

From Confinement to Ẹlẹwọn: Standing after Custody and Southern Criminological Theory in Southwestern Nigeria

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ABSTRACT

This article asks what reintegration theory becomes when return after custody is theorised from southwestern Nigeria. Its starting point is the mismatch between legal completion and social standing. A person may be acquitted, discharged or released after sentence and still remain socially read through custody. The article develops a Southern criminological theory of standing after custody through the Yoruba concepts of ẹlẹwọn and Ọmọlúwàbí. Ẹlẹwọn names the durable social status that custody may produce. Ọmọlúwàbí names the moral criterion by which the fall is recognised and the visible conduct through which return may be tested. Colonial imprisonment fused with an older Yoruba economy of marking and repair and produced a third condition, a person returned to the community without completed repair and without expulsion. Reacceptance therefore depends on continuing social labour, recognition and vouching within a moral economy of reputation and repair.

Keywords: ẹlẹwọn, Ọmọlúwàbí, standing after custody, moral economy, reacceptance, Southern criminology

INTRODUCTION

This article does not ask how southwestern Nigeria may be added to existing theories of reintegration. It asks what reintegration theory becomes when return after custody is theorised from southwestern Nigeria. The starting point is a mismatch that criminology knows but has not fully named. A person may leave custody, complete a sentence, secure discharge, or even be acquitted, and still remain socially read through custody. Law may finish with the person before society does. What remains is not only stigma, nor only the absence of aftercare, nor only the difficult work of desistance. It is a problem of standing.

In Yoruba, the word ẹlẹwọn gives this problem its local and theoretical name. It means, literally, a person in chains. Its significance for this article lies not only in the prison, but in the social status that custody may produce and leave behind. The Nigerian legal system may acquit a person, discharge a case, or recognise that a sentence has been completed. Still, the society may treat the person as marked by custody. The legal file may close while the moral file remains open.

The existing literature on Nigerian post-release experience is organised largely around correctional reform, aftercare provision and recidivism. It treats the barrier to a returning person's acceptance as a gap in services that better provision could close. I do not reject that argument, and housing, employment, counselling and aftercare matter. Section 2 shows instead that the account is incomplete. The most recent Nigerian survey evidence finds that public suspicion of people released from custody does not soften with education in the way a service-based explanation would expect (Ike et al., 2025), yet the literature does not ask where that suspicion comes from historically or name the moral vocabulary through which Yoruba society has long marked wrongdoing and measured the return to standing.

I argue in what follows that penal confinement did not invent this vocabulary. It inherited and altered one. Southwestern Nigeria already possessed a Yoruba moral and political order in which wrongdoing could be named, judged and made to carry durable reputational consequence. Colonial rule did not erase this order when the prison arrived. It edited it, preserving the parts of native adjudication it judged tolerable and attaching its own institution of impersonal, time-bound confinement to a moral order in which to mark a person was also to place that person within a social process through which standing might be repaired.

Two Yoruba categories carry this fused inheritance into the present. *Ẹlẹwòn* names the durable social status a person may carry after custody, regardless of legal outcome. *Ọmọlúwàbí* names the standard of good character by which the fall is recognised and the return to standing is measured. Read together, they shift the criminological question from how a person reintegrates after prison to how a person becomes socially believable again where custody has altered standing itself.

This article is a conceptual contribution rather than a report of fieldwork. Methodologically, it works as a historical sociology of concept formation (Somers, 1995), asking how a category came into being, what institutional history it carries and what it makes visible. Its evidence is lexicographic, constitutional, proverbial and documentary rather than ethnographic, and the argument stands or falls on the coherence of the reconstruction rather than on any single source. Section 3 sets out this approach in full, explains how the two Yoruba concepts were derived and interpreted, and states clearly what a conceptual reconstruction can and cannot establish.

The argument builds in parts. Section 2 explains why a service-centred account cannot account for the persistence of public suspicion toward the returning person. Section 3 sets out the method, a historical sociology of concept formation, and states how the Yoruba concepts were derived, interpreted and applied. Section 4 reconstructs a Yoruba precolonial order of marking and repair, and the point at which repair could fail. Section 5 traces the colonial rupture. Sections 6 and 7 name *ẹlẹwòn* and *Ọmọlúwàbí*. Section 8 turns to the institutions that administer this economy where the state is thin, and Section 9 develops the theoretical claim in conversation with Southern criminology, labelling, reintegrative shaming, desistance and moral economy.

FROM CORRECTIONAL REFORM TO STANDING

Nigerian post-release scholarship has largely asked a service question. It asks how correctional reform, aftercare provision, employment support, counselling, vocational training and recidivism reduction might assist the person who leaves custody. Ajala and Oguntuase (2011), Asokhia and Agbonluae (2013), Brown (2016), Idowu and Odivwri (2019) and the Nigerian Correctional Service Act 2019 share this broad assumption. The barrier between a released person and ordinary life is treated as a gap in provision, and if that gap is closed, return is expected to become easier.

I do not dismiss this literature. It names real absences in Nigerian correctional life, and a person leaving custody without housing, employment, counselling or aftercare is made vulnerable by the state's thinness. Yet this service language reaches its limit when support does not become acceptance and provision does not make the person socially believable again. It treats return as a problem of resources, but the difficulty I trace is also a problem of standing.

