



## **The Paradox of Confinement: A Philosophical Analysis of Prisons in Africa as Sites of Repression and Reformation**

Ndzi Etienne Ngah | etienengah@gmail.com | [ORCID](#) |  
PhD Student, Department of Philosophy, University of Yaoundé I, Yaoundé,  
Cameroon

# **e\_AOPL Journal of Social Sciences**

**Volume 3 | Number 2**

Received:  
**22.02.2025**

Accepted:  
**17.12.2025**

Published:  
**31.12.2025**

[https://africaopl.org/e\\_aopl-journal-of-social-sciences/](https://africaopl.org/e_aopl-journal-of-social-sciences/)



Nyarugenge-Rubangura House, 3325+28X, Kigali, Rwanda



+250 788 861 433



[info@africaopl.org](mailto:info@africaopl.org)



[www.africaopl.org](http://www.africaopl.org)

**Abstract:** This article explores the paradox of prisons in Africa, examining the complex and often contradictory roles that prisons play as sites of both political repression and reformation. Through a philosophical analysis of the major theories of punishment, the historical and contemporary use of prisons as tools of political repression, and the concept of reformation in the context of African prisons, the article reveals the deep-seated tensions and contradictions underlying the paradox of prisons in Africa. It argues that a nuanced understanding of these tensions and contradictions is essential for addressing the complex issues surrounding prisons in Africa, and for promoting more just and equitable societies.

**Keywords:** Prisons, Africa, punishment, repression, reformation, philosophy

## Introduction

Prisons in Africa have long been a paradoxical institution, serving simultaneously as sites of political repression and reformation. On one hand, prisons have been used as tools of colonial and post-colonial control, silencing political dissent and maintaining the power of ruling elites (Bernault 2003; Dick 2008; Cross 2021). The use of imprisonment as a means of social control has been a persistent feature of African politics, from the colonial era to the present day. For example, during the apartheid era in South Africa, prisons were used to detain and punish anti-apartheid activists, including Nelson Mandela, who spent 27 years in prison for his fight against apartheid (Mandela 1994). Prisons have also been touted as institutions of rehabilitation and reformation, aimed at transforming offenders into productive members of society (Fajfer-Kruczek 2020). The idea of rehabilitation is based on the notion that offenders can be reformed and reintegrated into society through education, vocational training and counseling. However, the reality of prisons in Africa often falls short of this ideal. Many prisons in Africa are characterised by overcrowding, poor sanitation and inadequate access to basic necessities like food as well as water and healthcare (Amnesty International 2020).

This paradox raises fundamental philosophical questions about the nature and purpose of punishment, the relationship between power and confinement and the possibilities and limitations of rehabilitation. What is the purpose of punishment and how does it relate to the goals of rehabilitation and reformation? How do power dynamics shape the use of imprisonment as a means of social control? What are the implications of using prisons as sites of both repression and reformation?

Historically, the development of prisons in Africa was closely tied to the colonial project. European colonisers introduced modern prison systems to Africa as a means of controlling and disciplining local populations (Muntingh 2009). Prisons were used to suppress resistance to colonial rule, punish those who violated colonial laws and regulations, and maintain social order. The legacy of colonialism continues to shape the character and function of prisons in Africa today.

This article will explore the philosophical tensions underlying the paradox of prisons in Africa. Through a critical examination of the historical and contemporary uses of prisons in Africa, this article will analyse the philosophical implications of using prisons as sites of both repression and reformation. Specifically, this article will examine the major

philosophical theories of punishment, the relationship between power and confinement, and the possibilities and limitations of rehabilitation in the African context.

### **The philosophy of punishment**

Punishment is a complex and multifaceted concept that has been debated by philosophers for centuries. In the context of prisons in Africa, punishment is a crucial aspect of the criminal justice system. This section examines the major philosophical theories of punishment, including retributivism, deterrence and rehabilitation, as well as analysis of their implications for our understanding of the purpose and function of prisons in Africa.

#### ***Major philosophical theories of punishment***

To begin, retributivism is one of the major philosophical theories of punishment. Retributivism is a philosophical theory of punishment that holds that the primary purpose of punishment is to inflict suffering or hardship on the offender in proportion to their wrongdoing (Kant, 1790). According to Immanuel Kant, “punishment is a categorical imperative; a moral necessity that follows from the principle of justice” (Kant 1790, 105). Kant’s theory of retributivism is based on the idea of moral retribution, which holds that offenders deserve to suffer for their crimes. In the context of Africa, similar notion of retributive justice has can be seen in the Ubuntu philosophy which put emphasis on the importance of restoring balance and harmony in the society (Mbiti 1969).

