NATIONAL OPEN UNIVERSITY OF NIGERIA

SCHOOL OF ARTS AND SOCIAL SCIENCE

COURSE CODE: CSS242

**COURSE TITLE:
MEASUREMENTS AND PATTERNS OF CRIME AND
DELINQUENCY**

COURSE GUIDE

**CSS242
MEASUREMENTS AND PATTERNS OF CRIME AND DELINQUENCY**

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Introduction

Welcome to CSS242: Measurements and Patterns of Crime and Delinquency.

This course is a three-credit unit course for undergraduate students in the arts and social sciences. The materials have been developed with the Nigerian context in view. This Course Guide gives you an overview of the course. It also provides you with information on the organisation and requirements of the course.

Course Aims

The aims are to help you to understand the patterns of crime in the society. Also to help you gain better understanding of how crime is measured. These broad aims will be achieved by:

1.   introducing you to past and present trends of crime in the society,
2.   expatiate on the techniques for measuring crime and delinquency and
3.   examining the patterns of crime and delinquency in Nigeria.

Course Objectives

To achieve the aims set out above, CSS242 has overall objectives. In addition, each unit also has specific objectives. The unit objectives are at the beginning of each unit. I advise that you read them before you start working through the unit. You may want to refer to them during your study of the unit to check your progress).

Here are the wider objectives for the course as a whole. By meeting the objectives, you count yourself as having met the aims of the course. On successful completion of the course, you should be able to:

- define what crime and delinquency is
- identify the place of crime and delinquency in the society
- discover the causal factors responsible for crime and delinquency
- explain the typology of crime and delinquency
- identify the personnel and institutions that play a role in crime and delinquency
- differentiate between crime and delinquency
- explain how crime and delinquency is measured in the society
- enumerate the patterns of crime and delinquency in the society
- discuss the shortcomings of measuring crime and delinquency
- discuss the trend of crime and delinquency in pre-colonial, colonial and post-colonial Nigeria.

Working through This Course

To complete the course, you are required to read the study units and other related materials. You will also need to undertake practical exercises for which you need a pen, a note – book, and other materials that will be listed in this guide. The exercises are to aid you in understanding the concepts being presented. At the end of each unit, you will be required to submit written assignments for assessment purposes. At the end of the course, you will write a final examination.

Course Materials

The major materials you will need for this course are:

(i)   Course guide.
(ii)   Study units.
(iii) Assignments file.
(iv)   Relevant textbooks including the ones listed under each unit
(v)   You may also need to visit the varied arms of the criminal justice system.
(vi)   As a beginner, you need to read newspapers and interact with other mass media as often as possible.

Study Units

There are 25 units (of five modules) in this course. They are listed below:

Module 1   Crime and Society

Unit 1   Defining Crime
Unit 2   History of Crime
Unit 3   Theories of Crime
Unit 4   Classification of Crime
Unit 5   Impact of Crime

Module 2   Delinquency and Society

Units 1   Delinquency Defined
Units 2   Causes of Delinquency
Units 3   Theories of Delinquency
Units 4   Type of Delinquency
Units 5   Impact of Delinquency

Module 3   Measurement of Crime and Delinquency

Unit 1   Measuring Crime and Delinquency
Unit 2   Victims Report method
Unit 3   Police Report/Administrative Data Method
Unit 4   Self Report Method
Unit 5   Improving Crime Measurement in the Nigerian State

Module 4   Patterns and Trends of Crime in Nigeria

Unit 1   Patterns of Property Crime in Nigeria
Unit 2   Patterns of Person Crime in Nigeria
Unit 3   Patterns of Fiscal Crime in Nigeria
Unit 4   Patterns of Terroristic Crime in Nigeria
Unit 5   Patterns of Trafficking Crime in Nigeria

Module 5   Patterns and Trends of Delinquency in Nigeria

Unit 1   Patterns of Government Political Crime in Nigeria
Unit 2   Patterns of Physical Body Crime in Nigeria
Unit 3   Patterns of School Oriented Delinquency in Nigeria
Unit 4   Patterns of Crime Oriented Delinquency in Nigeria
Unit 5   Patterns of Antisocial Delinquency in Nigeria

Textbooks and References

Certain books have been recommended in the course. You may wish to purchase them for further reading.

Assessment File

An assessment file and a marking scheme will be made available to you. In the assessment file, you will find details of the works you must submit to your tutor for marking. There are two aspects of the assessment of this course; the Tutor-Marked Assignment (TMA) and the written examination. The marks you obtain in these two areas will make up your final marks. The assignment must be submitted to your tutor for formal assessment in accordance with the deadline stated in the presentation schedule and the Assignment file. The work you submit to your tutor for assessment will count for 30% of your total score.

Tutor-Marked Assignments (TMAs)

You will have to submit a specified number of the Tutor-Marked Assignments (TMAs). Every unit in this course has a TMA. You will be assessed on four of them but the best three performances will be used for your grading. When you have completed each assignment, send it

together with a TMA form, to your tutor. Make sure each assignment reaches your tutor on or before the deadline for submissions. If for any reason, you cannot complete your work on time, contact your tutor for a discussion on the possibility of an extension. Extensions will not be granted after the due date unless in exceptional circumstances.

Final Examination and Grading

The final examination will be a test of three hours. All areas of the course will be examined. Find time to read the unit all over before your examination. The final examination will attract 70% of the total course grade. The examination will consist of questions, which reflects the kinds of self- assessment exercises and TMA you have previously encountered. And all aspects of the course will be assessed. You should use the time between completing the last unit, and taking the examination to revise the entire course.

Course Marking Scheme

The following table lays out how the actual course mark allocation is broken down.

Assessment	Marks
Assignments (Best Three Assignments out of Four marked)	= 30%
Final Examination	= 70%
Total	= 100%

Presentation Scheme

The dates for submission of all assignments will be communicated to you. You will also be told the date of completing the study units and dates for examinations.

Course Overview and Presentation Schedule

Unit	Title of work	Weeks Activity	
	Course Guide		
Module 1 Crime and Society			
1	Crime Defined	Week 1	Assignment 1
2	History of Crime	Week 1	Assignment 2
3	Theories of Crime	Week 2	Assignment 3
4	Classification of Crime	Week 2	Assignment 4
5	Impact of Crime	Week 3	Assignment 5

	Module 2 Delinquency and Society		
1	Delinquency Defined	Week 4	Assignment 1
2	Causes of Delinquency	Week 4	Assignment 2
3	Theories of Delinquency	Week 5	Assignment 3
4	Type of Delinquency	Week 6	Assignment 4
5	Impact of Delinquency	Week 7	Assignment 5
	Module 3 Measurement of Crime and Delinquency		
1	Measuring Crime and Delinquency	Week 7	Assignment 1
2	Victim Report Method	Week 8	Assignment 2
3	Police Report/Administrative Data Method	Week 8	Assignment 3
4	Self Report Method	Week 9	Assignment 4
5	Improving Crime Measurement in the Nigerian State.	Week 9	Assignment 5
	Module 4 Patterns and Trends of Crime		
1	Patterns of Property Crime in Nigeria	Week 10	Assignment 1
2	Patterns of Person Crime in Nigeria	Week 10	Assignment 2
3	Patterns of Fiscal Crime in Nigeria	Week 11	Assignment 3
4	Patterns of Terroristic Crime in Nigeria	Week 11	Assignment 4
5	Patterns of Trafficking Crime in Nigeria	Week 12	Assignment 5
	Module 5 Patterns and Trends of Delinquency		
1	Patterns of Government Political Crime in Nigeria	Week 12	Assignment 1
2	Patterns of Physical Body Crime in Nigeria	Week 13	Assignment 2
3	Patterns of School Oriented Delinquency in Nigeria	Week 13	Assignment 3
4	Patterns of Crime oriented Delinquency in Nigeria	Week 14	Assignment 4
5	Patterns of Antisocial Delinquency in Nigeria	Week 14	Assignment 5
	Revision	15	
	Examination	16	
	Total	**17**	

How to Get the Most from This Course

In distance learning, the study units replace the university lecture. This is one of the great advantages of distance learning; you can read and work through specially designed study materials at your own pace, and at a time and place that suits you best. Think of it as reading the lecture instead of listening to the lecturer. In the same way a lecturer might give you some reading to do, the study units tell you where to read, and which are your text materials or set books. You are provided exercises to do at appropriate points, just as a lecturer might give you an in-class exercise. Each of the study units follows a common format. The first item is an introduction to the subject matter of the unit, and how a particular unit is integrated with the other units and the course as a whole. Next to this is a set of learning objectives. These objectives let you know what you should be able to do by the time you have completed the unit. These learning objectives are meant to guide your study. The moment a unit is finished, you must go back and check whether you have achieved the objectives. If this is made a habit, then you will significantly improve your chances of passing the course. The main body of the unit guides you through the required reading from other sources. This will usually be either from your set books or from a Reading section. The following is a practical strategy for working through the course. if you run into any trouble, telephone your tutor. Remember that your tutor's job is to help you. When you need assistance, do not hesitate to call and ask your tutor to provide it.