Ike et al. (2025) make that limit visible. Their mixed-method study surveyed 1,187 respondents across Nigeria's conflict-affected zones on public attitudes toward ex-offenders. Two cautions are necessary before the finding is used. The survey is national and drawn from conflict-affected zones rather than from southwestern Nigeria alone, so it corroborates a wider Nigerian pattern rather than establishing the southwestern case directly, which rests instead on the Lagos, Oyo and Ondo studies cited above. The reported association between level of education and willingness to accept a returning person is also statistically negligible, at $r = .025$, and too small to bear any directional claim on its own.

What matters is therefore not the coefficient but the pattern that surrounds it. Acceptance does not rise with education in the way a service account might expect. Respondents expressed a settled lack of confidence in the genuine reintegration of ex-offenders, and good conduct after release could be read as performance rather than change. In conflict-affected communities, this suspicion was compounded by community trauma, producing a negative social identity that persisted independently of what services the returning person had received.

This is the point at which the article changes the question. If suspicion outruns provision, and education does not by itself dissolve that suspicion, then the barrier is not only administrative. It is a standing the person carries, judged by a moral criterion that does not depend on whether the legal file has closed or the sentence has been served.

METHOD: A HISTORICAL SOCIOLOGY OF CONCEPT FORMATION

The reader is owed a clear account of what kind of study this is and how its claims are made. This article is conceptual and historical rather than ethnographic. It does not report interviews, participant observation or a survey of its own, and it does not claim to. It builds a theory of standing after custody by reconstructing two Yoruba concepts from the documentary, linguistic and institutional record, and by reading that reconstruction against the contemporary evidence on reintegration that Section 2 has already set out. The method is a historical sociology of concept formation in the sense Somers (1995) gives the term. It treats a concept not as a label to be defined but as a historical formation to be explained, asking how a category came into being, what institutional history it carries and what it allows an observer to see that other categories obscure.

This choice is deliberate rather than a concession. A vocabulary must be reconstructed before it can be tested. One cannot design an interview schedule around *ẹlẹwọn* and *Ọmọlúwàbí*, or interpret what a formerly incarcerated person or a compound head says about them, without first establishing what the terms have meant, where they came from and how they bear on standing. The conceptual work performed here is therefore the necessary first stage of a larger programme, and the article states throughout which of its claims a later ethnography would be positioned to confirm or refute.

The reconstruction draws on four registers of evidence, and it is worth naming what each contributes and what it cannot do alone. The first is lexicographic. The meaning and morphology of *ẹlẹwọn* are read from the structure of the Yoruba language and from its earliest recorded lexicography, Crowther's (1852) vocabulary, compiled nine years before the first colonial jail. This register establishes that the word placed the chain, and not a court verdict, at the centre of the category before the colonial prison existed, but it cannot by itself establish how the word is used in ordinary speech today, and the article says so.

The second register is constitutional and institutional. The precolonial Yoruba order of adjudication and sanction is reconstructed chiefly from the historiography of Oyo (Akinjogbin, 1966; Law, 1977), read critically and with its Oyo-centred bias acknowledged. This register shows that the authority to judge wrongdoing, and to attach durable reputational consequence to it, was distributed, public and capable of reaching even the throne. It cannot show that every Yoruba polity shared Oyo's exact arrangements, and the article treats Oyo as making a wider grammar visible rather than as a template for the region.

The third register is proverbial. The moral standard named by *Ọmọlúwàbí*, and the ethic of hearing, proportion and repair that surrounds it, are read from the corpus of Yoruba proverbs analysed by Oyedokun-Alli (2021) and Arowosegbe (2017) and from the philosophy of Yoruba law reconstructed by Bewaji (2016). Proverbs are a durable and self-consciously normative record of how a community states its own moral expectations, which makes them apt evidence for a criterion of good character, though they record the standard a society professes rather than measuring conduct in any single case.

The fourth register is documentary and contemporary. The colonial rupture is traced through the historiography of the African and Nigerian prison (Bernault, 2003; Otu, 1999; Saleh-Hanna, 2008; Braatz et al., 2022), and the present-day operation of the concepts is read against the empirical literature on Nigerian post-release experience (Ajala & Oguntuase, 2011; Asokhia & Agbonlua, 2013; Brown, 2016; Idowu & Odivwri, 2019) and the recent national survey by Ike et al. (2025). This register is what connects the historical reconstruction to lived reintegration. It does not supply the returning person's own voice, and wherever it is used to characterise contemporary experience the article marks the claim as one that fieldwork should test directly.

Reading these sources requires a caution suited to their character. Much of the surviving narrative record of the Yoruba past passes through nineteenth-century witnesses, Samuel Johnson chief among them, who were formed by the very histories they reported, and a second indigenous historian, M. C. Adeyemi, both corroborates and complicates Johnson on the same events (Falola, 1988; Falola & Doortmont, 1989). The precolonial baseline is therefore offered as the best available reconstruction, read against the grain of its transmission, rather than as settled fact. The two focal concepts are treated as theory-bearing material rather than as ornament, which is to say the article asks what work they do and not merely what they mean.

Two features of the method make the argument accountable. The first is that the concepts carry stated scope conditions. *Ẹlẹwọn* is claimed to attach as a durable status only where custody is read as moral failure rather than as persecution, a condition that predicts in advance which returning persons the theory does not expect to be marked, and Section 6 tests it against the public cases of Awolowo, Soyinka and Obasanjo. The second is that the central linguistic claim is falsifiable on its own terms. If ordinary Yoruba speech were shown to release the bearer of the word *ẹlẹwọn* at the prison gate, the durable status described here would require another name. Naming that test, rather than avoiding it, is what allows a conceptual reconstruction to be treated as a contribution to theory and not merely as an interpretation.