However, in the context of prisons in Africa, retributivism has been used to justify harsh punishment and lengthy prison sentences in some countries. For example, in South Africa, the Truth and Reconciliation Commission (TRC) was established in 1995 to investigate human rights abuses committed during the apartheid era. The TRC’s emphasis on punishment and retribution for those who committed human rights abuse reflects a retributivist approach to justice. However, retributivism has been criticized for its emphasis on punishment and retribution, which can lead to harsh and unfair treatment of offenders (Hegel 1991). For example, in Nigeria, the use of corporal punishment, such as flogging, has been criticised for its brutality and ineffectiveness in reducing crime (Amnesty International 2020). It is from such experiences that African philosophers such as Menkiti (1984) argue that justice should prioritise rehabilitation over retribution, emphasising the importance of community and social harmony.

Secondly, we have the philosophical theory punishment called deterrence. Deterrence is another philosophical theory of punishment that holds that the primary purpose of

punishment is to deter potential offenders from committing crimes (Bentham [1789] 2017). This theory developed by Jeremy Bentham and Cesare Beccaria argues that the primary purpose of punishment is to deter individuals from committing crimes. According to Bentham ([1789] 2017, 158), “the object of punishment is to prevent the commission of crimes and to deter others from committing them”. Rawls (1999) later theory of justice is based on the idea that the threat of punishment will deter people from committing crimes. In other words, a just society is one whose basic institutions would be chosen by free and equal people behind a “veil of ignorance,” leading them to adopt principles that secure equal basic liberties and arrange social and economic inequalities to benefit the least advantaged.

In the context of prisons in Africa, like in the case of retributivism, deterrence has also been used to justify harsh punishment and lengthy prison sentences as a means of deterring crime. For example, in Kenya, the government has introduced harsh punishment for corruption, including lengthy prison sentences and fines (Government of Kenya 2018). Most political activists in Africa have claimed that the aim of these punishments is to deter others from committing corruption. However, the application of this theory has been criticised for its emphasis on punishment and its failure to address the underlying causes of crime (Beccaria [1764] 2006). For example, in South Africa, the high rates of crime and violence have been linked to poverty, unemployment and social inequality (South African Police Service 2021). In this context, punishment alone may not be an effective deterrent and more attention needs to be paid to addressing the underlying social and economic causes of crime.

Furthermore, another theory that explains the philosophy of punishment is rehabilitation. Rehabilitation is a philosophical theory of punishment that holds that the primary purpose of punishment is to reform and rehabilitate the offender (Rawls 1955). Developed by John Rawls, he argues that “the primary goal of punishment is to restore the offender to a state of moral and social responsibility” (Rawls 1955, 210). Rawls’ theory of rehabilitation is based on the idea that offenders can be reformed and reintegrated into society through education, vocational training and counseling. Similarly, rehabilitation as a theory of punishment has been used to justify prison programmes in some African countries aimed at rehabilitating offenders and preparing them for reintegration into society. For example, in Rwanda, the government has introduced prison programmes aimed at rehabilitating genocide perpetrators and preparing them for reintegration into

society (International Corrections & Prisons Association. 2025). Similarly, Cameroon has introduced a Disarmament, Demobilisation and Reintegration (DDR) programme to rehabilitate and reintegrate former combatants, including those from Boko Haram and Anglophone crises into the society.

However, rehabilitation has been criticised for its emphasis on individual reform and its failure to address the broader social and economic causes of crime (Foucault 1977). For example, in Nigeria, the high rates of recidivism have been linked to the lack of effective rehabilitation programs and the failure to address the underlying causes of crime. From the foregoing, it can be observed that the philosophy of punishment is a complex and multifaceted concept that has significant implications for our understanding of the purpose and function of prisons in Africa. While Western philosophical theories of punishment provide a useful framework for understanding the purpose and function of prisons, they must be applied with caution and sensitivity to the African context.