1.   Read this Course Guide thoroughly, it is your first assignment.
2.   Organise a Study Schedule. Design a 'Course Overview' to guide you through the Course. Note the time you are expected to spend on each unit and how the Assignments relate to the units. Whatever method you choose to use, you should decide on and write in your own dates and schedule of work for each unit.
3.   Once you have created your own study schedule, do everything to stay faithful to it. The major reason why students fail is that they get behind with their course work. If you get into difficulties with your schedule, please, let your tutor know before it is too late to help.
4.   Turn to Unit I, and read the introduction and the objectives for the unit.
5.   Assemble the study materials. You will need your set books and the unit you are studying at any point in time. As you work through the unit, you will know what sources to consult for further information.
6.   Keep in touch with your study centre. Up-to-date course information will be continuously available there.

7.   Well before the relevant due dates (about 4 weeks before due dates), keep in mind that you will learn a lot by doing the assignment carefully. They have been designed to help you meet the objectives of the course and, therefore, will help you pass the examination. Submit all assignments not later than the due date.

8.   Review the objectives for each study unit to confirm that you have achieved them. If you feel unsure about any of the objectives, review the study materials or consult your tutor.

9.   When you are confident that you have achieved a unit's objectives, you can start on the next unit. Proceed unit by unit through the course and try to pace your study so that you keep yourself on schedule.

10.   When you have submitted an assignment to your tutor for marking, do not wait for its return before starting on the next unit. Keep to your schedule. When the assignment is returned, pay particular attention to your tutor's comments, both on the tutor-marked assignment form and also the written comments on the ordinary assignments.

11.   After completing the last unit, review the course and prepare yourself for the final examination. Check that you have achieved the unit objectives (listed at the beginning of each unit) and the course objectives (listed in the Courses Guide).

Facilitators/Tutors and Tutorials

Information relating to the tutorials will be provided at the appropriate time. Your tutor will mark and comment on your assignments, keep a close watch on your progress and on any difficulties you might encounter and provide assistance to you during the course. you must take your tutor-marked assignments to the study centre well before the due date (at least two working days are required). They will be marked by your tutor and returned to you as soon as possible.

Do not hesitate to contact your tutor if you need help. Contact your tutor if:

- You do not understand any part of the study units or the assigned readings
- You have difficulty with the exercises
- You have a question or problem with an assignment or with your tutor's comments on an assignment or with the grading of an assignment.

You should try your best to attend the tutorials. This is the only chance to have face-to-face contact with your tutor and ask questions which are answered instantly. You can raise any problem encountered in the

course of your study. To gain the maximum benefit from course tutorials, prepare a question list before attending them. You will learn a lot from participating in discussion actively.

Summary

The course guide gives you an overview of what to expect in the course of this study. The course teaches you the basic principles of news reporting and writing, and how these principles can be applied. It also acquaints you with the legal and ethical rules guiding your job as a reporter.

We wish you success with the course and hope that you will find it both interesting and useful.

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MODULE 1   CRIME AND SOCIETY

UNIT 1   DEFINING CRIME

CONTENTS

1.0   INTRODUCTION

Crime has been and will continue to be a crucial issue in the affairs of Homo sapiens. In human society, crime has existed since the days of yore to plague human beings in form of threatening their lives and their properties. The constantly touted phraseology "threat to lives and property" is a pointer to the fact that crime is a dangerous phenomenon which should be properly studied to understand what crime is and its place in human society.

In this unit, we are going to critically examine the rudiments of the "WHAT" of crime. After this, the nitty-gritty of how crime evolved and the WHERE of crime will be investigated thoroughly.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- define the term, crime
- identify the intricacies of crimes
- use crime concepts and terminologies
- explain the reasons why crime exists in the human society.

3.0   MAIN CONTENT

3.1   Nature and Place of Crime in Human Society

Crime is the breach of a rule or law for which a punishment may ultimately be prescribed by some governing authority or force. The word *crime* originates from the Latin word, *crimen* (genitive *criminis*), from the Latin root, *cernō* and Greek κρινω = "I judge". Originally it meant "charge (in law), guilt, accusation."

Informal relationships and sanctions have been deemed insufficient to create and maintain a desired social order, resulting in formalised systems of social control by the government, or the State. With the institutional and legal machinery at their disposal, agents of the State are able to compel individuals to conform to behavioural codes and punish those that do not. Various mechanisms are employed to regulate behaviour, including rules codified into laws, policing people to ensure they comply with those laws, and other policies and practices designed to prevent crime. Remedies and sanctions constitute a criminal justice system.

Not all breaches of the law however, are considered crimes, for example, breaches of contract and other civil law offenses. The label of "crime" and the accompanying social stigma are normally reserved for those activities that are injurious to the general population or the State, including some that cause serious loss or damage to individuals. The label is intended to assert a hegemony of a dominant population, or to reflect a consensus of condemnation for the identified behavior and to justify a punishment imposed by the State, in the event that an accused person is tried and convicted of a crime. The term "crime" can also technically refer to the use of criminal law to regulate minor infractions, such as traffic violations. Usually, the perpetrator of the crime is a natural person, but in some jurisdictions and in some moral environments, legal persons are also considered to have the capability of committing crimes. The State also commonly commits crimes, although this is underrepresented in the justice system.

From the legal point of view, a crime has not been committed unless all seven of the following elements are present. These are Harm, Legality, *Actus reus, Mens rea, Causation, Concurrence, and Punishment*. Let us look at each of these elements one after the other.

1.   Harm

For crime to occur, there must be an external consequence, or harm. The harm may be physical or verbal. For example, if someone punches another individual without reasonable legal cause, then it is considered *physical* harm. If a person threatens to beat up or kill another person, whether or not the threat is carried out, is *verbal* harm. Also, if a person slanders or bears false witness against another individual that dishonours or injures him/her, it is considered harm.

The question that readily comes to mind is whether the legal element of harm is present in all crimes. For instance, if one examines victimless offences such as prostitution, gambling, marijuana use, one may believe that engaging in these acts has an element of agreement and consent. The participants may not see their habits as acts of harm perpetrated in the society. However, the family of the participants and the moral fabric of the society are jeopardized by such behaviour (Bohn & Haley, 2002).

2.   Legality

Legality has two aspects. First, the harm must be legally forbidden for an act to be a crime. For example, robbing other citizens while armed is against the law in Nigeria. If caught, it is generally agreed that the individual has committed a crime and should be dealt with accordingly. This means that the individual has committed a crime from the view point of legality. The second aspect is that the criminal law must not be retroactive or e*x post facto*. This can be seen in three ways:

- Declaring an act that was not illegal when it was committed as a criminal act.
- Increasing the punishment for a crime after it is committed.
- Altering the rules or evidences in a particular case after the crime is committed.

Out of these two aspects, the first is the most common.

3   Actus Reus

This is a Latin word, which refers to criminal action or inaction that causes harm. If individuals do not act in situations where the law requires them to act, then they are legally committing a crime. We can therefore say that *actus reus* is the physical element of the guilty act, and it requires proof. Where there is no *actus reus*, there is no crime. This includes all the elements in the definition of the crime, with the exception of the mental element. Actus reus can also be seen to be made

up of the conduct, its consequences and the circumstances in which the conduct takes place.