A YORUBA ECONOMY OF MARKING AND REPAIR BEFORE THE PRISON

Before the colonial prison became a general instrument of punishment, confinement was not entirely unknown in Yoruba territory. A narrow civil practice could hold debtors until obligations were settled, but this was not a penal system for wrongdoing in general. Yoruba political and moral orders already possessed more developed ways of naming wrongdoing, attaching reputational consequence to it and returning a marked person to ordinary standing. The precolonial question matters because it shows that neither the social mark nor the possibility of repair began with the colonial prison.

A caution shapes the argument that follows. The institutional evidence comes chiefly from the Oyo empire, the largest and most centralised of the Yoruba kingdoms before the nineteenth-century wars. Oyo was not all of Yorubaland, and Ijebu, Egba, Ekiti and other polities had constitutional arrangements of their own. I use Oyo not because it was typical in every respect, but because it makes visible a wider Yoruba grammar of adjudication. Open hearing, elder authority, public judgment, reputation and the possibility of repair appear across the region, and the proverb corpus discussed below confirms that these were not confined to one kingdom.

Oyo's constitution divided power between the *Alaafin* and the *Oyo Mesi*, the council of senior chiefs headed by the *Basorun*. The authority to punish was therefore distributed rather than absolute. It could reach even the throne. An *Alaafin* who broke his oath of office or lost the confidence of the chiefs could be required to take his own life. This was not a symbolic possibility. It happened repeatedly in the eighteenth century, to *Labisi* and *Awonbioju* within months of their accession in 1754, and to *Awole* in the 1790s after he ordered an attack on a town contrary to his oath of office (Akinjogbin, 1966).

This matters because it shows that sanction was not simply force applied downward. Yoruba authority also rested on a genealogical order that stood beside military power, the *Ẹbí* system through which related kingdoms were ranked by the seniority of each founder's descent from a common ancestor at *Ile Ife* (Akinjogbin, 1966; Law, 1977). Punishment, and exposure to punishment, therefore drew force from office, oath, genealogy, seniority and public accountability. Standing was political, moral and reputational at once.

Wrongdoing below the level of the throne had its own developed procedure. A complaint against a person could be brought before elders, chiefs, or the *Oba* in Council, where the matter was heard openly and the parties were brought face to face to state their case, call witnesses and have evidence weighed before judgment. Their public character also allowed legal knowledge to be observed, learned and transmitted across generations, making adjudication part of the education of the community (Bewaji, 2016).

A second register of adjudication reinforces the point beyond Oyo. In the western Yoruba kingdoms, Egba and Ijebu among them, the *Ogboni*, an association of senior men devoted to *Ilẹ*, the Earth, functioned as a town council and a court whose reach extended to the gravest matters (Onadeko, 2008). The shedding of blood was an offence against the Earth itself, and it fell to the *Ogboni* to try and to cleanse it (Morton-Williams, 1960). The same body shared in the making of a king and could curb an *Oba* who ruled against the community (Onadeko, 2008), a governing role that early colonial observers reduced to the label of a secret society (Dennett, 1916). Its authority was collective, senior and sacred rather than carceral, and it responded to wrongdoing through judgment, sanction and ritual repair rather than confinement. Saleh-Hanna and Ume (2008) include the *Ogboni* among precolonial Yoruba institutions of imprisonment. Yet the sources describe it as a court and council rather than a site of detention. It is therefore better understood as an institution of adjudication than as an early form of confinement. Whether such an institution existed in Oyo remains disputed. Morton-Williams (1960) identified

one there, while Atanda (1973) questioned its presence in the old kingdom. The Ogboni is therefore treated here as evidence from the western Yoruba polities rather than from Oyo, where the Oyo Mesi already carries the argument.

Judgment did more than impose an immediate penalty. It also produced a reputation that could endure long after the sanction itself had ended. A finding of wrongdoing could attach disgrace to a person's name, with consequences extending beyond the individual to the wider family. Such a stain might obstruct access to a chieftaincy title, weaken a marriage arrangement, or undermine trust in commercial dealings. Colonial confinement therefore did not introduce the idea that wrongdoing could leave a lasting mark after punishment. Rather, it placed a new penal institution within an older moral order in which reputation, standing and family honour already shaped the social consequences of wrongdoing.

Below the level of formal political authority, Yoruba customary practice possessed its own vocabulary of wrongdoing and repair, expressed less through statute than through proverb. Proverbs collected and analysed by Oyedokun-Alli (2021) and Arowosegbe (2017) encode a theory of justice oriented toward reconciliation rather than retribution. They emphasise fair hearing before judgment, impartiality even within one's own household, proportionality between offence and sanction, mediation rather than adversarial contest, and vigilance against the compromised judge. These proverbs established the standards by which elders and compound heads were judged as mediators, while also defining the moral terms on which a wrongdoer might recover ordinary standing. Bewaji (2016) reads the same tradition as resting on a collectivist foundation in which a neighbour's wrongdoing ceases to be private once it threatens the wider community.

The economy of marking and repair had limits and stating them clearly strengthens rather than weakens the argument. Yoruba sanctions included punishments from which no route of return remained. Enslavement for grave offences, a practice later invalidated under the colonial repugnancy test, could remove the wrongdoer from the moral community through sale or transfer beyond its reach. By contrast, the related institution of pawnship, *iwòfà*, pledged a person's labour as security for debt and imposed a degraded but recoverable social condition (Falola & Lovejoy, 1994).