### ***Implications of philosophical theories of punishment for prisons in Africa***

The philosophical theories of punishment discussed above have significant implications for our understanding of the purpose and function of prisons in Africa and the world. Based on Kant's (1790, 105) observation that "punishment is a categorical imperative, a moral necessity that follows from the principle of justice", that is to say that the primary purpose of prisons is to punish offenders for their wrongdoing. It can be argued that this approach can lead to harsh and punitive prison conditions, which may not be effective in reducing recidivism or promoting rehabilitation. For example, in South Africa, the use of solitary confinement has been criticised for its harsh and inhumane conditions (Amnesty International 2020). It is from this experience that African Commission on Human and Peoples' Rights (2024) observed that solitary confinement can have serious negative effects on the mental and physical health of prisoners.

Furthermore, deterrence as a philosophical theory of punishment implies that the primary purpose of prisons is to prevent crime by deterring potential offenders. Based on Bentham's prism that, "the object of punishment is to prevent the commission of crimes and to deter others from committing them" (Bentham [1789] 2017, 158). It can be argued that this approach can lead to lengthy prison sentences and harsh punishment, which may not be effective in reducing crime rates or promoting public safety. For example, in Nigeria, the use of capital punishment has been criticised for its ineffectiveness in reducing crime rates (Nigerian Prisons Service 2020). Similarly, the

United Nations Office on Drugs and Crime (2017) declared that there is no conclusive evidence that the death penalty is an effective deterrent to crime.

In the same line of reflection, meanwhile rehabilitation implies that the primary purpose of prisons is to reform and rehabilitate offenders, as Rawls (1999, 210) affirms that the primary goal of punishment is to restore the offender to a state of moral and social responsibility. This approach can also lead to prison programs aimed at promoting education, vocational training and counseling, which can be effective in reducing recidivism and promoting rehabilitation. For instance, as seen above the government of Rwanda has introduced prison programs aimed at rehabilitating genocide perpetrators and preparing them for reintegration into society (International Corrections & Prisons Association. 2025). Similarly, the African Commission on Human and Peoples' Rights (2024) notes the importance of this program when she declared that rehabilitation programs can play a crucial role in reducing recidivism and promoting reintegration.

### ***Challenges of applying western philosophical theories of punishment to the African context***

One of the major challenges of applying Western philosophical theories of punishment to the African context is the cultural and historical context of punishment on the continent. Traditional African forms of justice and punishment, such as restorative justice and community service, may be more effective and sustainable than Western-style punishment. As the African Commission on Human and Peoples' Rights (2025) explains that traditional African forms of justice and punishment are based on the principles of restorative justice, which stresses the importance of repairing harm and promoting healing. There is, therefore, no gainsaying that each community ought to apply systems of punishments peculiar to her costumes and traditional setup.

Another challenge in applying western theories of punishment in Africa is the lack of resources and infrastructure in many African prisons. Prisons in Africa often face overcrowding, poor sanitation, and inadequate access to basic necessities like food, water and healthcare. As the United Nations Office on Drugs and Crime (2017) notes that prisons in Africa face significant challenges in terms of overcrowding, poor sanitation and inadequate access to basic necessities. Most prisons in Kenya, Cameroon, Tanzania, Malawi, Ghana and Benin among others have been criticise and have been reported to be overcrowded, lacking infrastructures and other basic necessities in recent years.

Furthermore, the application of Western philosophical theories of punishment to the African context may also be limited by the lack of cultural sensitivity and understanding. Western philosophical theories of punishment were developed in the context of Western societies and may not be directly applicable to the African context. It is from this perspective that the African Commission on Human and Peoples' Rights (2025) affirms that Western philosophical theories of punishment may not be directly applicable to the African context, due to the cultural and historical context of punishment on the continent. In addition, the imposition of Western philosophical theories of punishment on African societies may also be seen as a form of cultural imperialism, which can undermine the legitimacy and effectiveness of punishment in African societies. This concern is echoed by scholars like Onyewuenyi (1976) who question the applicability of western philosophical frameworks to African context. He argues that the imposition of western philosophical categories on African thoughts can lead to a form of intellectual imperialism, where African ideas are force into alien frameworks, distorting their true meaning and significance (Onyewuenyi 1976, 513). In like manner, the United Nations Office on Drugs and Crime (2017) argues that the imposition of Western philosophical theories of punishment on African societies can be seen as a form of cultural imperialism, which can undermine the legitimacy and effectiveness of punishment in African societies.

