority of our recidivists are literates mainly primary and junior secondary school leavers and none from university or a college the unemployment of the lowly educated has got an impact on the commission of crimes and recidivism.

3. Marital status and family situation of recidivists

The change of marital status and family situation is again mainly due to the increase in age between the time of first and last offence. While only slightly more than a third are married before their first imprisonment and slightly less than half after first imprisonment, 70% are married before their last imprisonment and 11% divorced.

1. Margaret Peil, Consensus and Conflict in African Societies, 1977, London, Longman Group Ltd., p.304.

Table 15: Educational backgrounds of the recidivists

Never went to School	Percentage 27
Grade 3 to Grade 4	16
Grade 5 to Grade 7	37
Form 1 to Form III	17
Form IV to Form V	3
College	0
University	0
TOTAL	100

Only two were staying with a girlfriend before and one after imprisonment and none did so before last imprisonment. Only one was separated before last imprisonment and few were divorced before first and after first imprisonment. There does not seem to exist any striking difference between the marital status of recidivists and the population in general.

This is the case when we look at the family situation as well, with the exception that probably more recidivists are staying alone than seems to be the case with the rest of the population, which could indicate some degree of isolation. Otherwise the majority seem to be integrated into their natural as well as marital family and into their kin.

Table 16: Marital status of recidivists

	Before first imprisonment	Immediately after first imprisonment	Before last imprisonment
Single	60	45	18
Married	35	47	70
Girlfriend	2	1	0
Separated	0	00	1
Divorced	3	4	11
Widowed	0	0	0
	100	100	100

Only 63% stay with wife and children before last imprisonment and yet 76% said that they are married. This difference could be due to the possibility that some of them are married but as a couple still stay with relatives or parents. Apart from the already mentioned considerable percentage who stay alone, for the majority the stigma of imprisonment does not yet mean rejection by family and kinship.

Table 17: Family situation of recidivists

	Before first imprisonment	Immediately after first imprisonment	Before last imprisonment
Alone	15	21	19
With wife & children	34	33	62
With parents	24	23	5
With relatives	22	17	13
With friends	3	3	1
With	2	1	0
	100	100	100

4. Childhood experiences, present problems and plans for the future

Psychiatrists, psychologists and sociologists generally agree that childhood experiences are critical in the genesis of patterns of law breaking. Some forms of adult law breaking may result from distortions and pathologies in the offender's childhood experiences in his family. For example Sutherland and Cressey have found a strong connection between home conditions and juvenile delinquency.¹ They show that delinquents tend to come from homes characterised by one or more of the following conditions: other members of the family are criminals delinquents or alcoholics,

1 As quoted by D.C. Gibbons. Society, Crime and Criminal Careers Prentice-Hall, Inc, Englewood Cliffs, New Jersey; 1977, p.234.

one or both parents are absent from home through divorce, desertion or death; the home is marked by lack of parental control, homes are characterised by favouritism, over-severity, neglect, jealousy or they are foster homes; the homes are under economic pressures stemming from unemployment or insufficient income.

Gluecks studied a sample of 500 delinquents and 500 non-delinquents and he found that 49.8 percent of the delinquents were from broken homes. Gluecks further discovered that the parents of the delinquents gave poor supervision to their children and showed less cohesiveness than did those of non-delinquents. The parents of the delinquents were observed to have been more frequently lax, overstrict or erratic in disciplining their children than were the parents of the non-delinquents.¹

Bowl discovered that children who were deprived of maternal care for an extended period in their early lives were in grave danger of showing serious deleterious effects in the subsequent developments of their personalities often degenerating into delinquents. He also discovered that there is a strong connection between physical torture to children i.e. parents who beat their children violently or consistently and juvenile delinquency.²

Although this study does not deal with delinquents as such a great many prisoners also start their criminal career while young. Even for those who come to prison later it is not unimportant to try and shade some light on their childhood. To what extent are

1. As quoted by D.C. Gibbons, op. cit... p. 334.

2. Bowl, A Review of Child Welfare Research, New York, No.28
1964, p. 19.

such findings as the one mentioned above, applicable to adult prisoners and particularly to what extent are they applicable to the Zambian situation?

In an open question (See Q 50 of questionnaire in appendix) the recidivists were asked, how they would describe their childhood. Only 52% said that their childhood was all right. This code stands for statements like: "I was well cared for", "I had no problems in my childhood", "It was quite good" a.s.o. Forty-eight percent said that they had problems in their childhood. This finding comes close to Gluecks findings concerning delinquent boys (as he found 43.3% of them coming from broken homes). However, with one important amendment, namely that not all of those who had a dark childhood came from broken homes but only about half of them: 23% while the other half suffered from poverty in childhood which is mentioned in Sutherland's and Cressey's findings. Surprisingly none of them complain, about hunger but if they specify their sufferings then they mention that their parents had no money to buy them clothes and were unable to pay school fees.

The one who mentioned the unemployment of his father probably stands for many and two only mentioned that they had too many problems. However since our survey does not directly focus on childhood experiences it remains somehow in the dark whether those who considered their childhood as being in order were able to judge whether their parents were not too overstrict, too lax or erratic in disciplining.

Nevertheless about half of the recidivists having a troubled childhood coming either from broken homes or having suffered from

Table 18: Description of Childhood

Childhood was okay		52
Broken homes: death of both parents	3	
Relatives did not care	5	
Loss of mother	7	
Loss of father	4	23
Parents Divorced	2	
Ill-treatment	1	
One of the two wives discriminate against	1	
Poverty		21
Father unemployed		1
Sick throughout childhood		1
General Problems		2
TOTAL		100

severe poverty is by far enough to consider these as contributing factors to the causes of crime.

In this light the high percentage of those who say that they grew up with their parents cannot deceive us as if therefore for 71% everything would have been okay in their childhood.

Table 19: Persons recidivists grew up with

Parents	71
Mother without father	2
Father without mother	4
Grand parents	9
Step-mother	0
Step-father	1
Relatives	13

Even if we would have proof that, apart from the 21% severe poverty cases, the rest, about 60% had parents with no severe faults we would still have to be careful with the interpretation since the question relates to the childhood only and not to adolescence where one still needs parental care and love. In recent study about juvenile delinquents in Zambia it was found that about half of them grew up with their parents and apparently they meant both parents. But unfortunately immediately before they have been arrested only 23% of them were still staying with their parents.¹ The troubles started apparently in adolescence.

On the other hand, even thirty percent who are not able to stay with their parents is a significant percentage and shows the severeness of the problem apart from poverty.

1 Prisca Milimo, Social status of delinquents and their parents in Zambia - A data analysis and case study carried out on institutionalized delinquent juveniles in Lusaka. Unpublished fourth year's student research project; p.19f.

A similar picture emerged when we look at the answers to the question; "do you think your parents or the people you grew up with liked you when you were a child?" Although 76% think that they were liked very much, we have no further details what kind of love it was. And the fact that 20% of the recidivists feel that they had been loved only somehow and 3% not at all, nevertheless shows a problem of childhood experience for about a quarter of the recidivists.

Table 20: Subjective feeling of acceptance or rejection in childhood

very much loved	76
somehow	20
not at all	3
no answer	1

Also more than a quarter of recidivists have been beaten by their parents in childhood very often or often.

Table 21: Frequency of having been beaten during childhood

very often	12
often	16
sometimes	48
never	24

It means that all these characteristics: broken homes, not having been loved much and having been beaten often during childhood apply to approximately a quarter of recidivists while another quarter suffered from severe poverty in childhood. The percentage of these recidivists coming from broken homes and having suffered

from other psychological deprivations in childhood seems to be much lower than is the case in the West. The explanation for this difference can probably be found in the generally acknowledged fact that there exists greater love for children in the developing, still more traditional world in general and so also in Zambia than in the Western industrialized countries. Children are highly valued here as the most important wealth, they provide social security in old age and must be kept properly.

Another important aspect of the social situation of ex-prisoners we thought would be, what they themselves consider as the most important problems at the moment.

Since prisons have been characterised, the world over, as total institutions in which prisoners experience deprivations, prisoners therefore face a multiplicity of problems. Some of these problems relate to the prison life itself and some to the life after. The question as to what is the biggest problem facing the prisoners has revealed that 40% of the recidivists are pre-occupied with how to secure employment after release and 60% are most worried about their families they left behind.

The fact that for 40% of the recidivists to secure employment constitutes the biggest problem is a indication that many people commit offences due to extreme pressure, and this therefore is in conformity with current theories on the causes of crime which exonerate the individual from criminal responsibility and see crime as emanating from the social structure.

Several of those whose biggest problems constituted their worries about their families, explicitly mentioned their "suffering" family or their "starving" family. A number of them who have been

Table 22: Biggest problem of recidivists at present

Employment	40
Family	21
How to stop committing crime	8
Appeal	5
Health	4
Property	4
National Registration Card	3
How to settle down	3
No relatives who visit	1
No relatives, no place to stay	1
Other problems	7
TOTAL	100

put into this category did actually not mention their family as such but were particularly worried about their children.

The category whose main problem is how to stop committing crime, includes such statements as: how to stop coming to prison (which is actually not exactly the same as how to stop committing crime) and "why do I get arrested all the time?" and "I am depressed because I keep coming here".

Five are waiting desperately for a reply to their appeal and of the four whose main problem is their health, two mentioned serious eye troubles. One says his sickness does not get the proper

treatment and one is sick because the police beat him too brutally during interrogation.