4.   Mens rea

This is a Latin word that refers to a criminal intent or a guilty state of mind. It is the mental aspect of a crime. Here, criminal conduct is limited to intentional, premeditated or purposeful action or inaction and not accidents or mistakes of omission and commission. For example, If one individual slaps another and the assaulted party does not retaliate immediately, but allowed a significant period (1-2 days) to pass before retaliating with a slap; such an action will be viewed as intentional and purposeful. As such, the individual will be criminally responsible for the outcome of his/her action. This is what is regarded as *mens rea*.

The case would have been different if the offended party had retaliated immediately; thus making it an act of provocation or self-defence. If an individual kills another in self defence, instead of being charged with murder in the court of law, the individual will be charged with manslaughter to reduce the punishment because of the circumstances surrounding the killing. This is because the individual is less criminally responsible.

One thing to be borne in mind is that *mens rea* is not required for all crimes. This is because, to demonstrate *mens rea*, it must be proved that an individual intentionally behaved in a given manner or caused a given result.

The following factors would negate criminal responsibility.

Duress

If a person did not want to commit crime but was forced or coerced to do so against his or her will, he or she committed the crime under duress and is generally excluded from criminal liability. For example, if a group of armed robbers compelled another person to drive them to where they want to rob a bank with a gun pointing at his head, if he did and in the process is caught along with them; he is not to be held criminally responsible, because he acted under duress.

Under-age

This is another legal excuse or defence against criminal responsibility. The age at which a person is considered legally responsible for his or her actions, varies by jurisdiction. In most countries of the world, children less than 18 years are not considered entirely responsible for their

criminal acts. It is assumed that their capacity to form *mens rea* is not fully developed. As a result, a special category of offence called juvenile delinquency has been created for those children.

Insanity

Insanity is the third legal defence or legal excuse from criminal responsibility. Insanity is a legal term, not a medical one. Insanity simply means mental or psychological impairment or retardation. The argument here is that an insanity defence rests on the assumption that someone who is insane at the time of a crime lacks the capacity, or has diminished capacity, to act in a premeditated manner. In this case, it is expected that the person should not be held responsible or should be held less responsible for a given crime.

Self-Defence

Self-defence is a situation where people are relieved of criminal responsibility. This is because they have only acted in defence of their person or property. But you must use only the amount of force reasonably necessary to defend yourself or others against an apparent threat of unlawful and immediate violence. The reason why people are not held legally responsible for acting in self defence or in defence of a third party, is that, due to extenuating circumstances, they do not act with *mens rea* (Bohn & Haley, 2002)

Entrapment

This is a situation where people are generally considered either not responsible or less responsible for their crimes if they were trapped or induced into committing them, by a law enforcement officer or by someone acting as an agent of Law Enforcement.

Necessity

The final legal defence or legal excuse from criminal responsibility is necessity. A necessity defence can be used when a crime has been committed to prevent a greater or more serious crime. Necessity defence has been evoked occasionally, especially in cases of "Law enforcement brutality". For example, if innocent civilians die in the course of maintenance of law and order by law enforcement agents, such law-enforcement agents can be made to be less responsible for the crime of killing them as it was done in the process of discharging their duty. As such, they will not be criminally responsible.

5.   Causation

This is a process where the criminal act must lead directly to harm without a long delay. It is a causal relationship between the legally forbidden harm and the *actus reus*. The purpose of the requirement of causation is to prevent people from facing the threat of criminal charges for the rest of their lives. When the cause of a crime is known, it makes it possible to understand the intricacies surrounding its commission.

6.   Concurrence

For any act to be considered crime there must be concurrence between *actus reus* and *mens rea*. In other words, the criminal conduct and the criminal intent must occur together. For example, if you invite a plumber to your house to repair your water closet, and that plumber on his way out, picks your property (mobile phone/silverware) and leaves. In this situation, you cannot accuse the plumber of being guilty of entering your house illegally (trespass), because that was not his initial intention. However, the plumber can be found guilty of stealing the mobile phone.

7.   Punishment

This is the last of the ideal legal elements of crime. For any behaviour to be considered a crime there must be a statutory provision for a punishment or at least the threat of punishment. The threat of punishment and actual punishment is usually directed at crime and illegal acts and not innocent behaviour.

SELF-ASSESSMENT EXERCISE 1

Explain the term crime in your own words.

3.2   Definition of Crime

A normative definition views crime as deviant behavior that violates prevailing norms, specifically, cultural standards prescribing how humans ought to behave. This approach considers the complex realities surrounding the concept of crime and seeks to understand how changing social, political, psychological, and economic conditions may affect the current definitions of crime and the form of the legal, law enforcement, and penal responses made by the State. These structural realities are fluid and often contentious. For example, as cultures change and the political environment shifts, behavior may be criminalised or decriminalised, which will directly affect the statistical crime rates,

determine the allocation of resources for the enforcement of such laws, and influence the general public opinion.

Similarly, changes in the way that crime data are collected and/or calculated may affect the public perceptions of the extent of any given "crime problem". All such adjustments to crime statistics, allied with the experience of people in their everyday lives, shape attitudes on the extent to which law should be used to enforce any particular social norm. There are many ways in which behaviour can be controlled without having to resort to the criminal justice system. Indeed, in those cases where there is no clear consensus on the given norm, the use of criminal law by the group in power to prohibit the behaviour of another group may be considered an improper limitation of the second group's freedom, and the ordinary members of society may lose some of their respect for the law in general whether the disputed law is actively enforced or not.

Laws that define crimes which violate social norms are set by legislatures, and are called *mala prohibita*. These laws vary from time to time and place to place, such as gambling laws. Other crimes, called *mala in se*, are nearly universally outlawed, such as murder, theft and rape.

SELF-ASSESSMENT EXERCISE 2

Discuss the various definitions of crime.

3.3   Complexity in Defining Crime

Why is crime so difficult to define?

This is a surprisingly difficult question to answer. What constitutes crime varies from culture to culture, and from time to time. Criminals have been various things to different people throughout time. They have variously been seen as heroes, villains, fools, revolutionaries, deviants, scumbags etc. However, criminologists try to be scientifically objective and open-minded, rather than succumb to popular definitions. It's an important part of what makes criminology a science (other than its research and research methods). Some people regard the definitional problem as the most important task in criminology. Here's a list of some of the most common definitional approaches:

- *Legalistic*: In this view, crime is defined as behavior that violates the criminal code. Although this isn't suitable for criminologists of the criminal law (who take law as problematic), it's by far the most common approach in criminology, and it makes the field

inherently conservative. It's associated with the arguments made in 1947 by Paul Tappan ("Who is the Criminal?" *American Sociological Review* 12, 1, 1, 96-102) who was responding to a challenge thrown down by the famous philosopher Mortimer Adler. The legalistic approach in criminology believes in the same principles of criminal law (culpability or criminal intent, mala in se versus mala prohibita, and responsibility or justifications and excuses).

- *Conduct norms*: In this view, popularised by a 1938 book written by Thorstein Sellin (pronounced "cell-eene") (*Culture Conflict and Crime*, NY: Social Science Research Council), crime is just one form of conduct norm violations. Every group one belongs to, regardless of political boundaries, regardless of embodiment in law, has conduct norms. Norms are the unspoken rules of right (normal) and wrong (abnormal) that are contained in custom, tradition, ethics, religion, family, and other social institutions. The importance of the Sellin definition is that it frees criminologists as scientists to define their own subject matter.

- *Social harm*: This view is most closely associated with Sutherland's interests in white collar crime (1949, *White Collar Crime*, New Haven, Yale Univ. Press) although there are other influences. To Sutherland (and to most criminologists), it is clearly unfair that white collar criminals get off with civil fines rather than criminal punishments. Corporations that pollute the environment have to pay a million dollar penalty (nothing more than a slap on the wrist to them) while someone who shares a marijuana cigarette with a friend gets 6 years in prison for trafficking (quite a lengthy restriction of liberty). Criminologists adhering to this sense of unfairness tend to believe that crime is any socially harmful act or analogous social injury, whether legally permissible or not. In this view, crime includes untimely death, illness or disease, deprivation of food, shelter, clothing, medical care, racism, sexism, and tobacco, etc.