These institutions do not contradict the claim that Yoruba justice joined marking to repair where wrongdoing was considered repairable. Rather, they reveal the limits of that principle. In cases of repairable wrongdoing, the mark and the route back were administered together by the same elders and according to the same moral standard. Where wrongdoing was judged beyond repair, sanction did not leave a permanently marked person within the community. It removed the person from it. The indigenous scheme therefore recognised two conditions. The first was that of the marked person who remained within the moral community and undertook a visible process of return. The second was that of the expelled person placed beyond its boundaries. What it did not produce, and what Section 5 examines, was a third condition in which a person remained within the community but lacked any socially recognised route back.

Between this baseline and the colonial prison lies half a century that cannot be passed over. The collapse of Oyo, the loss of Ilorin, the wars that followed, mass displacement and enslavement, the rise of militarised Ibadan, the expansion of Islam and the arrival of missionary Christianity all remade the Yoruba political landscape before British penal institutions were established (Falola, 1988; Law, 1977; Peel, 2000). The argument does not depend on the survival of Oyo's political constitution through these decades. That constitution did not survive intact. What matters is whether its broader adjudicative grammar endured, and on this point the historical record is consistent. The towns that emerged from the wars continued to hear disputes publicly before chiefs and councils of elders. Compound heads continued to mediate quarrels, while the reputational economy of personal name and family standing remained active in the towns that missionaries later described in considerable detail (Peel, 2000).

The precolonial baseline reconstructed here was therefore neither a prison system in an earlier form nor a uniform Yoruba legal order. It was a dispersed moral and political arrangement in which chiefs, councils, elders and compound heads judged wrongdoing through publicly recognised standards of responsibility, reputation and repair. Where a wrong was considered repairable, sanction marked the offender while preserving a socially intelligible route back. Where it was judged beyond repair, the offender could be removed from the moral community altogether. This reconstruction is offered as the best account permitted by the surviving evidence

rather than as settled fact and must be read with the source-critical caution outlined in Section 3. It nevertheless establishes the distinction necessary for what follows. Colonial imprisonment did not create the social mark attached to wrongdoing, but it transformed the relationship between marking and return by producing people who remained within society after confinement without a clearly recognised route to restored standing.

THE COLONIAL PRISON AND THE THIRD CONDITION

The colonial prison did not enter an empty moral field. It entered a society that already possessed ways of judging wrongdoing, marking reputation and repairing standing where repair remained possible. The rupture lay not in the invention of consequence, but in the form of duration introduced by imprisonment and in the separation of that duration from recognised processes of repair.

Bernault's (2003) foundational account of the African colonial prison presents it as an institution defined by its service to colonial rule. It upheld and enforced the colonial state and was organised around ethnic and racial divisions rather than the reform of prisoners for their own benefit. Taking stock of the field two decades later, Braatz et al. (2022) confirm that this interpretation continues to hold across the continent. They also observe that scholarship has not yet adequately explained why colonial forms of punishment persisted so thoroughly within postcolonial governance. Otu's (1999) account grounds this continental interpretation in the Nigerian case and shows that Nigeria belonged firmly within the wider pattern described by Bernault.

Nigeria's first police force and jail were established in Lagos in 1861 after the acting consul requested sufficient force to secure British authority over a population that had not consented to it and to protect European commercial interests. The first purpose-built prison followed on Broad Street in 1872 and was designed to hold three hundred prisoners (Otu, 1999).

What matters here is not only that the prison served colonial rule, but how it became attached to institutions and moral practices that were already present. British policy did not abolish native courts. It subjected them to the repugnancy test, under which customary practices remained valid only when they were not considered repugnant to natural justice, equity and good conscience or incompatible with colonial statute. Trial by ordeal, the mutilation of a thief's hand and enslavement for a serious offence were struck down. Face to face hearings before elders, chiefs or the Oba in Council, the weighing of evidence and the reputational consequences of judgment were not. They continued under colonial supervision alongside the new courts and the new prison. Colonial rule therefore did not replace the Yoruba apparatus described in Section 4. It selectively reorganised it, retaining the practices it considered tolerable while placing its own institution of confinement alongside them. This reorganisation produced a new relationship between punishment, time and standing.

The interaction unfolded as a sequence rather than in a single moment. In the first phase, from the establishment of the Lagos jail in 1861 through the consolidation of colonial rule, the prison operated alongside native courts that the repugnancy test had curtailed but not abolished. A person could therefore be sentenced by a colonial magistrate while the older reputational judgments of elders and compound heads continued to operate in parallel. In the second phase, the two orders ceased to remain merely parallel and began to shape one another. Time-bound confinement created a new occasion for the older mark, while the older mark gave imprisonment a social afterlife that colonial law had never legislated. In the third phase, after independence, the state retained the prison in substantially colonial form, while the reputational economy retained its capacity to interpret custody as a fall in standing. The fusion was therefore carried forward not as a static inheritance, but as a relationship renewed with each successive cohort of returning persons (Saleh-Hanna, 2008). This staged interaction shows what the persistence identified but not fully explained by Braatz et al. (2022) looks like when read from the standpoint of the community rather than that of the institution.¹

¹With respect to the documentary basis for this staged interaction, Adewoye's (1977) history of the Southern Nigerian judicial system shows that colonial rule did not displace indigenous adjudication but reorganised it into a tiered structure of Supreme, Provincial and Native Courts, the last administering customary law under the repugnancy test and under British supervision rather than in place of it. Saleh-Hanna and Ume (2008) describe the same process from the penal side, observing that for indigenous justice to be recognised it had to be formalised, that the founding of native courts was accompanied by a wave of prison building concentrated in the first two decades of colonial rule, with early prisons at Abeokuta and Ijebu-Ode among them, and that the demonising categories of convict and