Of the seven who mentioned other problems one worries about finishing the sentence well, one is regarded as a foreigner and is therefore afraid that he might be kept for too long, one complains that the sentence is too hard, one says that he did not commit the offence for which he is in prison now, but that he was convicted because of previous offences. One's main problem is that his friend with whom he stole has been left alone; one is thinking about going home (apparently to the village) to join his family (although it is not quite clear why this is his main problem) and one prisoner's main problem is his lack of education.

However, as mentioned before, worries about employment are by far the most frequent worries. It is probably safe to conclude that if all the recidivists could be provided with employment a large percentage of them would not remain recidivists anymore and the crime wave would be drastically reduced.

A similar picture emerges when we analyse the answers to the question: what would you like to achieve in future? For almost half of the recidivists it is their main plan to try and secure a job (apparently meaning wage employment). An additional 20% are planning to settle down in a village or acquire a farm, produce on a relative's farm or acquire a waterpump for gardening. (The proportion of 20% planning to go back to the land seems to be realistic when compared to the area of residence of recidivists, where we saw that immediately after first imprisonment, 27% actually did go back to the village and 22% were staying in the village before last imprisonment).

Table 23: Future plans of recidivists

Secure job	47
Settle in village or acquire farm	30
Become selfreliant	12
Stop crime, stop prison	13
Settle down	5
Acquire education	1
Good Education for children	1
TOTAL	100

Of those 12% who want to become self-reliant, in other words, to become formal or informal small businessmen quite interesting plans have been put forward: three want to secure a fishmongery and one continue as fishmonger, one wants to get a trade certificate in carpentry, one plans to build a store in town, two simply would like to be businessmen, one tried to secure a Government loan to start carpentry, one would like to acquire tools to become self-reliant and another one is planning to use his skills which he acquired while in prison.

As a whole one could say that in spite of all their negative experiences and problems, the prisoners have **not** given up hope yet, but are still full of plans.

Summary

Our third hypothesis states that the effects of repeated imprisonment are contributing to the worsened social situation of

ex-prisoners. As far as the area of residence is concerned we found that the situation definitely worsens. In regard to income it was (because of the intervening age and other factors) difficult to establish whether the situation really worsens or whether the recidivists started off so badly that not much worsening was possible what we were able to establish clearly, was the fact that the income situation of recidivists before last imprisonment is much worse than that of the rest of the population. Also regular employment declines slightly even though self-employment increases considerably. The only aspect of numerical improvement, namely the slightly lower percentage of unemployed before last imprisonment is apparently due to the process of getting older and not an improvement as such.

Our fourth hypothesis stated that either the previously existing crime causing social situation or the worsened one are the cause for crime in general and recidivism in particular. By crime causing social situation we meant: poverty and belonging to the lower class with all its consequences. However our finding now clearly shows that it needs another important factor so that these two variables become decisive contributing factors for the committing and repeated committing of classical crime, and this is a certain degree of urbanisation. We found that amongst the recidivists people from the rural areas are very much under-represented, although poverty is worse in the rural areas. Even the squatter population is under-represented at least at the time of first offence. The degree of urbanisation is apparently not high enough there and squatter areas can be referred to as semi-urban areas. So, if we add a certain degree of urbanisation to poverty and belonging to the lower class (although

a certain degree of urbanization is actually somehow implicitly expressed in belonging to the lower class since there are no real classes in rural areas of Zambia, leaving aside the commercial farmers) then our hypothesis is clearly proved. We found that the recidivists are considerably poorer than the rest of the population, that a higher percentage of them lives in squatter areas than of the population in general, and that their occupations mainly consist of unskilled and semi-skilled jobs. However we also found that their literacy rate is higher than in the population in general which apparently contributed to their becoming urbanized.

Only about a third of the recidivists are married before their first imprisonment and before the last imprisonment 70% are married and 11% divorced. Fifteen percent stay alone before their first and 19% before their last imprisonment.

One quarter of the recidivists come from broken homes and one quarter from poverty stricken homes. One quarter feels that they were loved by their parents only somehow and slightly more than a quarter was beaten in childhood very often or often.

The biggest problem of recidivists is to find a job after discharge and they worry about their families they left behind.

Recidivists plan to find employment after release, to assist in the village or acquire a farm; they want to become self-reliant and they plan not to come to prison again.

CHAPTER VI

COMPARISON OF THE SOCIAL SITUATION BETWEEN REHABILITATED AND NON-REHABILITATED RECIDIVISTS

The essence of rehabilitation is to change a prisoner's life from criminally inclined to law abiding. One possibility to achieve this end is thought to be the teaching of skills. In our study, as explained in the first chapter, only this variable was chosen for grouping prisoners into rehabilitated and non-rehabilitated ones. Prisoners are taught skills in carpentry, tailoring, mechanics, agriculture a.s.o. so that they could conform to the social and economic pattern of life outside the prison world.

However, since the prison department and the government as a whole want prisoners to produce goods in large quantities and of high quality those who come to prisons with skills are automatically located in carpentry, tailoring and other related industries and those without skills are given jobs which do not entail learning a skill. Jobs which do not entail learning a skill include kitchen duties, garden work, cleaning police stations, cleaning Boma offices, cleaning officers' quarters and clubs, cleaning Court premises and surroundings, cleaning the prison premises, firewood cutting and collection, barbing other prisoners and staff, washing staff clothes and uniforms, polishing staff shoes and helping individuals in many domestic chores on hire. These jobs absorb a large work force at the expense of training. At Lusaka Central Prison at the time of the interview, out of 1,010 prisoners only 75 of them were employed in rehabilitation programmes and 935 were working in non-rehabilitative programmes, in Maximum Security Prison out of 835 prisoners 475 were working in rehabilitation programmes in Livingstone out of 600 only 250 were working in rehabilitation programmes. The fact that our

sample of one hundred shows 44 who have learned a skill should not mislead us into the belief that almost half of the prisoners are undergoing rehabilitation programmes. It must be borne in mind that this study deals with recidivists and it is therefore only repeated imprisonment which leads to a higher percentage of prisoners being rehabilitated than the actual figures tell us.

The comparison of the social situation of the rehabilitated recidivists in other words the prisoners who learned a skill with those prisoners who did not undergo rehabilitation, in other words, who did not learn a skill, could give some indication as to how far rehabilitation in Zambia's prisons can be considered as successful. Although one could expect that the social situation of the rehabilitated recidivists would be better off than that of the non-rehabilitated recidivists we did not expect any significant differences between the two groups, because, as explained in the first chapter, all the other factors which led to crime and imprisonment and some negative effects of imprisonment itself cannot be made up for by the teaching of a skill.

1. Age of rehabilitated and non-rehabilitated recidivists

The percentage of those recidivists who have gone through the rehabilitation programmes reveals that the majority of them were very young before their first imprisonment: 86% were below twenty five years whereas a comparatively lower percentage of recidivists who have not gone through rehabilitation programmes is below twenty five years, namely 60%. This indicates that being young is apparently one factor that increases one's chance to be selected by the prison authorities for learning a skill.

Table 24: Age of rehabilitated recidivists

Age	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
20	22	50	19	43.18	0	
21-25	16	36.36	19	43.18	4	9.09
26-30	2	4.55	2	4.55	16	36.36
31-40	3	6.82	3	6.82	14	31.82
41-50	1	2.72	1	2.27	7	15.91
TOTAL	44	100	44	100	44	100
T O T A L		44	1001	44	100	44

Table 24 B: Age of non-rehabilitated recidivists

Age	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
20	17	30.36	16	28.57	0	0
21-25	17	30.36	17	30.36	6	10.71
26-30	12	21.43	13	23.21	9	16.07
31-40	10	17.86	9	16.07	24	42.86
41-50	0	0	1	1.76	12	21.43
51-60	0	00	0	0	5	8.93
TOTAL	56	100	44	100	44	100

2. Social status of rehabilitated and non-rehabilitated recidivists

(a) Area fo residence

A higher percentage of recidivists seem to have lived in squatter areas before first imprisonment in the rehabilitated group

than in the other group, which could be attributed to the fact that squatter areas have increased tremendously only recently and that therefore the more younger ones had the "opportunity" of staying there. However approximately the same proportion of the two groups comes from the village, but surprisingly the percentage of those staying in the high and medium cost housing areas is higher in the non-rehabilitated (19.5%) than in the rehabilitated grouped (9%). (See Tables 25a and 25b). Of the 19.55 non-rehabilitated recidivists who stayed in high or medium cost housing areas two of them still went to school before their first imprisonment,

- 1 was unemployed
- 1 was a labourer
- 3 were house servants
- 1 was a police officer
- 1 a mechanic
- 1 a soldier
- 1 an assistant clerk

while it is difficult to determine whether the schoolboys came from high income families or not it is obvious that the social status of the labourer and the three house-servants is not high; only the people of the last four professions could have occupied proper houses or flats in high and medium cost housing areas.

The soldier and the mechanic said that they had a monthly income of over K250 - while the police officer had one between K120-250 and the assistant clerk one between K80 to K120.

This gives us sufficient evidence that it would be false to conclude that since about 20% of the non-rehabilitated recidivists come from high and medium cost housing areas all of them belong to the upper class of the Zambian society.