- *Human rights violation*:This view is most closely associated with the arguments made by Herman and Julia Schwendinger (1975, "Defenders of Order or Guardians of Human Rights" in *Critical Criminology*, ed. by Ian Taylor, Paul Walton & Jock Young, pp. 113-46, London, Routledge & Kegan Paul) although there are other influences. For the Schwendingers, crime is not just anything that causes social injury (imperialism, sexism, racism, poverty), but also anything that thwarts the right to a dignified human existence. For example: freedom of movement, free speech, a good education, employment, the right to unionise,

life, liberty, happiness, and so on. The concept of human rights has the advantage of cutting across cultures and over time.

- ***Deviance and Social Control***: The view that crime is deviance or norm-violating behavior is associated most with sociological criminology. The norms can originate from any source; religion, political belief, etiquette, fashion, or criminal law. In fact, deviance occurs whenever there is stigmatisation, isolation, rejection, segregation, punishment, treatment, or rehabilitation. Social control can be coercive (forceful), normative (attitudinal), or an exchange solution (sets of rewards and incentives). Not all deviant acts are criminal (and vice versa). Deviance is in the eye of the beholder. Law is but one form of social control (a coercive, governmental solution). The term "criminalisation" refers to the process whereby criminal law is selectively applied to certain behaviors, and many criminalisation specialists adhere to a deviance and social control viewpoint, asking the question if criminalisation is a neutral process or if it serves the interests of the powerful. Other forms of social control are sometimes studied, like dispute resolution, mediation, therapeutic, counseling, rehabilitation, reconciliation and restitution (self-help, avoidance, negotiation, settlement, and toleration). Deviance and social control specialists tend to focus on distinguishing kinds of acts (contextual explanations) from kinds of people (compositional explanations). Those who adhere to a compositional explanation used to be called social pathologists, and study the three D's (delinquent, defective, and dangerous classes), but they are a dying breed.

- ***Social problem:*** As almost any college student who has taken a social problems class knows, crime is but one of many enduring conditions that seems to have always been there and shows no signs of going away (like homosexuality, teenage pregnancy, poverty, or aging). The social problems approach tries to avoid "reductionism", or explaining crime by virtue of any one explanation, biological, psychological, or even sociological. It tends to look at the social meanings, or collective definitions, of crime. It therefore closely studies things like media polls or public opinion. Media portrayals, images of crime, and the measurement of crime are serious concerns to social problems specialists, although they wouldn't call themselves specialists because they are anti-specialists, among other things, in adhering to the principles outlined in a little book called *The Sociological Imagination* by C. Wright Mills (1959, NY: Oxford Univ. Press). In that book, some of the most important principles are: never infer value from fact; remember that a social problem, or issue, is

trans-jurisdictional, not a local trouble; imagine micro-macro links; and keep a playfulness of mind (pure reason limits freedom) in shifting from levels of abstraction (no grand theory and no abstracted empiricism either).

- *Sin or evil:* Few scholars hesitate to add this point of view, but there are some similarities between theology and criminology worth noting. One of these is theodicy (the study of suffering) which has many similarities to a social harm approach. Another is the similarity between criminal intent (mens rea, or guilty mind) and evil mind. Although the Gluecks (a famous husband and wife research team of criminologists at Harvard during 1930-1950), among others, pretty much pointed out the futility of the evil causes evil fallacy, the fact remains that the law imputes a certain amount of blameworthiness that resembles the imputation of evil. There are other similarities we need not go into. It's not really an important area of study in criminology.

- *Chaos*: These basically don't use all that literate in postmodern, chaos theory approaches, to define crime. There are things called oscillators and attractors, the former referring to what a time-series analysis of crime rates would look like if plotted on a three-dimensional graph, the latter referring to laws or social control mechanisms that produce non-linear effects indicating more or less steady states of chaos (randomness). The presence of factors that leads to chaos encourages crime. The case of terrorism in the Niger-Delta is a case in point.

SELF-ASSESSMENT EXERCISE 3

Why is it difficult to define crime?

4.0   CONCLUSION

Crime is a critical phenomenon within Nigeria like in any other country. The term crime pervades the vocabulary of both literate and illiterate individual in the society because it is an important concept that has to do with threat to life and property. Crime is so threatening that various techniques such as electronic, mechanical and personnel have been employed by governments, institutions, organisations and private citizens to combat it. The expressions of criminality pervade the society and the negative repercussions of not addressing it stares us in the face every day. Armed robbery attacks, assassinations, hired killings, arson, hostage taking, terrorism, intertribal battles, ethnic conflicts, land disputes, student riots, cultism, pickpockets, area boyism, extortion, police brutality, reckless driving, poor environmental sanitation, e.t.c.,

are all criminal activities. The solutions to the problems of crime will depend on the understanding of its antecedents.

5.0   SUMMARY

In this unit, we have been able to discuss a number of subjects on crime. We gave definitions of crime, and the history of crime. We also identified the reasons why it is difficult to define crime. In the next unit we shall critically examine the history of crime.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Define crime in its legal form and in a personalised manner.
2.   Critically examine the contribution of crime to the lives and property of the Nigerian populace.
3.   Discuss the complexity involved in defining crime.

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UNIT 2   HISTORY OF CRIME

CONTENTS

1.0   Introduction
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1.0   INTRODUCTION

Crime is an ubiquitous phenomenon that occurs everywhere and at the same time. This crucial issue in human existence spans time, age and space. When man came into being it was there and it exists till date in all human societies. It affects all individuals and groups in one way or the other. Crime has local, national and international variants. In this unit we will critically assess the matrices surrounding the origin of crime, its precursors and risk factors responsible for its existence in human society.

We will examine the 'when', 'why' and 'which' of crime in the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the origin of crime
- identify the causes of crime
- list the types of crime in human society
- identify the precursors of crime.

3.0   MAIN CONTENT

3.1   History of Crime

According to biblical accounts, the first crime was committed by Adam and Eve when they disobeyed God and ate the fruit of the knowledge of good and evil thus contravening a law. The second crime was the murder of Abel by Cain. Other crimes followed which led to the destruction of the earth by a flood. Other religious literatures seem to

have similar stories about how crime started. It should be noted however that crime is impossible where there is no law.

The first civilisations had codes of law containing both civil and penal rules mixed together, though these codes were not always recorded. The first known written codes were produced by the Sumerians, and it is known that Urukagina had an early code that does not survive (Attenborough, 1922). A later king, Ur-Nammu left the earliest code that has been discovered, creating a formal system of prescribed penalties for specific cases in 57 articles, the *Code of Ur-Nammu*. The Sumerians later issued other codes including the "code of Lipit-Ishtar" (last king of Isin - 20th century BCE). This code contains some fifty articles and has been reconstructed by the comparison among several sources.

The Sumerian was deeply conscious of his personal rights and resented any encroachment on them, whether by his King, his superior, or his equal. No wonder that the Sumerians were the first to compile laws and law codes (Kramer, 1971*)*.

Successive legal codes in Babylon, including the code of Hammurabi, reflected Mesopotamian society's belief that law was derived from the will of the gods (see Babylonian law) (Blythe, 1992). Many states at this time were theocratic, and their codes of conduct were religious in origin or reference.

Sir Henry Maine (1861), studied the ancient codes available in his day and failed to find any criminal law in the 'modern' sense of the word. While modern systems distinguish between offences against the "State" or "Community", and offences against the "Individual", what was termed the penal law of ancient communities was not the law of "Crimes" (*crimina*); it was the law of "Wrongs" (*delicta*). Thus, the Hellenic laws treated all forms of theft, assault, rape, and murder as private wrongs, and action for enforcement was up to the victim or their survivors (which was a challenge in that although there was law, there were no formalised courts in the earliest system) (Cohen, 1985). It was the Romans who systemised law and exported it to their Empire. Again, the initial rules of Roman law were that assaults were a matter of private compensation. The significant Roman law concept was of *dominion* (Daube, 1969).

The *pater familias* was in possession of all the family and its property (including slaves). Hence, interference with any property was enforced by the *pater*. The Commentaries of Gaius on the Twelve Tables treated *furtum* (modern theft) as a tort. Similarly, assault and violent robbery were allied with trespass as to the *pater's* property (so, for example, the rape of a slave would be the subject of compensation to the *pater* as

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having trespassed on his "property") and breach of such laws created a *vinculum juris* (an obligation of law) that could only be discharged by the payment of monetary compensation (modern damages). Similarly, in the consolidated Teutonic laws of the Germanic tribes, there was a complex system of money compensations for what would now be considered the complete range of criminal offences against the person from murder down (Driver & Mills, 1952-55).