From these observations, it follows that the application of Western philosophical theories of punishment to the African context is a complex and challenging task. It requires a deep understanding of the cultural and historical context of punishment on the continent, as well as a willingness to adapt and modify Western philosophical theories to suit the local context.

### **Prisons as sites of political repression**

The use of prisons as tools of political repression is a longstanding phenomenon in Africa. Throughout the colonial and post-colonial periods, prisons have been used to silence political opponents, suppress dissent, and maintain the power of ruling elites. We shall attempt to provide a brief philosophical evolution of this problem with insights from the historical and contemporary perspectives and then project a philosophical analysis on its implications today.

#### ***The historical and contemporary use of prisons as tools of political repression***

During the colonial period, prisons were used as tools of colonial control and repression. This position is strongly supported by Fanon (1963, 52) when he says that “the colonial regime uses the prison as a means of maintaining its power and control over the colonised population”. In contemporary Africa, prisons continue to be used as tools of political repression. Many African governments use prisons to detain and silence political opponents, human rights activists, and journalists who criticise government policies or expose human rights abuses. For example, in Ethiopia, the government has used prisons to detain and torture opposition politicians, human rights activists and journalists. This observation is published in a document published by the U.S. Department of State (2019) stating that Ethiopia’s prisons are notorious for their harsh conditions and mistreatment of prisoners. In Egypt, the government has used prisons to detain and silence political opponents, including Muslim Brotherhood leaders and human rights activists. As Amnesty International (2020) notes that Egypt’s prisons are filled with people who have been detained solely for exercising their rights to freedom of expression, assembly and association. In addition, the use of prisons as tools of political repression in contemporary African politics is not limited to the cases highlighted above. In contemporary African politics, prisons have become a means for governments to silence, intimidate, and eliminate political opponents, activists and dissenting voices (Amnesty International 2020). This phenomenon is not unique to Africa, but it is particularly pervasive on the continent. The use of imprisonment as a tool of political repression is often justified by governments as necessary to maintain national security, stability and order. However, this justification is often a pretext for suppressing dissent and maintaining power.

Further examples of countries and instances marking political repression through imprisonments in Africa includes, Cameroon where the government has arrested and detained numerous Anglophone activists, journalists and politicians, accusing them of separatism or terrorism, next is Burundi where, according to a report from Amnesty International in 2016, President Pierre Nkurunziza’s government has imprisoned opposition leaders, activists and journalists, often on charges of treason or terrorism (Amnesty International 2017). Furthermore, we have South Sudan where Human Right Watch reports that the government has arrested and detained numerous opposition leaders, activists and journalists, accusing them of treason or rebellion (U.S. Department of State 2019). Similarly, we have Rwanda where the government has arrested and

detained numerous opposition leaders, activists and journalists, accusing them of genocide denial or terrorism (Amnesty International 2017). Uganda is not left out; in Uganda, it is reported that the government has arrested and detained numerous opposition leaders, activists and journalists, accusing them of treason or inciting violence (U.S. Department of State 2021). It can be observed that the use of prisons as tools of political repression is a longstanding phenomenon in Africa, especially today (Government of The Gambia 2018). Throughout the colonial and post-colonial periods, prisons have been used to silence political opponents, suppress dissent and maintain the power of ruling elites.

### ***Analysing the philosophical implications of using prisons to silence political dissent and maintain power***

The use of prisons to silence political dissent and maintain power raises significant philosophical concerns. From a moral and ethical perspective, the use of prisons as tools of political repression violates basic human rights and fundamental freedoms. According to Sartre (1989), man is condemned to be free because once thrown into the world, he is forced to choose. The use of prisons to silence political dissent and maintain power denies individuals this fundamental right of freedom to choose and to express their opinions. From a philosophical perspective, the use of prisons as tools of political repression also raises questions about the nature of power and authority in politics. It is from this point of view that Foucault (1977) argues that power is not something that is held by individuals or groups, but rather it is a complex web of relationships and structures that shape our lives. The use of prisons as tools of political repression reflects a particular exercise of power, one that seeks to maintain the dominance of ruling elites over marginalised and oppressed groups.