Table 25a Residence of rehabilitated recidivists

	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
High cost	0	0	0	0	2	4.55
Medium cost	4	9.09	4	9.09	1	2.27
Low cost	16	36.36	12	27.27	4	9.09
Site & Service	1	2.27	3	8.82	4	9.09
Squatter	13	29.56	14	31.82	25	56.82
Villager	10	32.73	11	25	8	18.18
TOTAL	44	100	44	100	44	100

Table 25 b: Residence of non-rehabilitated recidivists

	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
High cost	4	7.14	3	5.38	1	1.79
Medium cost	7	12.5	5	8.93	2	3.57
low cost	21	37.5	22	39.29	21	37.5
Site & Service	5	5.36	3	5.38	2	3.57
Squatter	7	13.5	7	12.5	17	30.36
Village	14	25.0	16	28.57	13	23.21
TOTAL	55	100	56	100	56	100

In so far it does not make much differences when the percentage of the rehabilitated recidivists coming from medium cost housing areas is lower namely 9%. What is probably more interesting is the fact that the percentage of recidivists staying in high/medium

cost housing areas gradually declines from 19.5% to 14% after first imprisonment to 5% before last imprisonment which could be an indication that the housing situation worsens more markedly amongst the non-rehabilitated recidivists. This interpretation could be supported by the other finding that the percentage of those who ended up in squatter areas before last imprisonment is more than twice as high as it is before and immediately after first imprisonment (12% increases to 30%) amongst the non-rehabilitated recidivists, while it is less than twice as high amongst the rehabilitated recidivists (approximately 30% increase to 57%). However, this interpretation loses its validity when we consider that the proportion of 36% of rehabilitated recidivists who stayed in official low cost housing areas before first imprisonment declines to 9% before last imprisonment while this percentage remains the same in the non-rehabilitated group. A considerable proportion of rehabilitated recidivists seems to lose their housing and the percentage of those staying in squatter areas is much higher amongst the rehabilitated group than amongst the other group.

Although the rehabilitated group is still slightly younger before last imprisonment this insignificant difference could have been made up for if the acquisition of a skill would really improve the social situation of a prisoner after release. Therefore, it is probably quite safe to conclude that the area of residence and with it housing worsens in different ways for rehabilitated and non-rehabilitated recidivists but it worsens for both groups and that in some aspects the rehabilitated group is even worse off.

(b) Income

Closely related to the area of residence is normally the income situation in Zambia particularly in the urban areas. However, as we have seen in the discussion above, concerning the origin of

some of the non-rehabilitated recidivists, there is no absolute correlation. This accounts for the fact that the income situation of the rehabilitated and non-rehabilitated can be even more similar than the areas of residence. And indeed as the Tables 26a and 26b show there is close similarity in the income distribution between the two groups before first imprisonment, immediately after first imprisonment as well as before last imprisonment.

Table 26a: Monthly income of recidivists who have gone through the rehabilitation programmes.

Kwacha	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
Nil	9	20.45	9	20.45	6	13.63
40	10	22.72	9	20.45	7	15.90
41-80	6	13.63	10	22.72	9	20.45
81-120	6	13.63	3	6.81	2	4.54
120-250	3	6.81	3	6.81	5	11.36
Above 250	0	0	2	4.54	6	13.63
Don't know	10	22.72	8	18.18	9	20.45
TOTAL	44	100	44	100	44	100

Table 26b: Monthly income of recidivists who have not gone through the rehabilitation programmes

Kwacha	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
Nil	11	19.64	13	23.21	5	8.93
40	17	30.35	14	26.00	9	16.07
41-80	10	17.85	8	14.28	13	23.21
81-120	2	3.92	4	7.15	7	12.50
121-250	5	8.92	6	10.71	5	8.93
Above 250	2	3.57	2	3.51	7	12.50
Don't know	96	16.07	9	16.07	10	17.85
TOTAL	56	100	56	100	56	100

(c) Job situation of rehabilitated and non-rehabilitated recidivists

The 9% more unemployed amongst the rehabilitated recidivists before first imprisonment compared to the non-rehabilitated group can easily be attributed to their being younger. Although the rehabilitated group is still younger before last imprisonment one could have expected that their acquired skill could have made up for the age difference. Apparently this is not so. Even before last imprisonment the proportion of those who had no work is 9% higher.

Table 27a: Job-situation of rehabilitated recidivists

	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
Regular employment	30	46.46	20	45.4	15	34.09
Self employed	4	9.09	6	16.0	127.37	27.27
Worked on the land	2	4.55	0	0	3	8.82
Helped someone	1	2.27	0	0	0	0
Had no work	17	38.64	17	38.6	14	31.82
TOTAL	44	100	44	100	44	100

Table 27b: Job-situation of non-rehabilitated recidivists

	Before first imprisonment		Immediately after first imprisonment		Before last imprisonment	
	No.	%	No.	%	No.	%
Regular employment	26	46.43	33	41.0	25	44.64
Self employed	6	10.71	7	12.6	13	23.21
Worked on land	5	8.93	6	10.7	6	8.93
Helped someone	2	3.57	2	3.57	0	-
Had no work	17	30.36	18	32.13	13	23.21
TOTAL	56	100	56	100	56	100

Not only is the percentage of unemployment higher before last imprisonment in the rehabilitated group, but the percentage of regularly employed had also declined by 9% from the time before last imprisonment, while this proportion remains the same in the non-rehabilitated group. However, the proportion of self-employed triples in the rehabilitated group while it only doubles amongst the non-rehabilitated recidivists which could be an indication that the former do utilise their learned skills in the informal sector. Also for after first imprisonment the percentage of unemployed amongst the rehabilitated group is slightly higher than amongst the non-rehabilitated group. But also a slightly higher percentage finds a job after some time. The only marked difference between the two groups after first imprisonment seems to be the 10% more non-rehabilitated recidivists who go back to the land while none of the rehabilitated does so. Yet it would be a fallacy to conclude that for this reason it would be better not to teach anybody skills so that more go back to the villages, because first of all 10% is not very high a proportion and secondly this difference between the two groups disappears before last imprisonment (since 2% can easily be due to the standard deviation).

(d) Education of rehabilitated and non-rehabilitated recidivists

The percentage of illiterates is almost 10% higher among the non-rehabilitated recidivists and the percentage of those with some secondary education 13% lower (see Tables 28a and 28b). For these two reasons the rehabilitated group can be considered as the higher educated one inspite of the fact that there are 4% with Form IV or V among the non-rehabilitated while none of the rehabilitated went beyond Form III. In both Groups 50% did some or all Grades of Primary

school, however there seems to be about 10% more drop outs in the category of Grade 1-4 in the rehabilitated group which could be interpreted in the sense often that this younger group also starts its criminal career younger often as children. As a recent survey among juvenile delinquents of Lusaka shows,¹ a large proportion of them are "fed up with school."

Table 28a: Education background of rehabilitated recidivists

	No.	%
Never	10	23
Grade 1-4	10	23
Grade 5-7	12	27
Vocational Training	0	0
Form - 1-III	12	27
Form IV-V	0	0
College	0	0
University	0	0
TOTAL	44	100

Table 28b: Educational background of non-rehabilitated recidivists

	No.	%
Never	16	32
Grade 1 -4	6	14
Grade 5 - 7	20	36
Vocational Training	0	0
Form 1-III	8	14
Form IV-V	2	4
College	0	0
University	0	0
TOTAL	56	100

1. Prisca Milimo, op. cit., p.28

Summary

In general one could say that apparently the younger and slightly higher educated ones have a higher chance of being selected for rehabilitation programmes which in our study means: selected for learning skills.

However, no significant difference between rehabilitated and non-rehabilitated recidivists could be found in their social situation as far as income, area of residence and employment is concerned, except that in the last two variables the rehabilitated group is slightly worse off. This can, of course, not mean that acquiring a skill worsens one's social situation, the rehabilitated group is slightly worse off already before first imprisonment and the fact that their social situation is still slightly worse before last imprisonment could be interpreted in the sense that the acquisition of a skill is not enough to improve their social situation significantly.

CHAPTER VII

TYPE OF CRIMES AND BIOGRAPHIES OF RECIDIVISTS

1. The type of crimes

What are actually the crimes of our recidivists that brought them back to prison again and again?

As can be seen from Table 29 the overwhelming majority committed crimes against property which can be called "petty" compared to the amounts involved in white collar crime. Theft, burglary and theft, housebreaking and theft, storebreaking and many other kinds of theft are by far the most frequent kinds of crime committed by almost all the recidivists. All these petty crimes were usually committed repeatedly.

All in all our recidivists committed 729 crimes. If we group them into crimes against property and crimes against the person then we have 614 cases, which makes for 84% of all the crimes

against property. Only four of them were robberies or aggravated robberies. In so far the recidivists do not constitute a real danger to society, since they mainly commit thefts or burglary.

Amongst the crimes against the person we have two manslaughters committed by the same person and three cases of rape committed by three different persons. There are 35 assaults and 15 cases of unlawful wounding.

The rest are a wide range of many different petty offences committed by the recidivists.

The findings of the West that the severeness of the types of crime increases as a person gets arrested again and again could not be established from our data.