One further piece of testimony is useful, provided that its provenance is stated clearly. Sir Philip Mitchell was a colonial administrator whose career was spent in East Africa rather than Nigeria. The observation reproduced by Otu is therefore an East African generalisation rather than testimony from the Nigerian context. I use it for the structure of punishment it identifies. Mitchell observed that people living under colonial rule regarded the British as cruel for confining wrongdoers for months or years because anger could subside and forgiveness could follow even after serious violence, whereas a fixed prison sentence prolonged punishment without linking it to reconciliation (Mitchell, 1954, as cited in Otu, 1999). Read structurally rather than geographically, the observation identifies a distinctive feature of the colonial prison, one that the Yoruba evidence presented in Section 4 also reveals independently.

What was new was not the durability of consequence, since Yoruba society already recognised that, nor confinement itself, since debtor custody had known a limited civil form of it. What was new was a different form of duration. Colonial imprisonment was impersonal, calendared and detached from any recognised process through which standing might be repaired. It therefore created a third condition that the older scheme had not required. Section 4 reveals that the indigenous economy of sanction recognised two broad conditions. One was the marked person who remained within the moral community and undertook a visible process of return. The other was the expelled person placed beyond it. Colonial imprisonment returned a person to the community without completing repair and without effecting expulsion. The person was back yet not fully returned. Present, but not restored.

Ẹlẹwọn, I argue, came to name this third condition. The colonial prison and the Yoruba mark did not replace one another. They fused. Calendared confinement entered an older economy of marking and repair rather than simply displacing it. The surviving record supports this interpretation more than it conclusively establishes it, and the claim is made on that basis. What follows is therefore neither a history of simple survival from the precolonial past nor one of colonial invention alone. It is a historical sociology of fusion. The prison gave confinement a new institutional form, while Yoruba moral vocabulary gave custody a social afterlife.

Independence did not bring this history to an end. The prison inherited by postcolonial Nigeria remained substantially the institution built by the colonial state in its structure, purpose and separation from any recognised process of repair, while decades of military rule extended its use (Saleh-Hanna, 2008). The persistence that Braatz et al. (2022) identify but leave insufficiently explained is therefore the question to which this account speaks. The fused economy of custody and social marking did not endure merely as a relic. It was renewed in every decade as people returned from custody to communities that possessed both a vocabulary for the mark and a moral standard by which repair could be judged.

ẸLẸWỌN: THE VERNACULAR CATEGORY OF STANDING

Ẹlẹwọn names a status before it names a verdict. Its literal meaning, a person in chains, describes a condition that begins in confinement but is not necessarily exhausted by release. I use the term as a vernacular category for the social standing that custody may produce and leave behind. The claim is not that the word follows every person who has experienced confinement. It is that Yoruba speech possesses a category through which custody may be read as a mark upon the person rather than merely as an episode in that person's legal history.

This is where ẹlẹwọn connects with the concept of master status. Following Hughes (1945) and Goffman (1963), I use master status to describe a label that comes to organise how a person is perceived across different domains of life, including employment, marriage, friendship and worship, regardless of what else may be true of that

criminal were imposed through the British criminal codes rather than inherited from any earlier Nigerian practice of confinement. Perham's (1937) contemporaneous survey of native administration documents how confinement was itself grafted onto indigenous authority, since indirect rule operated Native Authority prisons alongside the central government prisons. That imprisonment then expanded as a penalty across the colonial decades is measurable. Archibong and Obikili's (2023) digitisation of colonial prison registers from 1920 to 1995 finds that incarceration rose with colonial labour demand, that average incarceration was far higher in the colonial period, at 241 per 100,000 between 1920 and 1938, than after independence, at 92 per 100,000 between 1971 and 1995, and that districts with heavier historical exposure to colonial imprisonment still show measurably lower trust in legal institutions today. The interaction was therefore neither a clean replacement nor a simple survival. It was an editing whose documentary trace runs from the native-court statutes through the prison registers to the present.

person. *Ẹlẹwọn* names this form of social reading within a Yoruba moral world. It does not begin by asking whether a court found the person guilty or whether the allegation was ever proven. It begins with the person's having been marked by custody. Once socially recognised, that mark may precede the person into spaces where the legal record is never consulted. The pattern is not peculiar to Nigeria. Pager's (2003) audit experiment in the urban United States showed that a record of imprisonment, held constant across otherwise identical applicants, was sufficient to close opportunities that remained open to others.

The warrant for this Yoruba claim is layered rather than dependent upon any single case. The first layer is morphological. *Ẹlẹwọn* belongs to a family of Yoruba words formed around the bearer or possessor of a thing or condition. It derives from *ẹwọn*, meaning chain or fetter, in the same broad pattern through which *aláṣọ*, the owner or bearer of cloth, is formed from *ṣọ*. The word therefore records the bearing of a condition rather than the finding of a court. This does not by itself establish how the term operates in every social setting, but its grammar places the chain rather than the verdict at the centre of the category.

The second layer is material and historical. The chain is older than the prison. Chains restrained debtors within the limited form of civil custody described in Section 4, and they bound coffles during the era of the slave trade. The root vocabulary therefore predates the colonial institution that later became its dominant modern referent. This point is lexicographically attested. Crowther's (1852) vocabulary, compiled nine years before the establishment of the Lagos jail in 1861, glosses *ẹwọn* as a chain, a thorny bush and a state of bondage, and *ẹlẹwọn* as one who wears a chain, a prisoner. The word for prisoner was thus already present in the language before the colonial prison existed in Lagos, with the chain rather than the court providing its defining criterion. What the new institution supplied was not the word, but the setting in which it acquired its dominant modern force.