Furthermore, the use of prisons to silence political dissent and maintain power also raises questions about the nature of justice and morality. It is from this prism that John Rawls (1955, 3) stipulates that justice is the first virtue of social institutions, as truth is of systems of thought. The use of prisons as tools of political repression especially in Africa can be seen as a total violation of basic principles of justice and morality, including the principles of equality, fairness and respect for human rights. Consequently, the use of prisons to silence political dissent and maintain power is philosophically problematic as it violates principles of justice and morality, basic human rights and fundamental freedoms, reflects a particular exercise of power that seeks to maintain the

dominance of ruling elites. This can be justified by the fact that the use of prisons to silence political dissent and maintain power is a clear violation of the right to freedom of expression, assembly, and association. So, it can be observed that this is contrary to the United Nations Universal Declaration of Human Rights which states that “everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers” (United Nations 1948, Article 19).

Again, the use of prisons as sites of political repression also raises concerns about the treatment and conditions of prisoners and the impact on the mental and physical health of prisoners. Many prisoners of conscience are subjected to torture, ill-treatment and other forms of cruel, inhuman and degrading treatment. As the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984) states in Article 1 that “no one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment” (United Nations, 1984). On the impact on the mental and physical health of prisoners; it can be argued that many prisoners of conscience are subjected to prolonged periods of isolation, which can have severe psychological and physical effects. On this subject, the Heard (2019) warned that prisoners are at higher risk of mental health problems, including depression, anxiety and psychosis, due to the stressful and often traumatic nature of imprisonment.

In addition, the use of prisons as sites of political repression also raises concerns about the impact on the families and communities of prisoners. Many families and communities are affected by the imprisonment of their loved ones, which can have severe economic, social, and emotional consequences. As the African Commission on Human and Peoples’ Rights (2024) notes that the imprisonment of a family member can have a devastating impact on the family, including the loss of income, social isolation and emotional trauma. From observations, it can be seen that the use of prisons as sites of political repression raises significant ethical concerns. It does not only violate human rights and fundamental freedoms, but it also raises concerns about the treatment and conditions of prisoners and has severe impacts on the mental and physical health of prisoners, as well as their families and communities.

### **Prisons as sites of reformation**

The concept of reformation in the context of African prisons is a complex and multifaceted issue. On one hand, prisons are often seen as sites of punishment and

retribution, where offenders are held accountable for their crimes. On the other hand, prisons are also seen as sites of reformation, where offenders can receive rehabilitation and reintegration into society. As the African Commission on Human and Peoples' Rights (2025) notes that prisons should be seen as sites of reformation, where offenders can receive rehabilitation and reintegration into society, rather than simply as sites of punishment and retribution.

### ***The concept of reforms in the context of African prisons***

The concept of reformation in African prisons is rooted in the idea of restorative justice, which highlights the importance of repairing harm and promoting healing, rather than simply punishing offenders and silencing dissent. According to the United Nations Office on Drugs and Crime (2017), restorative justice is an approach to justice that focuses on repairing harm and promoting healing, rather than simply punishing offenders. This means that the goal of imprisonment is to reform the individual rather than deprive him from basic human rights there by inflicting pains for the sake of punishment rather than repairing them for reintegration.

In the context of African prisons, reformation can take many forms, including education and vocational training, counseling and therapy and community service and restorative justice programs. As the Head (2019) affirms that education and vocational training are key components of reformation programmes in African prisons, as they provide offenders with the skills and knowledge they need to reintegrate into society. For example, in Rwanda as earlier mentioned above, her government has introduced a range of reformation programmes in prisons, including education and vocational training, counseling and therapy and community service and restorative justice programmes. The success of this programme is evidently testified in the statement of the Rwanda Correctional Service (2022) that these programmes have been shown to be effective in reducing recidivism and promoting reintegration into society. The concept of reformation in African prisons is, therefore, a complex and multifaceted issue. While prisons are often seen as sites of punishment and retribution, they can also be seen as sites of reformation, where offenders can receive rehabilitation and reintegration into society.

### ***The philosophical implications of using prisons as sites of reformation and rehabilitation***

The use of prisons as sites of reformation and rehabilitation raises significant philosophical implications. One of the primary concerns is the tension between

punishment and rehabilitation. According to the existentialist philosopher Sartre (1989), punishment is a form of revenge and revenge is a form of punishment. This observation raises questions about the morality and ethics of using prisons as sites of punishment, rather than solely as sites of rehabilitation.