Even though Rome abandoned England sometime around 400 AD, the Germanic mercenaries who had largely been enforcing the Roman occupation, stayed on and continued to use a mixture of Roman and Teutonic Law, with much written down by the early Anglo-Saxon Kings (Gagarin, 1986). But, it was not until a more unified Kingdom emerged following the Norman invasion and the King was attempting to assert power over the land and its peoples, that the modern concept emerged which says that a crime is not only an offence against the individual, it is also a wrong against the "State" (Garner, 1987). This is a common law idea and the earliest conception of a criminal act involved events of such major significance that the "State" had to usurp the usual functions of the civil tribunals and direct a special law or *privilegium* against the perpetrator. All the earliest criminal trials were wholly extraordinary and arbitrary without any settled law to apply, whereas the civil delictual law was highly developed and consistent in its operation (except where the King wanted to raise money by selling a new form of Writ). The development of the idea that it is the State dispensing justice in a court only emerges in parallel with or after the emergence of the concept of sovereignty.

In continental Europe, Roman law persisted, but with a stronger influence from the Church. With the more diffuse political structure based on smaller state units, different legal traditions emerged. These have remained more strongly rooted in Roman jurisprudence modified to meet the prevailing political climate. In Scandinavia, the effect of Roman law was not felt until the 17th century, and the courts grew out of the *things*, which were the assemblies of the people. The cases were decided by the people (usually largest freeholders dominating) which later gradually transformed into a system of a royal judge nominating a number of most esteemed men of the parish as his board, fulfilling the function of "the people" of yore (Guterman, 1990).

From the Hellenic system onwards, the policy rationale for requiring the payment of monetary compensation for wrongs committed has been to avoid feuding between clans and families. If families' feelings could be mollified by compensation, this would help to keep the peace. On the other hand, the threat of feudal warfare was played down also by the institution of oaths. Both in archaic Greece and in medieval

Scandinavia, the accused was released if he could get a sufficient number of male relatives to swear him unguilty. This may be compared with the United Nations Security Council where the veto power of the permanent members ensures that the organisation is not drawn into crises where it could not enforce its decisions. These means of restraining private feuds did not always work or prevent the fulfillment of justice but, in the earliest times, the "States" were not prepared to provide an independent police force (Kern, 1948). Thus, criminal law grew out of what is now tort, and in real terms, many acts and omissions that are classified as crimes overlap civil law concepts.

SELF-ASSESSMENT EXERCISE 1

Give a brief history of the origin of crime.

3.2   Reasons for Crime

Antisocial behaviour is criminalised and treated as offences against society which justifies punishment by the government. A series of reasons exist for the prevalence of crime in the society:

- Poverty
- Criminal tendencies of some individuals.
- Public normlessness/environmental instability.
- Poor administration of justice.
- Religious sentiment and faith.
- Greed.
- Weak law enforcement agencies.
- Weak laws.
- Poor socialisation
- Mental instability
- Ignorance of the law

Individuals need to be responsible for their own actions. An understanding of root causes of crime cannot and should not be seen as a way to absolve us from personal accountability. However, while individuals have an obligation to act responsibly and with respect for their fellow citizens, communities have a responsibility to address those conditions, which hinder healthy development and can become the breeding ground for crime. The root causes of crime are well documented and researched. Crime is primarily the outcome of multiple adverse social, economic, cultural and family conditions. To prevent crime, it is important to have an understanding of its roots.

These are many, complex and interrelated, but can be summarised in three main categories:

- Economic Factors/Poverty
- Social Environment
- Family Structures

Economic Factors/Poverty

In addition to lack of financial resources, poverty manifests itself in a lack of educational opportunities, lack of meaningful employment options, poor housing, lack of hope and the prejudice against persons living in poverty.

Social Environment

Our social structure mirrors to citizens and communities what we value and how we set priorities. Social root causes of crime are: inequality, not sharing power, lack of support to families and neighborhoods, real or perceived inaccessibility to services, lack of leadership in communities, low value placed on children and individual's well-being, and overexposure to television as a means of recreation.

Family Structures

The families are uniquely placed in contributing to raising healthy responsible members of society. But the task of putting children first goes well beyond the family to include communities and society. Dysfunctional family conditions contribute to future delinquency.

The Root Causes of Crime

These conditions include:

- Parental inadequacy
- Parental conflict
- Parental criminality
- Lack of communication (both in quality and quantity)
- Lack of respect and responsibility
- Abuse and neglect of children
- Family violence

3.3   Risk Factors for Crime

When several risk factors are combined, there is a higher probability that crime occurs. "Root Cause" is not the most accurate term when talking about risk factors. In fact a cause-effect mindset makes it too easy to assume that the existence of a risk factor inevitably leads to criminality. For example, the research literature overwhelmingly points to poverty as a factor in criminal behaviour. However, many poor people do not engage in crime. A great deal of research and study has taken place in the field of criminology over the past 50 years. The data is supported by life-cycle studies in other disciplines including health, education and social science. Research from studies in Europe, Canada and the U.S. examined personal characteristics of convicted offenders, relationships with family and peers, self reporting data, neighborhood characteristics and other data to come to four major conclusions:

Occasional and Persistent Delinquents

We need to distinguish between occasional and persistent offenders. For example, 81% of adolescents commit a criminal offence at some time during their adolescence (e.g. mischief, experimentation with drugs, shoplifting, etc.); 9% of adolescent offenders commit serious offenses. In economically disadvantaged areas, 7% of men are responsible for over 50% of all offenses. Persistent offenders engage in criminal behavior earlier and continue longer.

High Crime Areas

Crime rates differ markedly within cities as well as different areas across Canada. For example, northern communities in Canada have substantially higher violent and property crimes than the national average. Police forces everywhere can point to neighbourhoods and urban areas which experience higher crime rates.

The Criminal Justice System

There are many regional and area differences: dismissal of charges, reporting criteria for crime, media attention to certain crimes are not consistent across Nigeria. It can also be difficult to obtain an accurate picture of crime because many criminal offenses are not reported. Conversely, policies of zero tolerance in schools can significantly "increase" reported crime statistics, and public perception of the problem.

Multiple Factors

Risk factors combine to make the probability of criminal behavior more likely. No one variable should be considered in isolation. Following are the major risk factors supported in research. Many persistent offenders begin their involvement in anti-social activities before and during adolescence. Age alone is not a risk factor. It must be looked at in context of poverty, racism, family violence, parental and community neglect and problems at school. Research into persistent offending has emphasised the need to focus prevention efforts on early childhood years. Birth to age 5 is the most critical time for healthy social and emotional development.

Gender

While crime rates for females have increased in recent years, males are much more likely to be involved in crime. The research points out that crime usually involve aggression, risk taking and predatory behavior.

Social and Economic Disadvantage

In Canada, aboriginals represent a disproportionate number of those incarcerated. This situation, in reality, is the consequence of people being kept at a social and economic disadvantage. These factors combined, greatly increase the risk of turning to crime.

Low family income and poor housing often amplify poor parental supervision, marital disharmony, inconsistent care, poor nutrition, chronic health care problems, poor school performance and psychological disorders. Unsatisfactory living conditions are particularly stressful during pregnancy. Fetal development is negatively affected by maternal stress. Such stress has shown to be closely related to ill-health, neurological problems, slow development and behaviour disturbances in children. While there is no direct cause and effect relationship between poverty and crime, the conditions arising out of poverty combine to create "high" risk populations who are over-represented in the criminal justice system.

Persistent Unemployment

Many studies find that a high number of youth and adults admitted to correctional facilities are unemployed. Persistent unemployment often creates a sense of despair, particularly amongst youth and can provoke angry expression including theft, substance and alcohol abuse, as well as child and family violence. Similarly, unemployed men released after terms of incarceration are more likely to re-offend. Failure in school and

an unstable job situation can combine to continue an individual's involvement in crime.

Home Environment

There is a direct link between the abuse of women and child abuse and future delinquent behavior. This link is well researched and documented and shows that over 50% of violent young offenders witnessed wife abuse in the home. Physically abused children are five times more likely to be violent adults. Sexually abused children are eight times more likely to be sexually violent as adults.