Offences committed in Order of frequency and Popularity	Frequency of the crime out of a total of 729 committed.		Percentage of Total Sample of 100 who have committed the Offence
	Number	Percentage %	
1. Theft	135	18.52	55%
2. Burglary	105	14.40	44%
3. House breaking and theft	63	8.64%	34%
4. Store breaking	60	8.23	32%
5. Stock theft	37	5.07	15%
6. Theft by servant	28	3.84	18%
7. Assault O.A.B.H.	27	3.70	23%
8. Entry and theft	20	2.74	17%
9. Theft from person	19	2.61	17%
10. Escaping from lawful Custody	18	2.47	13%
11. Obtaining money by false pretences	15	1.06	10%
11. Unlawful wounding	15	2.06	13%
11. Being in possession of property believed to be stolen	15	2.06	14%
12. Theft of Motor Vehicles	14	1.92	12%
12. House breaking	14	1.92	9%
13. Forgery	9	1.23	5%
14. Burglary with intent to commit a felony	8	1.10	5%
14. Office breaking and theft	8	1.10	6%
14. Uttering	8	1.10	4%
15. Malicious damage	7	0.96	7%
15. Theft from Motor Vehicle	7	0.96	6%
16. Escape from prison	6	0.82	4%
17. Cheating	5	0.68	3%
17. Breaking into a building with intent to commit felony	5	0.68%	5%
17. Office breaking	5	0.68	2%
18. Common assault	4	0.55	4%

Offences committed in Order of frequency and Popularity	Frequency of the crime out of a total of 729 committed		Percentage of Total Sample of 100 who have committed the Offence
	Number	Percentage %	
18. Failing to comply with Police supervision	4	0.55	3%
19. School breaking	3	0.41	3%
18. Attempting to obtain money by false pretences	4	0.55	3%
19. Obtaining goods by false pretences	3	0.41	3%
19. Theft by public servant	3	0.41	3%
19. Assaulting a Police Officer	3	0.41	3%
19. Rape	3	0.41	3%
19. Aggravated Robbery	3	0.41	3%
19. Conversion not amounting to theft	3	0.41	3%
19. Drunk and disorderly	3	0.41	2%
20. Revoked Licence	2	0.27	2%
20. Manslaughter	2	0.27	1%
20. Affray	2	0.27	1%
20. Declared prohibited immigrant	2	0.27	2%
20. Conspiracy to commit Misdemeanour	2	0.27	2%
21. Attempting to procure commission of a crime	1	0.14	1%
21. Returning to Zambia after deportation	1	0.14	1%
21. Attempting theft from person	1	0.14	1%
21. Indecent assault on a female	1	0.14	1%
21. Theft by agent	1	0.14	1%
21. Official Corruption	1	0.14	1%
21. Trespassing	1	0.14	1%
21. Threatening violence	1	0.14	1%
21. Using a firearm	1	0.14	1%
21. Careless driving	1	0.14	1%
21. Interfering with a			

Offences Committed in Order of Frequency and Popularity	Frequency of the crime out of a total of 729 committed		Percentage of Total Sample of 100 who have committed the Offences
	Number	Percentage %	
21. Theft in transit	1	0.14	1%
21. Attempted burglary	1	0.14	1%
21. Unlawful assembly	1	0.14	1%
21. Attempted theft of Motor Vehicle	1	0.14	1%
21. Rogue and vagabond	1	0.14	1%
21. Unauthorised possession of dagga	1	0.14	1%
21. Conduct likely to cause breach of peace	1	0.14	1%
21. Possession of observe matters	1	0.14	1%
21. Crovionaly bodily harm	1	0.14	1%
21. Attempted house breaking	1	0.14	1%
21. Intent to commit felony	1	0.14	1%
21. Criminal trespassing	1	0.14	1%
21. Taking and driving away a Motor Vehicle	1	0.14	1%
21. Bound to keep peace	1	0.14	1%
21. Obtaining credit by false pretences	1	0.14	1%
21. Failing to report to immigration	1	0.14	1%
21. Robbery	1	0.14	1%
21. Possession of a firearm	1	0.14	1%
21. Possession of ammunition	1	0.14	1%

2. Five biographies

As stated in the methodology, we felt that a small qualitative study of recidivists could be a useful completion to our quantitative data.

The following five biographies clearly do support our quantitative findings. We again encounter a lot of hardship in childhood, quarrelling and drunk parents, but also loving and caring religious parents. We are told about petty thefts mainly out of poverty.

Leonard

He was born in 1961 in Kitwe. There are nine children in the family; that is five girls and four boys. His parents are not all that educated, his father went as far as standard 4 in education, and his mother went as far as standard 2.

His father secured a job as a lorry driver at Mindolo Mines in Kitwe, and still works there. He earns about K200 per month that is after working overtime. From these earnings he supports his family. It is from these earnings that he has sent them to school, and is still sending Leonard's sisters and brothers, though Leonard has stopped going to school due to his plights.

At the moment the first born in the family who happens to be a girl, is the one who had reached the highest standard of education which is Grade 10. She failed to qualify for Grade 11, and she is now married and works as a dress maker at Strand Tailors in Kitwe.

Leonard went as far as Grade 8 and here his education ended because he was arrested for assault. He cannot tell who is the lowest in education in their family since there are brothers and sisters who are still in low grades. But should these manage to reach secondary school level, then his brother and sister who

failed in grade seven will be the lowest educated in the family.

Among his parents only the father drinks beers, and only drinks Mosi not very often, but when he does drink then he really gets drunk.

Quarrels often start between the parents when the kids are misbehaving and things start going wrong at home, then the wife beats up her husband, and tells him to care more for the family.

Leonard actually started primary school in 1968, at Mindolo primary school. He did find only four subjects interesting and these were: English, Civics, History and Mathematics. In these subjects he used to pass in third and fourth positions most times.

Twice he was punished at the primary school. The first time he was punished for a fight and beating up his school-mate, his punishment was to clear the school path, all the grass to be cut off. In his second violation of school regulations he deliberately did not turn up for a game of football, in which he was to feature.

He qualified for Form I, but his stay in Form I was short lived as he was arrested for assault. He had assaulted a friend outside the school area.

He was remanded in police custody, awaiting to appear before the court; this was in the year 1976, at the age of 15.

Here again his stay in custody was short lived as he escaped while they were being given food; he smartly sneaked away while the police officer was busy attending to other prisoners. He went back to his parents' home in Mindolo within Kitwe. In the afternoon the Police came and arrested him and was later charged for escaping from lawful custody.

There was no motive for his escape, it was only that he

feeling very uneasy when he was in the cell, since it was the first time he had been there.

The assault complainant decided to reconcile with him, but the Police prosecuted him for escaping and he was convicted and sentenced to six months imprisonment with hard labour.

Upon coming out from prison Leonard enrolled as a trainee carpenter at Rokana Mines. Things went well for him and he even got married although he was still staying with his parents. So they both stayed at Leonard's parents. The wife was a grade seven drop-out. His getting married meant that he now had to find a source of income, as he was only paid K9.00 allowance as a trainee at Rokana Mines. He started repairing radios and some other electrical appliances, at his father's house. In this part time job he used to earn an income of between K60.00 and K115.00 for they started to make ends meet in this way. The same year he had a son.

However, the stay of Leonard out of prison was short lived, as one afternoon while he was coming from his carpentry classes, he happened to see beautiful curtains hanging on the washline. He looked around there was no one in sight, so he went over to the line and took the curtains.

He folded them and started walking down the street away from the house, but his mission was not accomplished safely, as the house servant who had washed the curtains was coming from the direction he was heading. They met and the servant recognised the curtains. He asked Leonard where he was taking the curtains and Leonard became suspicious, but before he could answer, the

house servant was on him. Since this servant was bigger and stronger, there was nothing Leonard could do. He was taken to the Police Station and charged with theft involving curtain worth K162.83. He was tried, convicted and sentenced to nine months imprisonment with hard labour on February 13, 1980.

Leonard came out of prison in August 1980, he went back to stay with the parents, in Miseshi, Kitwe. Despite his being in prison twice he is the most loved child by both parents. The reason being that he is the oldest boy in the family. However, after his February jail term, he decided to concentrate on part time electrical appliance repairs, so as to support his wife and son. His new source of income went on well, until December the same year, 1980.

In this month a friend brought to him an electric fan, so that he could repair it. One morning while he was repairing the fan a Policeman happened to be passing by and noticed the fan. The Policeman became suspicious and took both the fan and Leonard to the Police Station. The fan was identified a stolen property from a house which had been broken into. Leonard told the Police how he got to be in possession of the fan, but the Police could not find the truth as the friend of Leonard also refused to admit that he had given him the fan to repair. Although Leonard's sisters stood witness in court, Leonard was convicted of burglary and theft in December 1980 and sentenced to three years nine months imprisonment with hard labour.

At the moment Leonard only want to learn more about radios when he goes out, although he is still bitter that he was convicted because of his past record. The wife and the son still

stay with Leonard's parents and pay him visits when they have a chance to do so. Despite his being in and out of prison, the relationship between him and his wife is still strong. Leonard's parents have been staying in Miseshi High Density Area in Kitwe ever since his father started working in the Mines.

Alfred

Alfred was born in 1947 in the family of nine children: five boys and four girls. They were staying in Mazabuka in the high density area.

His parents are not all that educated, his father went as far as standard 4 and his mother as far as standard 3. Alfred's father did manage to get employed as a Primary school teacher at Mazabuka primary school. This is where he earned money to feed and cloth his family. His income was K35 per month. He had no other source of income. Despite the low earnings that his father used to get he managed to send all the children to school. The eldest in the family went as far as Standard 8. He was born in 1921 in Mazabuka, he worked in the Prison Service until retirement.