Another philosophical implication is the concept of free will and personal responsibility. If prisons are used as sites of reformation and rehabilitation does this imply that individuals are not fully responsible for their actions? According to the German idealist and transcendental philosopher Kant (1790, 105), "the moral law is a law of freedom, and freedom is the ability to act in accordance with the moral law". This means that any law that does not contribute to freedom and or the ability to act in accordance with the moral law is not a moral law, rather it can be seen as an anti-moral law. A good example of such law is the laws that punish without reforming or rehabilitating the individual thereby raising another significant question about the nature of free will and personal responsibility in the context of prisons and rehabilitation.

Furthermore, the use of prisons as sites of reformation and rehabilitation also raises questions about the role of the state in shaping individual behaviour and morality. This concern is echoed in the philosophical thoughts of Michel Foucault who argued that the state is not simply a neutral arbiter of justice, but rather an active participant in shaping individual behaviour and morality (Foucault 1977). This means that the state's mission is to shape the behaviors and morality of her citizens since it is not a social space where justice can be acquired by nature alone. This follows that, a state that fails to fulfill this mission and subscribes to repression of individual behavior and morality is doomed to fail and its citizens will remain a constant head arch to her government. Consequently, the question of the limit of the state's power and the balance between individual and freedom and state control is bond to emerge.

In addition, the use of prisons as sites of reformation and rehabilitation also raises questions about the concept of justice and morality. According to Rawls (1999, 3), justice is the first virtue of social institutions, as truth is of systems of thought. This raises questions about the morality and justice of using prisons as sites of reformation and rehabilitation. The use of prisons as sites of reformation and rehabilitation raises significant philosophical implications. It raises questions about the tension between punishment and rehabilitation, the concept of free will and personal responsibility, the

role of the state in shaping individual behaviour and morality, and the concept of justice and morality.

### ***Challenges and limitations of rehabilitation programmes in African prisons***

Rehabilitation programs in African prisons face numerous challenges and limitations. One of the primary challenges is the lack of resources and funding. Many African prisons lack the necessary resources and funding to provide effective rehabilitation programs. As the African Commission on Human and Peoples' Rights (2024) notes that the lack of resources and funding is a major challenge facing rehabilitation programs in African prisons.

Another challenge facing rehabilitation programmes in African prisons is the lack of trained personnel. Many African prisons lack the necessary trained personnel to provide effective rehabilitation programmes. As the United Nations Office on Drugs and Crime (2017) notes that the lack of trained personnel is a major challenge facing rehabilitation programs in African prisons. Furthermore, rehabilitation programmes in African prisons are also limited by the lack of community-based programmes. Many African prisons lack community-based programs that provide support and services to offenders upon release. As the Head (2019) notes that community-based programs are essential for providing support and services to offenders upon release. In addition, rehabilitation programmes in African prisons are also limited by the lack of attention to the root causes of crime. Many African prisons lack programmes that address the root causes of crime, such as poverty, unemployment and lack of education. It is from this perspective that the African Development Bank (2018) hopefully notes that addressing the root causes of crime is essential for reducing recidivism and promoting rehabilitation. Rehabilitation programmes in African prisons face numerous challenges and limitations. These challenges and limitations include the lack of resources and funding, the lack of trained personnel, the lack of community-based programmes and the lack of attention to the root causes of crime.

### **Conclusion**

This article has explored the paradox of prisons in Africa, examining the complex and often contradictory roles that prisons play in African societies. We have argued that prisons in Africa are often used as tools of political repression, silencing dissent and maintaining the power of ruling elites. At the same time, prisons are also seen as sites of reformation and rehabilitation, providing opportunities for offenders to receive education,

training, and counseling. The implications of this paradox are profound. On one hand, the use of prisons as tools of political repression undermines the legitimacy and effectiveness of punishment in African societies. It also perpetuates a cycle of violence and repression, rather than addressing the root causes of crime and social unrest.

On the other hand, the use of prisons as sites of reformation and rehabilitation offers a glimmer of hope for offenders and for African societies as a whole to progressively build a society of peace, justice and reconciliation. By providing opportunities for education, training, and counseling, prisons will not only help to reduce recidivism and promote rehabilitation but can also fight terrorism, post electoral violence, embezzlement, bribery and corruption and other vices. However, as we have argued, the challenges and limitations of rehabilitation programmes in African prisons are significant. The lack of resources and funding, the lack of trained personnel, and the lack of community-based programs all undermine the effectiveness of rehabilitation programmes.