It has been estimated that up to 80% of incarcerated males have experienced some form of physical or sexual abuse as a child.

Lack of parental supervision, parental rejection and lack of parent-child involvement are consistent indicators of delinquent behavior. Parenting that features inconsistent, incoherent, overly punitive or too permissive methods of discipline also increase the risk of delinquency.

Studies show that unwanted pregnancy and teen pregnancy create higher risk factors towards criminality. Ineffective parenting encourages youth to associate with peers who are involved in criminal activities. At the risk of oversimplifying a complex problem, research suggests that there is a direct link between dysfunctional parenting and the tendency for the youth to associate with delinquent peers.

As children, offenders are less successful in school, have lower attendance rates and are more likely to leave school early than their peers. Early school leavers experience many difficulties, the most obvious being unemployment or under-employment. Canadian studies show that 40% of federal inmates have a learning disability which remained undetected throughout their childhood.

Substance Abuse

Alcohol and substance abuse are often associated with criminal behavior. Many offenders are under the influence of drugs or alcohol when offenses are committed. Regular alcohol use during adolescence can lead to higher conviction rates in adulthood. To a lesser extent, research speaks of the influence of television and other multi-media on the behavior of children. There is also some evidence that there are links between diet and violent behavior.

SELF-ASSESSMENT EXERCISE 2

Write short notes on the risk factors responsible for crime.

4.0   CONCLUSION

Crime variables are numerous. These variables are usually topical problems that affect the safety and security of the citizenry in different ways. It is necessary to have an idea of how these issues affect humanity and how they are applicable to the Nigerian context.

5.0   SUMMARY

In this unit, we have been able to discuss crime from historical dimensions. We delved into issues ranging from the history, causes and risk factors of crime. In the next unit, we shall critically examine the classification of crime.

6.0   TUTOR-MARKED ASSIGNMENT

In your own words describe the origin of crime.
Write short notes on the precursors of crime.
What are the risk factors responsible for high crime rate in the society?

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UNIT 3   THEORIES OF CRIME

CONTENTS

1.0   INTRODUCTION

The discipline known as criminology is a highly relevant one because it provides empirical information about crime and its concomitant variables. Criminology is indispensable to members of the criminal justice system and scholars who are interested in crime. Criminology as a discipline has provided people with deep insights into the nature and expression of crime. It has also assisted to map out strategies for nipping crime in the bud and rehabilitating criminals. It is necessary to understand criminology as both a course of study and as a practical issue.

In this unit, we are going to critically examine the concept of criminology and its general make up.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the meaning of criminology
- Identify how criminology started
- discuss how it applies to reality
- metion the theoretical underpinning of criminology
- explain a general overview of its usefulness as a course of study.

3.0   MAIN CONTENT

3.1   Criminology

The statement **'Are criminals born, or made?'** is wide reaching and has remained the subject of many debates. Beginning over a hundred years ago in the late 18th century, social and criminal anthropologists began to wonder at the causes of criminality and delinquency and set about to investigate them. Most theorists at the time believed that it had to be a deep-rooted trait, an innate tendency. Over the years that followed, many other sociologists and psychologists have tried to decipher this complicated question, some staying on the side of biological causes, and some looking further into environmental causes. There are many factors surrounding the arguments for both sides, a few of which will be addressed in this essay. We will attempt to conclude which of these theories holds the most weight, and why. This essay will show evidence from different fields of investigation in biological studies and environmental studies, beginning with the works of Cesare Lombroso and William Sheldon.

SELF-ASSESSMENT EXERCISE 1

Are criminals born or made? Discuss.

3.2   Typing Theories of Crime

Called **'The father of Modern Criminology'**, Cesare Lombroso believed that particular physical characteristics or attributes could predict criminality, creating a **'born'** criminal. This was, he theorised, a result of certain evolutionary throwback attributes (atavism) whereby the criminal would be both mentally and physically inferior to 'normal' human beings, and that they would resemble our predecessor, the ape. He used certain physical characteristics as indicators of criminality, and measured them.

These included:

- Size or shape of the head;
- Enlarged cheekbones and jaw;
- Fleshy protruding lips;
- Abnormal teeth and dark skin to name but a few.

If a person were to portray five or more of these atavisms, then they were seen to be a born criminal. He also added other factors to this theory, including that of an excessive use of tattooing, excessive idleness and a tendency to express ideas pictorially!

Sheldon had similar ideas, but these were mainly based around body types. He described three basic body types and different temperaments that corresponded with them.

These were:

- **endomorphs,** who would be soft and round with relaxed extrovert personalities..
- **mesomorphs,** who were athletic and tended to be aggressive.
- **ectomorphs,** who were thin frail and introverted.

Sheldon (1949),   rated these physical attributes in any given individual to range between 1 and 7 to indicate the extent of each body type which they possessed, then the person would be given a three figure rating, showing his/her possession of characteristics. Sheldon compared these ratings on a group of 200 male delinquents, against 200 non-delinquent students. He found that the delinquents were significantly higher in mesomorphy and lower in ectomorphy. He concluded that a Mesomorph was the most likely to be a criminal.

SELF-ASSESSMENT EXERCISE 2

Compare and contrast Lombrosso and Sheldon's somatotyping theories of crime.

3.3   Other Theories of Crime

Other studies, based around heredity, by Francis Galton and his students, were set up to measure degrees of resemblance or correlation. Charles Goring used these new statistical techniques in the analysis of criminality. He concluded that crime was inherited much in the same way as ordinary physical traits and features. He also found that those with frequent and lengthy terms of imprisonment were physically smaller and less intelligent than other people and although there could be a distinct environmental explanation for this, Goring believed that these were primarily inherited characteristics.

As you can imagine, there are many criticisms of these theories, mainly that a majority of Lombrosso's atavisms could describe almost any ethnic minority, and any fit or sporty person in Sheldon's books, would be delinquent. Lombroso's theory, however was very popular at the turn of the century and dispelled any theories that a person became criminal, simply because they fell victim to unfortunate social circumstances. However, the **'International Congress of Criminal Anthropology'** was critical. They believed that the origins of crime lay in social conditions rather than with innate tendencies. This however was initially

a dangerous tact as it bred a belief that the prevention of crime required the development of eugenics, whereby state agencies could implement programs of social and moral improvement through breeding.

This kind of genetic engineering was dependent on chromosomal studies. **Patricia Jacobs et al** held one of the first studies of this kind in a maximum-security prison in Scotland. They found that a statistically significant percentage of men had an extra Y chromosome. Normal patterns are XX for females and XY for males yet this study found that the subnormal wing of the hospital had patients with XYY patterns. Patricia Jacobs described these men as having 'dangerous, violent or criminal predisposition. This was seen as a breakthrough but since then the extra Y chromosome has been found in the general population also, in non-criminal members of society.

Nevertheless these three theories do not explain the reasons why poorer areas of society have more criminals, or the theories that chemical imbalances are to blame. This leads us to environmental theories of criminality, or that criminals are made.

There have also been many studies into the effects of certain vitamins and minerals and their toxic effects in relation to criminality. For instance the toxic effects of **lead** and its adverse effects on learning are widely accepted, yet **Bradley** has only recently suggested the link between lead levels and criminality in 1988. **Bryce-Smith** (1983) also found that high levels of lead could be linked to impulsiveness, daydreaming and frustration.

Other minerals have also been linked with negative behaviour patterns, namely **Cobalt** (vitamin B12) and **Vitamin B**. Two recent studies on Cobalt found that there was a definite link between Cobalt and violent behaviour, the lower the mineral level, the more violent the behaviour pattern. With Vitamin B, it has been found that a deficiency is common amongst both criminals and hyperactive children. A shortage of **B1** gives rise to aggression, hostility and irrational behaviour and **B3**, as claimed by **Lesser** (1980), may cause people to become fearful and act immorally as they are unable to discern right from wrong. A concoction of any of these deficiencies could produce a violent, criminal personality.

Poverty, unemployment and class are also social issues connected closely with crime and delinquent behaviour. **Sainsbury** (1955), found that crime was closely linked to poverty, but criticisms show many tribes, and peoples who are materially poor but have no crime, therefore poverty itself does not cause crime but is only a factor. Evidence now suggests that criminality is linked to economic and income inequalities.