The third layer is the precolonial precedent established in Section 4. A finding of wrongdoing in Yoruba customary practice could attach scandal to a person's name after the penalty, restitution or settlement had ended. A status that survives legal closure is therefore not solely a modern distortion. It belongs to an older moral and reputational pattern that colonial imprisonment intensified by giving the mark a new institutional source and greater public visibility.

The claim nevertheless requires further evidence. What remains to be studied systematically is the word's ordinary usage. Does *ẹlẹwọn* name only the person currently confined, or can it continue to follow someone released from custody? How consistently does it remain attached once conferred? The claim is falsifiable on precisely this ground. If ordinary speech proved to release the bearer of the word at the prison gate, the durable status described here would require another name, and the argument would stand or fall as an account of the phenomenon rather than of the word. This caution does not empty the concept of meaning. *Ẹlẹwọn* remains a vernacular category through which an older economy of marking and repair came to be expressed in the vocabulary of the chain and intensified by the colonial prison.

The scope of the category must also be stated, and Nigerian public life provides a useful test. Obafemi Awolowo was convicted of treasonable felony in 1963, released in 1966 and widely revered thereafter. Wole Soyinka was detained through much of the civil war, yet his prison writing entered the national culture as testimony rather than as a source of disgrace. Olusegun Obasanjo was imprisoned under the Abacha regime in 1995 and elected president in 1999. At first sight, these cases appear to refute the claim that custody can durably alter social standing. In fact, they clarify its limits. What determines the mark is the moral interpretation of custody rather than the bare fact of confinement. Where custody is understood as persecution rather than as a fall, no breach of *Ọmọlúwàbí* is recognised and no repair is required. The chain was worn, but the person's character was not placed in question. This interpretation can be identified independently of the later outcome through the nature of the charge, the political circumstances and the public framing of the confinement at the time. *Ẹlẹwọn* therefore becomes a durable status where custody is read as evidence of moral failure. This scope condition identifies in advance the returning persons whom the theory does not expect to bear the mark.

The operation of this condition, even if the full philology of the word remains to be established, is documented rather than assumed. Ike et al. (2025) found an entrenched lack of confidence in the genuine reintegration of returning persons, with good conduct after release often interpreted as performance rather than transformation.

The wider literature examined in Section 2 shows how such suspicion becomes exclusion through withheld employment, withheld consent to marriage and the denial of ordinary courtesy. None of these mechanisms requires consultation of a legal record. They operate through what the community believes it already knows about the person. *Ẹlẹwọ̀n* gives that presumed knowledge its social name.

ỌMỌLÚWÀBÍ AND THE MORAL ECONOMY OF RETURN

Ọmọlúwàbí names more than a person of good character. In this article, I treat it as a cultural standard within Yoruba moral thought and as a criterion of social believability after custody. *Ìwà l'ẹwà ọmọ ẹniyàn*, good character is the beauty of a human being, is not a decorative proverb. It is a moral measure, and Section 4 has shown how seriously that measure could be taken. Sanction in Yoruba political order recognised no station too high to answer for conduct, up to and including the throne. Ọmọlúwàbí is the same measure applied beyond moments of crisis. It judges character in the ordinary run of life, in work, speech, obligation, restraint and the treatment of elders, strangers and dependants. It is against this same standard that a person is found wanting when that person is read as *ẹlẹwọ̀n*.

This is the double movement the article has been building toward. The standard that marks a person as fallen is not different from the standard that names the way back. Hard work performed visibly, apology made to the wronged party, mediation accepted from elders, religious conversion and service rendered to others are not separate remedies invented to patch over stigma. They are Ọmọlúwàbí itself, demonstrated rather than merely claimed. They must be demonstrated in public because character in this framework is not a private fact about an interior life. It is standing earned continuously before the people who must decide whether to trust, employ, marry, worship with, live beside, or speak for the returning person.

A legal account of reintegration cannot fully see this because law closes the file when a sentence ends, a charge is dismissed, or an acquittal is entered. A service account cannot see it either, because provision closes its own file once housing, training, counselling or programme completion has been supplied. Ọmọlúwàbí does not close in this way. It has to be lived, watched, tested and recognised in view of others for as long as the person lives among them. That is why *ẹlẹwọ̀n* can survive legal completion. The file that matters most here is the moral one, held open by social memory, suspicion and the demand for visible conduct.

Ẹlẹwọ̀n is in this sense a liminal status, naming a person held at a social crossroads, no longer simply a member in good standing but not permanently expelled either. Ọmọlúwàbí is what makes passage back imaginable. It is not a pardon granted once by an authority, nor programme completion, nor the end of a sentence. It is a currency of visible conduct through which a person may gradually become believable again.

I use the phrase 'moral economy' deliberately, and with its lineage in view. Thompson (1971) used it for the provisioning ethics of the English crowd and Scott (1976) for the subsistence ethics of the peasantry. My usage is consciously looser, since the good at stake here is reputation and standing rather than subsistence. What the term preserves from that lineage is the claim that worth and obligation are governed by shared moral expectation rather than by law or price alone. It names a system in which standing is earned, tested, recognised and renewed rather than conferred once. The way back exists, but it must be performed through continuing social labour.