The youngest went as far as Grade seven and she is the lowest in education. Alfred went as far as Form V at St. Canicius College and he even obtained a General Certificate of Education. Both his parents never used to drink beers, as they used to go to Church very often. In fact his mother was a church leader. This he thinks is the reason why his ~~parents~~ never fought and quarrelled, since they concentrated on Christian life. His parents never divorced until their death. In fact they died on the same day. His father died in the morning and the mother died in the afternoon.

His parents loved most his brother who was the fifth born. He was the parents' favourite because he was very active and brave both at home and at school. Alfred started going to school in 1954 at Mazabuka Primary School. He found school so interesting that most of the times he used to pass 4th or 6th position. His favourite subjects were Health Science, English, Geography and Physics. This was both at Primary and Secondary school level. He never had problems and never violated any school regulations while at Primary school, he cannot say whether or not this is so because his father used to teach at the very primary school.

At St. Canisius College where Alfred did his secondary school education. He went as far as Form V and sat for his final examinations. He managed to get a General Certificate of Education. Alfred got married in 1960, in Ndola. He had come to Ndola to stay with his brother after his secondary education. He married a grade seven drop-out, they had their first child the same year.

Alfred was not employed. He was only doing casual work to support his family. In 1970 they had another child and in 1972 they had their third child. After the third child had grown a bit his wife got employed as a wrapper with Sunrise Biscuits, and she still works there. His wife's salary which was K60 was not sufficient to meet their needs so he started looking for employment until he got one as a Security Officer with Zambia Airways, Ndola. This was in 1972. They were staying in Lubuto high density area.

His earnings were K253 per month. He worked well until 1975, by this time he had started drinking beers, but not regularly. He restricted himself to Mosi although his wife did not drink and does not drink; she did not object to her husband's drinking. In

the same year, 1975, Alfred was fired and convicted of theft by public servant. He stole a cheque leaf which had been written and signed in the name of Zambia Airways. He altered the information on the cheque and tried to obtain K60,000. He was caught at the bank, and was later sentenced to three years imprisonment with hard labour.

However, he appealed and the sentence was reduced to 27 months. The reason for trying to obtain the above mentioned sum was to get rich. That case was not his first case of theft. He had three other previous convictions of theft. The first being in 1963. In this particular year he was on holiday, his brother went on tour and did not come back in time to see Alfred off to school. Alfred needed a pair of trousers, and his brother was not back. So he took one pair of trousers belonging to his brother. The latter reported the case to the Police and said that he wanted Alfred to be caned. So the Magistrate ordered six strokes and Alfred went back to school. His second conviction was in March 1964 when he was charged with shop-lifting a chocolate bar worth seven pence (7d). In this case he had money and intended to pay but forgot. He really did not intend to steal. For this offence he was sentenced to fourteen days imprisonment with hard labour.

His third conviction was in 1967, this time he got involved in theft from person. He was in company of two friends. They tricked a man out of his K20. What they did was to drop a wallet containing money, in front of the man they knew had money. As the man picked up the wallet one of Alfred's friends went and asked the man to share the money with him. Obviously the man did

not refuse, he was eager to have extra money. They went aside and started sharing the money, but before they could finish sharing, Alfred's second friend approached them posing as a C.I.D. man and arrested them. He ordered them to follow him to the Police Station. He also took money from both people including the other man's K20. This money he put in an envelope and they proceeded to the station, but half way to the Police station he changed his mind and handed a similar envelope to the one had put money in to the man and told him to go away as he was forgiven. So the man rushed away with the envelope containing papers. Alfred and his friends shared the money. He was later identified by the man (the one they robbed) and arrested. He was charged with theft from person and sentenced to six months imprisonment with hard labour on July 12, 1967.

When he came out of prison, in December 1967, he stayed away from troubles until he started working for Zambia Airways. The ordeal of Zambia Airways has already been talked about in the earlier paragraphs. However, Alfred is now serving a sentence of 12 months for theft. In this case he borrowed a vehicle from his neighbour and assumed him that he would only use the vehicle for that particular day. He was given the vehicle and went to Serenje taking someone who had hired him. While in Serenje the car broke down so Alfred was not able to come back to Ndola. He however managed to repair the vehicle two days later and on his way back he carried someone who had cow meat for his butcher so that he could pay him. Upon reaching Ndola he was arrested before he could even reach his home. He was arrested because of the breach of contract between him and the owner of the vehicle so the Police converted the breach into theft and he was charged and convicted on July 1, 1981.

Alfred now says that he is tired of coming to prison, he wants to become a preacher when he leaves prison next year. So far he has even applied to the Bible College. His wife still stays in Lubuto and works for Sunrise Biscuits.

Willie

Willie was born in 1958 in Kasempa District. There are five children in the family. Willie is the second born.

His father went as far as standard 4 in his education. Willie's mother never went to school. The whole family stayed in Kasempa where the father earned a living as a carpenter in the Government. His income was below K100, but he managed to look after his family. Both his parents did not drink beer and even now they still do not drink.

The quarrells and fights between the parents were not often. The reasons for the fights were not known to Willie, as both parents were frequent church goers.

The child who has attained the highest education in the family is Willie. He went as far as Form III. But it is not certain whether he will remain the highest educated in the family since his brother is doing Form II now, and the youngest girl is doing Grade 6.

Willie started school in 1964 when he was six years old at Kasempa primary school in N.W. Province. Both in primary as well as in secondary school he liked: Art, English, History, Civics, Science and Gardening. At primary school he used to pass in second and third positions. He was never punished at school.

At secondary school, which was Chikola in Chingola he started having problems as he was constantly sick. This lowered his standard of performance. As a result he failed to qualify for Form IV.

The whole family moved from Kasempa to Chingola in 1967, when their father got a job as a carpenter with Minestone, and he still works for Minestone. His present salary is K180 per month.

When Willie failed to qualify for Form IV in 1976, he stayed with the parents until 1977 when he decided to go and stay with his brother in Luanshya. The same year in July he got employed as a checker in Luanshya R.C.M. Mine.

His monthly income was K35. He was still staying with his brother until 1979 when he had his first conviction, of burglary and theft. The reason being that he was short of money, because he had been given his own accommodation and he needed to furnish it.

He got entry into a house by using a crow bar to break the lock. He got away with property worth K220 which he put in his new house which was located in the high cost area. A week later one of his friends reported him to the Mine Police. The Mine Police in turn took him to Zambia Police, where he was charged with burglary and theft. He was later convicted and sentenced to nine months imprisonment with hard labour. This was on December 27, 1979.

When he came out of prison he went to stay with his elder brother in Luanshya. The elder brother works for Roan Consolidated Mine as a Shift Boss and resides in the low density area. However Willie did not stay out of prison long as a month after his release from prison, he broke into another house and stole chairs so that he could sell them and buy himself some clothes as his elder brother did not clothe him. Willie's brother drinks beer a lot. So he has no money to spend on buying his young brother clothes

When Willie tried to sell the chairs he was arrested and charged with burglary and theft. He was convicted and sent to prison for fifteen months with hard labour.

When he came out in April, 1981, he went back to his brother in Luanshya. There he did not stay again, as two months later he again broke into a house. The occupants were asleep. He used a crow bar again. From this house he got away with a television and radio Cassette. These items were intended for selling, but unfortunately he was picked up by the Mine Police as he was going to sell them. He was again charged with Burglary and theft. He was convicted and sentenced to four years imprisonment with hard labour on July 30, 1981.

His parents are still staying in Chingola where they have bought a house in Maiteneke Site and Service Scheme.

Willie says he will still go back to his brother after his present jail term since he would like his brother to help him get a job. He likes and is interested in gardening. His ambition is to become a farmer. He does not drink beers often.

At the moment Willie is not married, he does think of getting married but then he hasn't got any source of income.

Kenneth

He was born in 1949 in Kitwe, in a family of two that is ~~him and his sister.~~

He does not know the standard of education his parents reached as he has never stayed with them. His father works for Kitwe Council Fire Brigade, as a fire fighting man. The mother

does not work at all, he does not know the income that the father brings in. His young sister who now sixteen years old is in Grade seven.

Kenneth started school in 1962, at this time he was staying with his grandfather. In actual fact he started staying with his grandfather when he was young.

Kenneth's School life was very short lived, since his grandfather died in 1964, and at this time he was in grade three. To him it was like the end of the world, he didn't know what to do. Going to stay with the parents was a bitter pill to swallow. Finally he decided to stay with an uncle. He stayed with his uncle for five years until 1969. These were hard years as his uncle's wife was very cruel to him. Most times he went without food. In 1971 he decided to go and stay with his father and mother when he really was already 22 years old.

This was the time when he discovered that his parents were heavy drinkers. They drunk all types of beers. During Kenneth's stay with the parents, he discovered that they quarrelled and fought very frequently and that they showed love and affection to his sister only.

In 1971 Kenneth and his friends broke into a store and stole empty bottles worth K10.30. They intended to go and sell them so that they could use the money to buy food and other things. They were arrested and charged with store breaking, and sentenced to six months with hard labour.

When Kenneth came out of prison in December 1971, he decided to stay with friends rather than go back to his parents. Five months later in May 1972 he was again arrested for store-breaking.