Glaser & Rice (1959) found unemployment to be a significant factor in property crime. They also found that delinquency is inversely related to unemployment; that is, delinquency is high when unemployment is low, and vice versa. They suggested that this might be due to the fact that in times of unemployment, parents are more available to their children. However, **Block** found in 1979 that it is young adults who are most likely to have criminal tendencies if they are also unemployed.

It is therefore a very complex and ongoing argument about whether criminals are born, or made. Goring continued his studies into criminality and eventually postulated that it was caused neither by environment nor heredity, but as the result of an interaction between the two. A view held by many criminologists today. He did however still favours heredity.

Despite this, it can certainly be shown that modern studies and theories are much more in favour of environmental causes of criminality, causes that can be controlled and repressed. In addition to the theories we have discussed, there are many others on the side of environmental factors, such as labeling and learning theories tested by psychologists like **Bandura** and **Skinner** showing how criminality can be conditioned. It is therefore much more likely, taking into account the evidence we have seen on behalf of both biological and environmental factors; that with today's mass array of chemical substances, enhancers, and habit forming hobbies; conjoined with poor living conditions, conditioned morals and lifestyles; and lack of wealth and education, that criminality is certainly not an innate tendency, but a lifestyle imposed upon certain individuals by their environment. It could be an imbalance in their genetic make-up caused by a lack of vitamins or exposure to certain minerals. In retrospect, it is a definite fact shown through the evidence in this essay, that criminals are made and not born.

SELF-ASSESSMENT EXERCISE 3

Briefly discuss three other theoretical explanations for crime.

4.0   CONCLUSION

The study of criminology is indispensible for a clearer understanding of crime in the society. The knowledge garnered from this discipline has gone a long way in assisting stakeholders perform their duties with a degree of competence in security and crime control. The advent of criminology as a discipline is quite funny if you look at it from the Lomrosian perspective, but development in form of advanced technology seems to have changed its face drastically. Having

knowledge of the old and new additions to the discipline makes for a gestaltist understanding.

5.0 SUMMARY

In this unit, we have been able to discuss the criminology. We defined criminilogy after which we investigated the somatotype theories of Lombrosso and Sheldon. Finally we examined other theories explaining criminal behaviour in a simplistic form.

6.0 TUTOR- MARKED ASSIGNMENT

1. What does criminology entail?
2. Is the nature and nurture controversy regarding criminality a fact or a fallacy? Argue.
3. Differentiate between Lombroso and Sheldon's somatotype theories of crime.
4. Write short notes on five other theoretical explanations for crime.

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UNIT 4   CLASSIFICATION OF CRIME

CONTENTS

1.0   INTRODUCTION

Crime occurs in various forms and can be exhibited in a variety of ways. According to the law, different crimes carry different weight. Some are major crimes while others are minor crimes.

We will examine the different types of crimes in the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- identify the types of crime in human society
- explain what the crime against humanity means
- recognise the basis of racial crimes.

3.0   MAIN CONTENT

3.1   Types of Crime

Nigeria has a hydra headed crime problem. Crimes come in different shades and forms. The types of crime are categorised and explained below.

Drug crimes. The drug-crime category encompasses a range of offences connected with the use, transportation, purchase, and sale of illegal drugs.

Street crimes. The most common forms of predatory crime—rape, robbery, assault, burglary, larceny, and auto theft (occur most frequently on urban streets).

Organised crime. The term "organised crime" refers to the unlawful activities of members of criminal organisations that supply illegal goods and services.

Political crimes. The political-crime category contains both crimes by the government and crimes against the government. Political goals motivate political criminals.

Victimless crime. Consensual acts (in which people are willing participants) and violations in which only the perpetrator is hurt, such as the personal use of illegal drugs, are called victimless crimes.

White-collar crime. White-collar crimes are offences that persons commit while acting in their legitimate jobs and professions. White-collar criminals behave in unethical ways for self-gain (for example, embezzlement) or for the benefit of a business (for example, corporate price-fixing). Victims of white-collar crime include the economy, employers, consumers, and the environment.

Crime is generally classified into categories, including:

violent crime (murder and criminal homicide (voluntary manslaughter), forcible rape, aggravated assault, and robbery), property and public order crime. (burglary, arson, larceny/theft, and motor vehicle theft, Crimes are also grouped by severity. These are: felonies (US and previously UK), indictable offences (UK), misdemeanors (US and previously UK), and summary offences (UK). For convenience, infractions are also usually included in such lists although, in the U.S., they may not be the subject of the criminal law, but rather of the civil law.

Crimes against international law

Crime against international law are crimes defined by treaty and include crime against peaces, waging a war of aggression, crimes of apartheid, piracy, genocide, war crimes, and the slave trade. They may be prosecuted by extraordinary procedures, usually international courts such as the International Criminal Court at The Hague in the Netherlands.

Religious crime

The relationship between religion and crime notions is a complex one. Not only have many secular jurisdictions been influenced by the (socially accepted or from the top imposed) religious morality, while the actual corollary in that sphere is answerable only to one's conscience

and divinity, often in the aftermath), in various historical and/or present societies or institutionalised religions, systems of earthly justice have been established which punish crimes against the divine will and/or specific religious (devotional, organisational and other) rules under a specific code, such as Islamic sharia or canon law (notably within the Roman Catholic church).

In the para-military sphere, both 'regular' crimes and specific ones, such as mutiny, can be persecuted by special procedures and/or codes.

SELF-ASSESSMENT EXERCISE 1

Write short notes on five types of crime.

3.2   Crime against Humanity

In public international law, a **crime against humanity** is an act of persecution or any large scale atrocities against a body of people, and is the highest level of criminal offense. The Rome Statute Explanatory Memorandum states that crimes against humanity "are particularly odious offences in that they constitute a serious attack on human dignity or grave humiliation or a degradation of one or more human beings. They are not isolated or sporadic events, but are part either of a government policy (although the perpetrators need not identify themselves with this policy) or of a wide practice of atrocities tolerated or condoned by a government or a de facto authority. However, murder, extermination, torture, rape, political, racial, or religious persecution and other inhumane acts reach the threshold of crimes against humanity only if they are part of a widespread or systematic practice. Isolated inhumane acts of this nature may constitute grave infringements of human rights, or depending on the circumstances, war crimes, but may fall short of falling into the category of crimes under discussion."

First uses

On May 24, 1915, the Allied Powers, Britain, France, and Russia, jointly issued a statement explicitly charging for the first time ever another government of committing "a crime against humanity". An excerpt from this joint statement reads:

In view of these new crimes of Turkey against humanity and civilization, the Allied Governments announce publicly to the Sublime Porte that they will hold personally responsible for these crimes all members of the Ottoman Government, as well as those of their agents who are implicated in such massacres.

Nuremberg trials

The London Charter of the International Military Tribunal was the decree that set down the laws and procedures by which the post-World War II Nuremberg trials were to be conducted. The charter defined that only crimes of the European Axis Powers could be tried. Article 6 stated that the Tribunal was established for the trial and punishment of the major war criminals of the European Axis countries; paragraph 6.a defined crimes against peace, 6.b war crimes and paragraph 6.c, **Crimes Against Humanity** defined as "Murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war, or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated".

.In the Judgment of the International Military Tribunal for the Trial of German Major War Criminals it was also stated:

The Tribunal therefore cannot make a general declaration that the acts before 1939 were crimes against humanity within the meaning of the Charter, but from the beginning of the war in 1939 war crimes were committed on a vast scale, which were also crimes against humanity; and insofar as the inhumane acts charged in the Indictment, and committed after the beginning of the war, did not constitute war crimes, they were all committed in execution of, or in connection with, the aggressive war, and therefore constituted crimes against humanity.

SELF-ASSESSMENT EXERCISE 2

Briefly discuss what you understand by international crimes. Give some examples.

3.3   Racial Crimes

Apartheid

The systematic persecution of one racial group by another, such as occurred during the South African apartheid government, was recognized as a crime against humanity by the United Nations General Assembly in 1976. The Charter of the United Nations (Article 13, 14, 15) makes actions of the General Assembly advisory to the Security Council. In regard to apartheid, the UN General Assembly has not made any findings, nor have apartheid-related trials for crimes against humanity been conducted.