THE SOCIAL SITES OF REACCEPTANCE

If standing after custody is not restored by legal completion alone, then the site of analysis must move beyond the prison gate and the correctional service. In Nigeria, state throughcare for people returning from custody is thin, uneven and weakly institutionalised, and the practical work of reacceptance therefore falls to those willing and able to undertake it. This section maps that informal infrastructure. Its evidentiary status must be stated clearly. The absence of strong state provision is documented and the institutional routes are visible in the sources already discussed, but the precise division of labour within them remains a research agenda rather than settled ethnography.

Family carries the heaviest burden. It is usually the first institution to which the returning person returns, and the first to absorb the material and moral cost of return. Housing, feeding, watching, advising and speaking for the

person are not only practical acts. They are forms of vouching, telling others that the person may be approached, trusted and perhaps slowly received again. Within family, that labour is likely to fall disproportionately on women. Comfort (2008) documents this gendered labour in the American context. For Nigeria, I state the point more cautiously, as a comparative expectation awaiting measurement and among the first claims future fieldwork should test. A related question is whether the mark itself is gendered, since a woman's standing after custody may be damaged through marriageability and respectability rather than employment and patronage.

Beyond family, churches and mosques provide one of the few visible routes through which *Ọmọ́lúwàbí* may be demonstrated after custody. Religious conversion, public testimony and disciplined participation can function as the visible conduct described in Section 7. Character is shown rather than merely claimed, before a congregation that can witness, remember and vouch. This matters especially in southwestern Nigeria, where the depth of religious conversion in the making of modern Yoruba life has a long history of its own (Peel, 2000). In this setting, worship is not only belief. It can also become a public theatre of changed conduct.

Patrons and employers perform related work on a smaller and more transactional scale. When they take a chance on a returning person, their willingness to vouch becomes a form of currency in the moral economy of reacceptance. Employment matters not only because it provides income, but because it gives visible evidence of discipline, routine and trustworthiness. Patronage matters not only because it opens a door, but because it lends another person's standing to the one whose own standing has been damaged. NGOs form the thinnest layer of this infrastructure, filling some of the gaps left by the state, but Section 2 has already shown that provision alone is not the barrier. Practical help matters most when it is joined to public vouching.

Operation Safe Corridor sharpens this picture by contrast rather than by analogy. Nigeria's programme for deradicalising and reintegrating former Boko Haram fighters is resourced, formal and directed at a version of the problem this section has been tracing, namely the return of a person whom a community is reluctant to receive. Ugwueze et al. (2022) find that the programme can succeed by its own measures, producing graduates who have completed deradicalisation, while still failing at reintegration because host communities were never made central to its design and remain unwilling to accept returning fighters regardless of what the programme certifies.

That failure is real, but it is specific and nameable. It is a design failure in consultation, trust building and communal preparation, and better programming could in principle address it. The ordinary returning prisoner's problem is different. Nobody designed *ẹlẹwọ̀n*, nobody can redesign it by consulting the right stakeholders, and no certificate of programme completion can dissolve it. It attaches not to a documented security risk with a name and a timeline but to the person's social being, through a moral vocabulary Section 4 traced to an older Yoruba economy of marking and repair. Security suspicion can be answered with evidence, supervision or assurance. Moral suspicion is harder to answer because it is not only a claim about risk. It is a judgment about standing. That is why the social sites of reacceptance matter. Family, church, mosque, patron, employer and NGO do not merely support return. They help decide whether return can become believable.

STANDING AFTER CUSTODY AS SOUTHERN CRIMINOLOGICAL THEORY

The theoretical claim of this article is not that southwestern Nigeria offers another example of reintegration after prison. It is that return after custody appears differently when standing becomes the object of theory. Reintegration asks how a person returns after punishment. Desistance asks how a person moves away from offending. Labelling and master status explain how a mark comes to organise social perception, while reintegrative shaming asks whether condemnation can be joined to reacceptance. None of these approaches is mistaken. Each captures only part of what *ẹlẹwọ̀n* and *Ọmọ́lúwàbí* make visible when read together.

Fonseca's (2018) critique of the sociology of punishment is that its major theories were developed largely from the experience of Western democracies. The corrective, therefore, is not simply to add cases from elsewhere, but to decentre the theory itself. Peripheral states have not merely received criminal justice from the centre. They have remade it through their own histories, institutions and moral worlds. Agozino (2003) advanced the African version of this argument a generation earlier and in more direct terms. Criminology travelled to the colonies as

a technology of imperial control, and its categories cannot subsequently be returned to Africa as though they were neutral instruments of description.

Read in this light, *elẹwòn* and *Ọmọ́lúwàbí* are treated here as theory-bearing concepts rather than as cultural glosses. Sections 4 through 8 have reconstructed the historical and moral relations through which they organise marking, repair and reacceptance.

Labelling theory and master status provide the closest starting points because they explain how a mark endures and organises social perception. Yet they identify the mark, not the local moral currency through which it may be answered. This is where *Ọmọ́lúwàbí* matters. Stigma that survives a completed sentence is not peculiar to Yoruba society. What the Yoruba material contributes is a grammar of return in which the standard that identifies the fall also specifies the conduct through which standing may be repaired.

The closest Northern comparison is Braithwaite's (1989) account of reintegrative shaming. He distinguishes disintegrative shaming, which excludes the wrongdoer and confirms a deviant master status, from reintegrative shaming, which condemns the act while preserving social bonds and ending in reacceptance. Maruna (2001, 2011) extends this insight through rituals of reentry by which desistance may be publicly recognised. This tradition comes close because it joins condemnation to return and treats return as requiring public recognition.