The paradox of prisons in Africa highlights the need for philosophical reflection and critique in addressing the complex issues surrounding prisons in Africa. By examining the complex and often contradictory roles that prisons play in African societies, we can gain a deeper understanding of the nature of punishment, repression and reformation in Africa. It is according to this perspective that Foucault (1977) argues that the prison is a site of power, a site of discipline and a site of punishment. However, as we have argued, the prison is also a site of reformation and rehabilitation, offering opportunities for offenders to receive education, training and counseling. In the end, the paradox of prisons in Africa highlights the need for a more nuanced and complex understanding of the role of prisons in African societies. By engaging in philosophical reflection and critique, we can gain a deeper understanding of the nature of punishment, repression and reformation in Africa, as well as work towards creating more just and equitable societies where people live in peace and harmony, where living together is practiced and valued.

## References

African Commission on Human and Peoples' Rights. 2024. "Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa - 81OS." African Commission on Human and Peoples' Rights. October 26, 2024. Accessed December 27, 2025. <https://achpr.au.int/en/intersession-activity-reports/prisons-conditions-detention-and-policing>.

———. 2025. "Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa - 85OS." African Commission on Human and Peoples' Rights. October 28, 2025. Accessed December 27, 2025. <https://achpr.au.int/en/intersession-activity-reports/special-rapporteur-prisons>.

African Development Bank. 2018. *African Economic Outlook 2018*. Abidjan: African Development Bank. [https://www.afdb.org/sites/default/files/documents/publications/african\\_economic\\_outlook\\_2018\\_-\\_en.pdf](https://www.afdb.org/sites/default/files/documents/publications/african_economic_outlook_2018_-_en.pdf).

Amnesty International. 2017. *Amnesty International Report 2016/17: The State of the World's Human Rights*. London: Amnesty International. <https://www.amnesty.org/en/documents/pol10/4800/2017/en/>.

Amnesty International. 2020. "Human Rights in Africa: Review of 2019." Accessed December 27, 2025. <https://www.amnesty.org/en/documents/afr01/1352/2020/en/>.

Beccaria, Cesare. 2006. *On Crimes and Punishments and Other Writings*. Edited by Jeremy Parzen and Aaron Thomas. Toronto: University of Toronto Press.

Bentham, Jeremy. 2017. *An Introduction to the Principles of Morals and Legislation*. Edited by Jonathan Bennett. Based on the 1823 edition. Originally published 1789.

Bernault, Florence. 2003. *A History of Prison and Confinement in Africa*. Heinemann Educational Books.

Cross, Charlotte. 2021. "Dissent as Cybercrime: Social Media, Security and Development in Tanzania." *Journal of Eastern African Studies* 15 (3): 442–63. <https://doi.org/10.1080/17531055.2021.1952797>.

Dick, A. 2008. "Censorship and the Reading Practices of Political Prisoners in South Africa, 1960-1990." *Innovation* 35 (1). 40 <https://doi.org/10.4314/innovation.v35i1.26537>.

Fajfer-Kruczek, Ilona. 2020. "Penitentiary Programs – Possibilities and Limitations in the Opinion of Penal Officers: Methodical Guidelines." *Social Pathology & Prevention* 6 (1): 35–45.

Fanon, Frantz. 1963. *The Wretched of the Earth*. Preface by Jean-Paul Sartre. Translated by Constance Farrington. New York: Grove Weidenfeld, a division of Grove Press. Originally published 1961.

Foucault, Michel. 1995. *Discipline and Punish: The Birth of the Prison*. Translated by Alan Sheridan. New York: Vintage Books, a division of Random House. Originally published 1975.

Government of Kenya. 2018. *National Ethics and Anti-Corruption Policy*. Sessional Paper No. 2 of 2018. Nairobi: Office of the Attorney General and Department of Justice.

Government of The Gambia. 2018. *Combined Report on the African Charter on Human and Peoples' Rights for the Period 1994–2018 and Initial Report under the Protocol to the African Charter on the Rights of Women in Africa*. Banjul: Government of The Gambia.