This time he broke into the store alone. He went in through the door, after forcing the lock open, by using a steelson wrench (Sobojonis) and an iron bar. The iron bar he inserted between the lock and used the steelson wrench as a hammer. He stole property worth K392.29, but was arrested by a Policeman on patrol. The court ordered five strokes of the cane and property to be returned to the owner.

The whole of that year ended without Kenneth getting into trouble with the Police. In January, 1973 Kenneth in the company of three friends broke into a big store. They got into the store through the roof, this was possible since they removed part of the roof and stole property worth K8,733.91. Everthing went well, they left with the goods. But the whole thing blew up when one of his friends was arrested selling the stolen property.

This person was taken to the Police station and there he was made to reveal everthing. Kenneth and the rest of his friends were arrested. They were given five (5) counts of store breaking, they were tried and found guilty and were sentenced to 6 months on each count, to run concurrently, since half of the stolen property was recovered.

When Kenneth finished his 1973 jail term, he got married to grade seven girl. In 1974 they had a baby girl. His wife started selling at the market, for they needed the money to feed themselves. The market business was not bad as it brought in K60 a month, with this amount they were able to rent a house and feed themselves. But in July the same year, 1974, Kenneth went and broke into an office and stole some gadget whose name he cannot recall. He was seen coming out of the office by a security

guard. Kenneth was caught and taken to the Police station where he was charged with office-breaking and stealing property worth K138.24. Kenneth was convicted and sentenced to 13 months of which one year was suspended on condition that he did not commit a similar offence for one year. So he served six months in prison with hard labour. Kenneth finished his prison term, but remained with the suspended one. He got out of prison and went back to his wife. She was still selling at the market.

Hardly a year passed before Kenneth again broke into a store and got away with clothes: he kept some for his use and tried to sell the rest so that he could have some money for his leisure. The Police caught him and beat him up until he revealed where he had got the clothes, again he was charged with store-breaking. This was now in 1975 February. The value of clothes was K81.78. He was convicted and sentenced to four months imprisonment with hard labour on February 18, 1975.

In 1976 December he was arrested from his house in Kitwe for violating the conditions of the suspended sentence. In December 1977 he again broke into another store and stole goods worth K1,044.50. He got away with the goods without trouble and even managed to sell all of them. He was later picked up by Officers from C.I.D. for investigations. While at the police station he was beaten until he agreed that he was the one who had broken into the store. A charge was written against him and he was convicted and sentenced to 10 months with hard labour. However, the Police did not get the money from him, all the money remained with the wife.

When Kenneth got out he found that his wife had made good use of the money. She had extended her market stalls, and that meant that she was able to bring in more money at the end of the month. She was bringing in as much as K200 a month. Ever since he says he has stayed away from stealing. The jail term that he is serving at the moment is of stock theft. If this case he actually did not steal, but was found in company of friends who had stolen meat. Kenneth has been staying in Chimwemwe high density area all along. His parents stay in Kwacha high density area. Both these Compounds are in Kitwe.

Boniface

Boniface was born in 1950, in Luanshya. They are seven children in the family; that is two girls and five boys. His parents went to school. The father went as far as standard 6 and his mother as far as standard 4 in education.

His father was a miner in Luanshya although Boniface cannot recall what type of job he used to do. The mother has never worked in her lifetime so the only source of income that the family depended on was the the father's earnings, but Boniface cannot say how much it was he thinks it was very little since his mother had to struggle to make ends meet. The children managed to go to school although Boniface dropped out in grade 5.

The eldest in the family went as far as standard 4 and he is now working as a salesman in Luanshya. However, he is not the highest in education as his sister is still doing Form II in Luanshya.

Boniface's father drinks all types of beer as long as it can

intoxic~~ate~~te him. His mother also used to drink. Many times parents used to go drinking together. On their coming back they would often fight and quarrel.

Boniface started school in 1960 at home in Northern Province, when his father retired. He liked going to school despite the distance he had to walk, because his mother gave him encouragement. While at school he found Arithmetic, English, Science, Art, Gardening, Civics and football interesting. His passing position was sixth or eighth. He does admit that he wasn't all that bright to be top in the class. While in school Boniface violated one school rule three times and that was fighting. For these offences he was caned. When he reached grade 5 his mother passed away. This affected him badly, and later he found going to school difficult as he had to go to school on an empty stomach. He decided not to continue and came to stay with his elder brother in Luanshya, in 1966, his brother was married and had three children and was working in the mines. All was well, he got along well with his brother and his family. In 1967 Boniface started working in a Grocery until 1969 when he stole some goods from his employer's Grocery with the intention of selling the goods so that he could have extra money for his leisure. Fortunately enough the owner of the grocery only got back his goods and the matter ended at the Police station.

On being freed from Police station, he decided to go and stay with his other brother in Chingola Mine area low density

area. There he did not stay long as he stole a dress from the wash line valued at K15. The reason behind this theft was because he was short of money, so he decided to steal the dress and sell it but he was caught before he even got away from the wash line. He was charged and convicted on February 24, 1970, and sentenced to four months imprisonment with hard labour.

When he came out of Prison he went back to Luanshya and in 1971 he started working for London County in Luanshya as a painter until 1972 when he was again arrested and convicted for theft.

He stole clothes valued at K19.50 from the wash line again. The reason again was that he was short of money. He was sentenced to six months imprisonment with hard labour. In this second offence he was caught while taking the clothes from the line, just like in the first case. He served his sentence and came back to Luanshya.

One year later after coming out of prison, on June 6, 1973 he was again convicted of theft. Boniface this time decided to change his style of thefts, he shop-lifted a hat from Sathan Stores. He says "It looked easy for me, I simply wore the hat and walked out I nearly got away with it but the devil again was with me, the security guard realised that I had not shown him the cash slip and after I had gone fifty yards, they gave chase and caught me." Boniface was sentenced to five months imprisonment with hard labour.

In December 1973, four months after he had come out of the prison he was back again in prison, despite changing his

type of offence. He broke into a store, through a window with a friend and took trousers: shirts and various items. He was caught wearing one pair of trousers he stole from the shop and was convicted to six months imprisonment with hard labour.

In 1974 he came out of prison and stayed clear until 1976 November, when he got clothes from the wash line worth K42. Asked why he stole, he said "its because I have no other source of money, my brother looks after me well, but I also used to have money so that I can buy what pleases me." However, he was convicted and sentenced to three months hard labour on November 12, 1976.

His sixth account came in 1977 October, this time he went and bought bedsheets and bedcover from a wholesaler in Ndola with the intention of selling them at a higher price, but this did not work according to his plan. Because the neighbour saw him with the bedcovers and bedsheets and concluded that he had stolen them. The neighbour reported to the Police, and Boniface was arrested and charged with possessing property believed to have been stolen. Again he was convicted and sentenced to six months imprisonment with hard labour.

In 1979 Boniface decided to get married. He got married to a grade seven girl whom he had impregnated; they had a baby girl. He also found employment as a road sign giver with Cogefar Road Construction Company. His monthly earning was K65. From this he supported his wife and daughter. His income did not meet the family needs as he had begun drinking beers. He drank Mosi, Gin, Brandy and Whisky. So the shortage of money

again led him to breaking into a house. He went on to say that it is the fault of bad craftsmanship that he or any other house breaker can jerk back the inside part of the lock, they leave space behind the lock, this enables anybody to jerk back the the inner lock and the door opens.

However, Boniface was convicted and sentenced to six months imprisonment. He was caught while going with the suitcases in which he had packed the stolen goods. Again after finishing his 1979 prison term Boniface did not stay long out of prison.

He went to a house, and broke into it. The owners of the house were on leave; they had actually gone out of town. So Boniface went and broke a window pane, opened the other window and got inside. When he got in he got shocked. Other burglars had beaten him to it, they had already ransacked the house, leaving only the mattress. He decided to take the mattress, but on coming out he was caught and taken to the Police Station. The Police also concluded that he was the one who had raided the house and taken the other property. So he had had come back to take what he had left. Hence he was charged with house breaking.

He was convicted and sentenced to three years imprisonment with hard labour and a four year suspended sentence. This is the sentence he is serving now. This time Boniface says that when he comes out he would like to go back to his home village. That's where his father is staying. Boniface does not wish to go

back to his brother, who stays in the low density area. Actually before Boniface was convicted in 1979 he managed to secure a house for his family, at Fisenge shanty compound near Luanshya. That is where he stayed until he came to serve his present jail term. His wife has gone to stay with Boniface's sister in Kitwe Chimwemwe high density area.