Ọmọ́lúwàbí, however, is not reintegrative shaming in Yoruba form. The first difference is temporal. Braithwaite's model is episodic and organised around an event. *Ọmọ́lúwàbí* is enduring. It is the standard by which people are judged in ordinary life, whether marked or unmarked. The recovery of standing under it is therefore not completed through a single ceremony but demonstrated through sustained conduct under the observation of others.

The second difference concerns marking and repair. In Braithwaite's typology, disintegrative and reintegrative shaming are alternative responses, one excluding and the other restoring. The Yoruba material reveals a different arrangement. Where wrongdoing remains repairable, marking and repair belong to the same moral economy. The standard that diminishes standing is also the standard through which it may be rebuilt.

The third difference is historical. Braithwaite's communitarianism appears mainly as a condition present at the moment of observation. The Yoruba case is diachronic, involving an indigenous moral standard with historical depth, recognised custodians and colonial entanglement. Maruna (2011) asks where modern states might find rituals of reintegration. The Yoruba material asks what happens when a society already possesses practices of return but the prison changes the standing to which they must respond.

The nearest Northern neighbours are found in desistance scholarship. McNeill (2016) uses tertiary desistance for changes in belonging to a moral and political community, while Nugent and Schinkel (2016) use relational desistance for the recognition of change by others. These concepts recognise the problem of social acknowledgment, and this article stands on that side of the debate. Standing nevertheless differs in three respects. It is a socially allocated position rather than simply a dimension of an individual journey. *Elẹwòn* gives the mark a historical genealogy. Most importantly, desistance scholarship identifies the need for recognition but not the culturally specific criterion by which it is earned or the moral currency through which it is granted. *Ọmọ́lúwàbí* supplies both.

This is why moral economy is necessary. The value at stake is not reducible to employment, housing, risk assessment or programme completion. It also lies in character, trust, name, testimony and the willingness of others to vouch. The institutions examined in Section 8 are therefore more than support structures. They are sites in which standing is judged, tested and sometimes remade.

The contribution to Southern criminology follows. The article belongs within the project consolidated by Carrington et al. (2018) and extended by Cavalcanti et al. (2025), which challenges a hierarchy in which Northern theories travel as universal while Southern societies appear mainly as sites of application. Deckert (2024) sharpens this criticism by showing that a decade of decolonial argument produced little change in what elite criminology journals publish about hyperincarcerated populations. The task is therefore not merely to announce

a decolonial position but to produce substantive theory from Southern histories and concepts. A historically reconstructed Yoruba vocabulary of standing is such theory-bearing material.

The argument has moved from a familiar pattern to a historically specific mechanism. The pattern is that a person leaves custody yet remains marked. The mechanism lies in the fusion of colonial confinement with a Yoruba moral economy of standing, marking and repair. This is not a Northern framework extended over a Southern case. It is theory developed from Southern conceptual resources and brought into conversation with Northern scholarship without being absorbed by it. The transferable lesson is not that every society possesses *elẹwọn* or *Ọmọ́lúwàbí*. It is that every criminology of return must ask how standing is lost, who can recognise its repair and what social labour makes the returning person believable again.

CONCLUSION

Elẹwọn opened this article as a word rather than a case. The puzzle it poses is simple but demanding. A sentence may be completed in law while the person who served it remains marked in social life. I have argued that this mismatch is not merely an accident of weak reintegration policy, but the product of a longer historical fusion.

Confinement did not invent the mark that outlives punishment. Yoruba society already possessed a moral and political apparatus for naming wrongdoing, attaching reputational consequences to it and returning a marked person to standing where repair remained possible. That apparatus also knew its limit. Where wrongdoing was judged beyond repair, sanction expelled the person rather than leaving a permanently marked person within the community. The colonial prison altered this arrangement. It arrived as an instrument of rule rather than reform and became attached to the older economy of marking and repair. In doing so, it produced a third condition that the indigenous scheme had not required. A person could return without either completed repair or expulsion. The person was present, but not restored. *Elẹwọn* came to name this condition.

The article's central finding lies in the double movement of *Ọmọ́lúwàbí*, which provides both the standard by which the fall is recognised and the measure of the route back. A purely legal or service-based account of reintegration cannot capture this movement. Law may recognise that a sentence has ended, and a programme may provide material support. Neither alone restores standing where the injury persists through moral judgment and social recognition. Reintegrative shaming also captures only part of the process. *Ọmọ́lúwàbí* names a continuing standard under which marked and unmarked persons live and through which the returning person must act, be observed, be vouched for and gradually become believable again. Much of this work occurs beyond the state. Family, church, mosque, patron and employer perform forms of repair that formal throughcare scarcely provides. If the comparative expectation developed in Section 8 is sustained, much of this labour will also fall disproportionately upon women. Reacceptance is therefore not simply a policy service. It is continuing social labour.

This article has not added southwestern Nigeria to an already settled theory of reintegration. It has shifted the object of theory from reintegration to standing. *Elẹwọn* and *Ọmọ́lúwàbí* are theory-bearing concepts, and they show that Southern criminology is strongest when it reconstructs mechanisms rather than merely identifies patterns. The deeper questions concern how a society names the mark, who is authorised to recognise repair and what conduct makes return socially believable. These questions should travel beyond southwestern Nigeria, not because the Yoruba answer is universal, but because the method is. Every setting has its own history of standing, suspicion and return. The task is to reconstruct it.

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