Heard, Catherine. 2019. *Towards a Health-Informed Approach to Penal Reform? Evidence from Ten Countries*. London: Institute for Criminal Policy Research, Birkbeck, University of London. [https://www.prisonstudies.org/sites/default/files/resources/downloads/icpr\\_prison\\_health\\_report.pdf](https://www.prisonstudies.org/sites/default/files/resources/downloads/icpr_prison_health_report.pdf).

Hegel, G. W. F. 1991. *Elements of the Philosophy of Right*. Edited by Allen W. Wood. Translated by H. B. Nisbet. Cambridge: Cambridge University Press. Originally published 1820.

International Corrections & Prisons Association. 2025. "Rwanda's Correctional Service: Prioritising Rehabilitation and Reintegration." January 21, 2025. Accessed December 27, 2025. <https://icpa.org/resource/rwanda-s-correctional-service-prioritising-rehabilitation-and-reintegration.html>.

Kant, Immanuel. 1790. *The Metaphysical Elements of Justice*. Translated by John Ladd. Indianapolis: Hackett Publishing.

Mandela, Nelson. 1994. *Long Walk to Freedom: The Autobiography of Nelson Mandela*. Little Brown & Company.

Mbiti, John S. 1969. *African Religions & Philosophy. Medical Entomology and Zoology*.  
<http://ci.nii.ac.jp/ncid/BA21824299>.

Menkiti, Ifeanyi A. 1984. "Person and Community in African Traditional Thought."  
<https://universityofsaintthomas.github.io/sjlaumakis/reading%203-african%20view.pdf>.

Muntingh, Lukas. 2009. *Ex-Prisoners' Views on Imprisonment and Re-Entry*. Cape Town: Civil Society Prison Reform Initiative (CSPRI), Community Law Centre, University of the Western Cape.

Onyewuenyi, Innocent. 1976. "Is There an African Philosophy?" *Journal of African Studies* (UCLA) 3 (4): 513–528.

Rawls, J. (1955). Two Concepts of Rules. *The Philosophical Review*, 64(1), 3–32.  
<https://doi.org/10.2307/2182230>

Rawls, John. 1955. "Two Concepts of Rules." John Rawls - the Philosophical Review (Philosophy Documentation Center)X. February 1, 1955. Accessed December 27, 2025. [https://www.pdcnet.org/phr/content/phr\\_1955\\_0064\\_0001\\_0003\\_0032](https://www.pdcnet.org/phr/content/phr_1955_0064_0001_0003_0032).

Rawls, John. 1999. *A Theory of Justice: Revised Edition*. Cambridge, MA: Belknap Press of Harvard University Press.

Reich, Adam. 2024. "From Hard Labor to Market Discipline: The Political Economy of Prison Work, 1974 to 2022." *American Sociological Review* 89 (1): 126–58.  
<https://doi.org/10.1177/00031224231221741>.

Rwanda Correctional Service. 2022. *RCS Magazine: The Role of Correctional System in Crime Prevention*. Kigali: RCS.

Sartre, Jean-Paul. 1989. *Existentialism Is a Humanism*. In *Existentialism from Dostoevsky to Sartre*, edited by Walter Kaufmann, translated by Philip Mairet, 345–369. New York: Meridian Publishing Company. Originally delivered 1946.

South African Police Service. 2021. *Annual Report 2020/2021*. Pretoria: Government of South Africa.

U.S. Department of State. 2019. *Ethiopia 2018 Human Rights Report*. Washington, DC: Bureau of Democracy, Human Rights, and Labor.

U.S. Department of State. 2019. *South Sudan 2018 Human Rights Report*. Washington, DC: Bureau of Democracy, Human Rights, and Labor.

U.S. Department of State. 2021. *Uganda 2020 Human Rights Report*. Washington, DC: Bureau of Democracy, Human Rights, and Labor.

United Nations Office on Drugs and Crime (UNODC). 2017. *Roadmap for the Development of Prison-based Rehabilitation Programmes*. Vienna: United Nations.

United Nations. 1948. *Universal Declaration of Human Rights*. Adopted by UN General Assembly Resolution 217 A (III) on 10 December 1948.

United Nations. 1984. *Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*. Adopted by UN General Assembly resolution 39/46 on 10 December 1984; entered into force 26 June 1987.