BIBLIOGRAPHY

1. Asumi, T. The Prison System in Nigeria, Lagos University Press, Lagos, 1968.
2. Bamisaiye, A. "The Spatial Distribution of Juvenile Delinquency and Adult Crime in the city of Ibadan." International Journal of Criminology and Penology 2, 1974.
3. Clemmer, Donald The Prison Community, Holt, Rinehart and Wiston, New York, 1958.
4. Clifford, W. William An Introduction to African Criminology, Nairobi: O.W.P., 1974.
5. Clifford, William Crime in Northern Rhodesia, Rhodes-Livingstone Institute, Lusaka, 1968.
6. Clinard, M.B. and Abbott, D.J. Crime in Developing Countries John Wiley and Sons, New York 1973.
7. Cloward, R.A. and Ohlin, L.E. Delinquency and Opportunity, Glencoe, III. 1960.
8. Cohen, Albert, K. Delinquency Boys, The Subculture of the Gang, New York, 1955.
9. Cressey Donald, E. "Contradictory Directives in Complex Organisations. The Case of the Prison." Administrative Quarterly 9, 1961.
10. Durkheim Emile The Normal and the Pathological, in M.E. Wolfgang, L. Savitz, N. Johnston, The Sociology of Crime and Delinquency Second Edition, John Wiley and Sons Inc., New York, 1970.
11. Engels F. The Conditions of the Working Class in England, Blackwell, Oxford, 1958.
12. Fox Lionel W. The English Prison and Borstal Systems, Routledge and Kegan Paul Ltd., Broadway House, Carter, London, 1964.
13. Gibbons, Don C. Society, Crime and Criminal Career, (Third Edition) Prentice Hall Inc., Engle wood Cliffs, New Jersey 1977.
14. Hood, E. and Spark, R. Key Issue in Criminology, Weidenfeld and Nicolson London, 1970.
15. Kaunda Kenneth D. Humanism in Zambia and a Guide to it's Implementation Part II. Lusaka, Government Printers, 1974.

16. Matin, Richard Size and Distribution of Squatter Settlements, Lusaka, 1972.
17. Merton, K. Robert Social Theory and Social Structure, Free Press, New York, 1957.
18. Merton, K. Robert Social Structure and Anomie in M.E. Wolfgang, L. Savitz, N. Johnston The Sociology of Crime and Delinquency, John Wiley and Sons, Inc., New York, 1970.
19. Oruka, Odera Punishment and Terrorism in Africa, African Literature Bureau, Dar es Salaam, 1976.
20. Peil, Margreth Consensus and Conflict in African Societies Longman Group, London, 1977.
21. Phillipson, M. Sociological Aspects of Crime and Delinquency Routledge and Keagan, Paul, 1976.
22. Rubin, Sol The Law of Criminal Correction, West Publishing Co., St. Paul, Minn. 1963.
23. Schrage, Clarence Leadership Among Prison Inmates, American Sociological Review, 19, 1954, 37.
24. Sellin, Thorsten "A Sociological Approach" in M.E. Wolfgang, L. Savitz, N. Hohnston, The Sociological Crime and Delinquency, John Wiley and Sons, Inc., New York, 1970.
25. Sutherland, E.H. and Cressy, R.D. Principles of Criminology, J.B. Li pincolt Company, Philadelphia, 1955.
26. Sykes, Gresham M. The Society of Captives Princeton University Press, Princeton N.J., 1950.
27. Tanner, R .E.S. Three Studies in East African Criminology, Skandinavian Institute of African Studies, Uppsala, 1970.
28. Task Force Report, "Measuring Crime" Science and Technology, Presidents Commission on Law Enforcement and Administration of Justice, Washington D.C., 1967 in M.E. Wolfgang, L. Savitz, N. Johnston, The Sociology of Crime and Delinquency, (Second Edition), John Wiley and Sons, Inc., New York, 1970.
29. Vold, George G. Theoretical Criminology, Oxford University New York, 1958.
30. Wolfgang, M.E., Savitz, L., Johnston, N. The Sociology of Crime and Delinquency, Second Edition, John Wiley and Sons, Inc., 1977.

Material, Papers, Documents

American Correctional Association, Manual of Correctional Standards, New York, 1959.

Annual Reports, Zambia Prison Department.

Census of Population, 1969. and 1980.

Official Statistics of Police Headquarters, 1977.

Prison Act of 1955, Government Printers, Lusaka.

Third National Development Plan, Government Printers, Lusaka, 1979.

Koauder, S. The Social Situation of Ex-prisoners in Austrilia, Unpublished material, 1980.

Milimo, Prisca Social Status of Delinquents and their Parents in Zambia, unpublished fourth year students research project.

APPENDIX 1

QUESTIONNAIRE

Explanation to the interviewee

This is a scientific investigation into the social situation of people who have been to prison several times in order to understand their problems better. In answering the questions you might help yourself and others in the long run.

You should not be afraid to give any answer you want to, as long as it describes your real situation and feeling, because all the answers will be treated absolutely confidential and you will not have any disadvantage no matter what you say.

1. Name

2. How old are you?

- | | | | |
|---|---------|---|--------|
| 1 | - 20 | 4 | 31- 40 |
| 2 | 21 - 25 | 5 | 41- 50 |
| 3 | 26 - 30 | 6 | 51- 60 |

I. SOCIAL SITUATION BEFORE LAST IMPRISONMENT

3. Before you came to prison this last time were you:

- | | |
|--|-------------|
| 1. single | 4 separated |
| 2 married | 5 divorced |
| 3 did you stay
with a woman or
a girl. | 6 widowed |

4. How often did you remarry?

- | | |
|---------|---------------|
| 1 once | 3 three times |
| 2 twice | 4 four times |

5. How many children of your own or from a previous marriage of your wife do you have? 0,1,2,3,4,5,6,7,8,9,.....

6. How many other dependents? 0,1,2,3,4,5,6,7,8,9,.....

7. If you went to school, how far did you go?

- | | |
|---------------------------|----------------|
| 1 never went (grade 1+2) | 5 form I - III |
| 2 grade 3+4 (standard IV) | 6 form IV - V |
| 3 grade 5-7 (standard VI) | 7 college |
| 4 vocational training | 8 university |

8. Before you came to prison this last time you had:

- 1 a regular employment
- 2 were you self-employed
- 3 worked on the land in the village
- 4 did you help somebody regularly
- 5 you had no work at all

9. What kind of work did you do?

10. What was your monthly income?

- | | |
|------------|----------------|
| 1 nil | 5 120 - 250 |
| 2 - 40 | 6 above 250 |
| 3 41 - 80 | 7 I don't know |
| 4 81 - 120 | |

11. With whom were you staying?

- | | |
|--------------------------|--------------------|
| 1 alone | 4 with relatives |
| 2 with wife and children | 5 with friends |
| 3 with your parents | 6 with girl-friend |

12. Did you live:

- 1 in a shared room (excluding relatives)
- 2 in a rented room
- 3 in your own house
- 4 parents house
- 5 government house

13. Where did you live? (name of village, district, town, part of town) (do not read the codes)

.....

- 1 high cost housing area
- 2 medium cost housing area
- 3 low cost housing area
- 4 site and service scheme
- 5 squatter
- 6 village

14. For how long have you been out of prison the last time?

- | | |
|---------------|--------------------|
| 1 1-3 weeks | 5 3 years |
| 2 1-11 months | 6 4 years |
| 3 one year | 7 5 and more years |
| 4 two years | |

15. When you came out of prison the last time, where/to whom did you go first?

Place:.....

person (relationship):.....

16. Where and with whom did you finally settle?

Place:.....

person (relationship):.....

17. Was your marriage (engagement, girl-friendship, traditional arrangement) broken as a result of your imprisonment?

1 yes 2 no

18. What was your working situation when you came out of prison the last time?

- 1 I continued working on the same job
- 2 I found a new job immediately
- 3 I was self employed
- 4 I worked on the land in the village
- 5 I continued helping someone regularly
- 6 I found a job but only after.....
- 7 I had no work at all

19. Did you have much contact with people who have been in prison before?

1 yes 2 no

20. How would you describe your situation in general when you were out of prison the last time (do not read the codes)

- 1 loss of wife (girl-friend)
- 2 loss of other relatives
- 3 loss of job
- 4 loss of material things
- 5 any other
-
-

21. Whilst in prison this last time, are you being visited:

- 1 regularly
- 2 seldom
- 3 never

22. If regularly or seldom: who visits you?

- 1 wife
- 2 parents
- 3 relatives
- 4 friends

II. SOCIAL SITUATION BEFORE AND AFTER FIRST IMPRISONMENT

23. How old were you?

- a) when you first came to prison and
- b) immediately after

a) 1	- 20	4	31 - 40
2	20-25	5	41 - 50
3	26-30	6	51 - 60

b) 1	-20	4	31 - 40
2	20-25	5	41 - 50
3	26-30	6	51 - 60

24. Before you first came to prison and immediately after were you:

- | | | | |
|------|---------------------------|---|-----------|
| a) 1 | single | 4 | separated |
| 2 | married | 5 | divorced |
| 3 | staying with a girl/woman | 6 | widowed |

- | | | | |
|------|---------------------------|---|-----------|
| b) 1 | single | 4 | separated |
| 2 | married | 5 | divorced |
| 3 | staying with a girl/woman | 6 | widowed |

25. How many children of your own or from a previous marriage of your wife did you have?

- a) before you first came to prison
- b) and immediately after

a) 0,1,2,3,4,5,6,7,8,9,.....

b) 0,1,2,3,4,5,6,7,8,9,.....

26. How many other dependants did you have?

a) 0,1,2,3,4,5,6,7,8,9,.....

b) 0,1,2,3,4,5,6,7,8,9,.....

27. What was your occupation before you came to prison (skill)

.....

28. Before you came to prison the first time, have you had:

- 1 a regular employment
- 2 were you self employed
- 3 worked on the land in the village
- 4 did you help somebody regularly
- 5 you did not work at all

29. When you first came out of prison:

- 1 I continued working on the same job
- 2 I found a new job immediately
- 3 I was self employed
- 4 I worked on the land in the village
- 5 I continued helping someone regularly
- 6 I found a job but only after
- 7 I had no work at all

30. What was your monthly income, as far as you can remember,

a) before your first imprisonment and b) immediately after

- | | | | | |
|----|---|---------|---|-----------|
| a) | 1 | nil | 4 | 81-120 |
| | 2 | - 40 | 5 | 120 - 250 |
| | 3 | 41 - 80 | 6 | over 250 |

- | | | | | |
|----|---|---------|---|----------|
| b) | 1 | nil | 4 | 81-120 |
| | 2 | - 40 | 5 | 121-250 |
| | 3 | 41 - 80 | 6 | over 250 |

31. With whom were you staying a) before your first imprisonment and b) immediately after

- a) 1 alone
- 2 with wife and children
- 3 with your parents
- 4 with relatives
- 5 with friends
- 6 with girl-friend

- b) 1 alone
- 2 with wife and children
- 3 with your parents
- 4 with relatives
- 5 with friends
- 6 with girl-friend

32. a) Before you came to prison and b) immediately after did you live:

- a) 1 in a shared room (excluding relatives)
- 2 in a rented room
- 3 in your own house
- 4 parents house

- b) 1 in a shared room
- 2 in a rented room
- 3 in your own house
- 4 parents house

33. Where did you live? a) before you came to prison and b) immediately after
(name of village, district, town, part of town)
(do not read the codes)

.....

- a) 1 high cost housing area
- 2 medium cost housing area
- 3 low cost housing area
- 4 site and service scheme
- 5 squatter
- 6 village

- b) 1 high cost housing area
- 2 medium cost housing area
- 3 low cost housing area
- 4 site and service scheme
- 5 squatter
- 6 village

34. When you came out of prison the first time, where and to whom did you go first?

Place:.....

person (relationship):.....

35. Where and with whom did you finally settle?

place:.....

person (relationship):.....

36. Was your marriage (engagement, girl-friendship, traditional arrangement) broken as a result of your imprisonment?

1 yes 2 no

37. Did you have much contact, with people who have been in prison before?

1 yes 2 no

38. How would you describe your situation in general when you came out of prison the first time? (do not read codes)

- 1 loss of wife (girl-friend)
- 2 loss of other relatives
- 3 loss of job
- 4 loss of material goods
- 5 any other

.....

39. While you were in prison the first time, have you been visited:

- 1 regularly
- 2 seldom
- 3 never

40. If you were visited regularly or seldom: who visited you?

- 1 wife
- 2 parents
- 3 relatives
- 4 friends

41. How often did you lose employment as a result of imprisonment?

0,1,2,3,4,5,.....

42. How often did your marriage (engagement, girl-friendship, traditional arrangement) break down as a result of imprisonment?

0,1,2,3,4,5,.....

43. Do you know now where with whom you be staying after discharge?

1 yes 2 no

44. Do you know now where you will be working after discharge?

1 yes 2 no

45. Did your job situation in general:

1 improve
2 remain the same
3 worsen since your first imprisonment?

46. Did your housing conditions or other house:

1 improve
2 remain the same
3. worsen since your first imprisonment?

III. SOME CHILDHOOD EXPERIENCE

47. With whom did you grow up?

1 parents
2 mother without father
3 father without mother
4 grandparents
5 I had a stepmother
6 I had a stepfather
7 with relatives
8

48. Did you think your parents or the people you grow up with liked you when you were a child:-

1 very much
2 somehow
3 not at all

49. Did your parents or the people you grew up with best you when were a child?

1 very much
2 often
3 sometimes
4 never

60. How would you describe your childhood?

.....
.....
.....

7. JUDGEMENT OF THE REHABILITATION PROGRAMMES

1. Did you learn a trad/skill when you were in prison the first time?

- 1 yes 2 no

2. Which trade did you learn?

- | | |
|---------------|-----------------|
| 1 farming | 5 shoerepair |
| 2 bricklaying | 6 basket making |
| 3 carpentry | 7 mat making |
| 4 tailoring | 8 any other |

3. Did you learn a skill when you were in prison the last time?

- 1 yes 2 no

4. Which trade did you learn?

- | | |
|---------------|-----------------|
| 1 farming | 5 shoerepair |
| 2 bricklaying | 6 basket making |
| 3 carpentry | 7 mat making |
| 4 tailoring | 8 any other |

5. Did you learn and work within the same trade each time you were in prison?

- 1 yes 2 no

If no: What other work did you do?

.....

6. What other skill did you learn?

- | | |
|---------------|-----------------|
| 1 farming | 5 shoerepair |
| 2 bricklaying | 6 basket making |
| 3 carpentry | 7 mat making |
| 4 tailoring | 8 any other |

7. After you have been discharged the last time, did you try to make use of the trade which you learned in prison?

- 1 yes 2 no

If yes: Did you:

- 1 find employment within this trade
- 2 exercise the trade as self employed
- 3 unable to do one or two

60. If code 3 why?
.....
.....

61. After you have been discharged the first time, did you try to make use of the trade which you learned in prison
1 yes 2 no

62. If yes: Did you:
1 find employment within this trade
2 exercise the trade as self employed
3 unable to do 1 or 2

63. If code 3 why?
.....

64. Did you go to school while in prison?
1 yes 2 no

65. If yes: Which classes did you attend?
.....

66. Do you appreciate what you learned in prison?
1 yes 2 no

67. Did it increase your ability to make a living of your own?
1 very much
2 somehow
3 not at all

V. JUDGEMENT OF IMPRISONMENT

68. Do you think the length of the sentence is appropriate to your offence?

1 yes 2 no

69. Are you gaining anything from this imprisonment?

1 yes 2 no

70. Did you gain anything from any other imprisonment?

1 yes 2 no

71. What is your reaction to this imprisonment? Do you feel:
(three choices possible)

1 ashamed
2 guilty
3 depressed
4 angry

72. What do you consider as the worst thing during your imprisonment? (three choices possible)

- 1 the work which is too hard
- 2 the separation from your wife and children
- 3 the treatment by the prison guards
- 4 that you cannot have sex
- 5 that you have to live and sleep with too many people in one room
- 6 that you cannot get any alcohol
- 7 others
- 8 I consider nothing as bad

73. How do the prison guards treat you?

- 1 brutal
- 2 rude
- 3 unfair
- 4 they are about o.k.
- 5 they are friendly
- 6 they are very nice

74. How did the police treat you when you were arrested and interrogated? Did they:

- 1 threaten you
- 2 push you arround
- 3 slap you
- 4 injure your body
- 5 none of the above, they were fair and polite

75. What is your biggest problem at the moment?

.....
.....

76. What would you like to achieve in future?

.....
.....

APPENDIX II

DISTRIBUTION OF URBAN WAGES AND SALARIES

1974-5 ⁽¹⁾ Monthly Income	1974-5 Average Income	Assessed Income 31.12.76	Households		Distribution	
K	K	K	thous	%	Cum	%
0 - 30	24.50	30.62	6.9	2.3	2.3	
30 - 40	34.60	42.63	37.8	12.3	14.6	
40 - 60	48.67	58.14	61.3	20.0	34.6	
60 - 80	69.10	81.26	51.9	17.0	51.6	
80 -100	89.72	101.81	36.9	12.0	63.6	
100-120	111.20	125.55	22.2	7.2	70.8	
120-140	129.40	148.59	13.9	4.6	75.4	
140-160	146.20	165.36	10.5	3.4	78.8	
160-200	181.50	205.14	11.5	3.8	82.6	
200-250	234.00	265.60	9.7	3.1	85.7	
250-300	275.00	309.58	7.6	2.5	88.2	
300-400	339.00	376.62	7.3	2.4	90.6	
400.500	435.70	482.63	6.0	2.0	92.6	
500-600	530.00	573.23	4.9	1.6	94.2	
600-700	625.00	667.57	7.5	2.4	96.6	
700 +	-	746.00	+ 10.4	3.4	100.00	
			306.3	100.0		

(1) Based on CSO 1974/5 Household Budget Survey

APPENDIX III

STANDARD DEVIATION

ing the formula:

$$\frac{p(1-p)}{n}$$

the standard deviation of the

ples of this research are as follows:

all recidivists n = 100

p = 10% = 0.1 or 90% = 0.9: s.e. = 0.03

p = 20% = 0.2 or 80% = 0.8: s.e. = 0.04

p = 30% = 0.3 or 70% = 0.7: s.e. = 0.045

p = 40% = 0.4 or 60% = 0.6: s.e. = 0.05

p = 50% = 0.5: s.e. = 0.05

For rehabilitated recidivists n = 44

if p = 10% = 0.1 or 90% = 0.9: s.e. = 0.045

if p = 20% = 0.2 or 80% = 0.8: s.e. = 0.06

if p = 30% = 0.3 or 70% = 0.7: s.e. = 0.07

if p = 40% = 0.4 or 60% = 0.6: s.e. = 0.07

if p = 50% = 0.5: s.e. = 0.075

non-rehabilitated recidivists n = 56

p = 10% = 0.1 or 90% = 0.9: s.e. = 0.04

p = 20% = 0.2 or 80% = 0.8: s.e. = 0.05

p = 30% = 0.3 or 70% = 0.7: s.e. = 0.06

p = 40% = 0.4 or 60% = 0.6: s.e. = 0.065

p = 50% = 0.5: s.e. = 0.066