United Nations

The United Nations has been primarily responsible for the prosecution of crimes against humanity since it was chartered in 1948. The UN has been where all modern prosecutions for crimes against humanity have occurred. The International Criminal Court (ICC) was recently organised by the Rome Statute and the UN has delegated several crimes against humanity cases to the ICC. Because these cases were referred to the ICC by the UN, the ICC has broad authority and jurisdiction for these cases. The ICC acting without a UN referral lacks the broad jurisdiction to prosecute crimes against humanity, and cannot prosecute many cases, particularly if they occur outside of ICC-member nations. The most recent 2005 UN referral to the ICC of Darfur has not progressed well, according to many commentators. The first person to be handed over to the ICC was Thomas Lubanga. His trial has still not been completed. The ICC still is seeking Joseph Kony. When the ICC President reported to the UN regarding its progress handling this crimes against humanity case, Judge Phillipe Kirsch said "The Court does not have the power to arrest these persons. That is the responsibility of States and other actors. Without arrests, there can be no trials. The UN has not referred any further crimes against humanity cases to the ICC since March 2005.

UN Security Council responsibility

UN Security Council Resolution 1674, adopted by the United Nations Security Council on 28 April 2006, "reaffirms the provisions of paragraphs 138 and 139 of the 2005 World Summit Outcome Document regarding the responsibility to protect populations from genocide, war crimes, ethnic cleansing and crimes against humanity". The resolution commits the Council to action to protect civilians in armed conflict.

International Criminal Court

In 2002, the International Criminal Court (ICC) was established in The Hague (Netherlands) and the Rome Statute provides for the ICC to have jurisdiction over genocide, crimes against humanity and war crimes. The definition of what is a "crime against humanity" for ICC proceedings has significantly broadened from its original legal definition or that used by the UN, and Article 7 of the treaty stated that:
For the purpose of this Statute, "crime against humanity" means any of the following acts when committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack:

(a)   Murder;
(b)   Extermination;
(c)   Enslavement;
(d)   Deportation or forcible transfer of population;
(e)   Imprisonment or other severe deprivation of physical liberty in violation of fundamental rules of international law;
(f)   Torture;
(g)   Rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilization, or any other form of sexual violence of comparable gravity;
(h)   Persecution against any identifiable group or collectivity on political, racial, national, ethnic, cultural, religious, gender as defined in paragraph 3, or other grounds that are universally recognised as impermissible under international law, in connection with any act referred to in this paragraph or any crime within the jurisdiction of the Court;
(i)   Enforced disappearance of persons;
(j)   The crime of apartheid;
(k)   Other inhumane acts of a similar character intentionally causing great suffering, or serious injury to body or to mental or physical health.

The Rome Statute Explanatory Memorandum states that crimes against humanity are particularly odious offences in that they constitute a serious attack on human dignity or grave humiliation or a degradation of one or more human beings. They are not isolated or sporadic events, but are part either of a government policy (although the perpetrators need not identify themselves with this policy) or of a wide practice of atrocities tolerated or condoned by a government or a de facto authority. However, murder, extermination, torture, rape, political, racial, or religious persecution and other inhumane acts reach the threshold of crimes against humanity only if they are part of a widespread or systematic practice. Isolated inhumane acts of this nature may constitute grave infringements of human rights, or depending on the circumstances, war crimes, but may fall short of meriting the stigma attaching to the category of crimes under discussion.

On the other hand, an individual may be guilty of crimes against humanity even if he perpetrates one or two of the offences mentioned above, or engages in one such offence against only a few civilians, provided those offences are part of a consistent pattern of misbehavior by a number of persons linked to that offender (for example, because they engage in armed action on the same side or because they are parties to a common plan or for any similar reason.) Consequently when one or more individuals are not accused of planning or carrying out a policy of inhumanity, but simply of perpetrating specific atrocities or vicious acts,

in order to determine whether the necessary threshold is met one should use the following test: one ought to look at these atrocities or acts in their context and verify whether they may be regarded as part of an overall policy or a consistent pattern of an inhumanity, or whether they instead constitute isolated or sporadic acts of cruelty and wickedness.

Council of Europe

The Committee of Ministers of the Council of Europe on 30 April 2002 issued a recommendation to the member states, on the protection of women against violence. In the section "Additional measures concerning violence in conflict and post-conflict situations", states in paragraph 69 that member states should: "penalise rape, sexual slavery, forced pregnancy, enforced sterilisation or any other form of sexual violence of comparable gravity as an intolerable violation of human rights, as crimes against humanity and, when committed in the context of an armed conflict, as war crimes;"

In the Explanatory Memorandum on this recommendation when considering paragraph 69:

Reference should be made to the Statute of the International Criminal Tribunal adopted in Rome in July 1998. Article 7 of the Statute defines rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation or any other form of sexual violence of comparable gravity, as crimes against humanity. Furthermore, Article 8 of the Statute defines rape, sexual slavery, enforced prostitution, forced pregnancy, enforced sterilisation or any other form of sexual violence as a serious breach of the Geneva Conventions and as war crimes.

To fall under the Rome Statute, a crime against humanity which is defined in Article 7.1 must be "part of a widespread or systematic attack directed against any civilian population". Article 7.2.a states "For the purpose of paragraph 1: "Attack directed against any civilian population means a course of conduct involving the multiple commission of acts referred to in paragraph 1 against any civilian population, pursuant to or in furtherance of a State or Oganisational policy to commit such attack." This means that an individual crime on its own, or even a number of such crimes, would not fall under the Rome Statute unless they were the result of a State policy or an Oganisational policy. This was confirmed by Luis Moreno-Ocampo in an open letter publishing his conclusions about allegations of crimes committed during the invasion of Iraq in March 2003 which might fall under the ICC. In a section entitled "Allegations concerning Genocide and Crimes against Humanity" he states that "the available information provided no reasonable indicia of

the required elements for a crime against humanity, i.e. 'a widespread or systematic attack directed against any civilian population'".

SELF-ASSESSMENT EXERCISE 3

Why is apartheid a crime against humanity?

4.0   CONCLUSION

Crime is expressed in numerous ways. These expressions of crime spans time and space and have long range effect on the citizenry in different ways. It is necessary to have an idea of various types of crime and how they are applicable to the Nigerian context.

5.0   SUMMARY

In this unit, we have been able to discuss various types of crime. In the next unit we shall critically examine the criminal behaviour. Congratulations for the successful completion of this unit.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Classify crime in a simplistic manner.
2.   Write short notes on two basic examples of crime against humanity.
3.   What is apartheid and how does it constitute a racial crime in human society?

7.0   REFERENCES/FURTHER READING

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UNIT 5   IMPACT OF CRIME

CONTENTS

1.0   INTRODUCTION

Crime affects different people in different ways. It affects the health, the emotions, the finances and the overall wellbeing of both victims and witnesses either at a first hand or a second hand level.. It affects all individuals and groups in one way or the other. In this unit we will critically assess how crime affects the members of the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- define the impact of crime
- describe, the Criminal justice system and criminology
- recognise the relationship between crime and society
- explain the importance of theory in academic research on crime.

3.0 MAIN CONTENT

3.1   Impact of crime

Crime Has an Impact on Everyone. This includes the victims, criminals, criminal justice system, government and the society at large.

Victims

Victims of crime and their family and friends go through a difficult adjustment period following a crime. Whether they have been physically hurt or had their house broken into, chances are the crime will have an impact on them. The trauma that people experience after being victimised is not a sign of weakness. It is a stress reaction to the loss of

safety and security brought about by the crime. If you or someone close to you has been the victim of a crime, you may find that you are experiencing some or all of the reactions listed below:

Feeling:

      Extremely fearful!
      Angry, resentful/revengeful and easily agitated
      Anxious - on edge, easily startled and suspicious of everyone
      Violated and vulnerable
      Embarrassed about some of the details of the event
      Guilty – about your actions or reactions
      Alone – disconnected and different from others
      Scattered – unable to focus on work or daily activities

Wondering:

      Why me?
      What if…
      If only…

Having:

      Sleepless nights, nightmares, headaches, changes in appetite
      Recurring thoughts about the event
      Difficulty concentrating on work/school

Traumatic memories are stored in the form of vivid sensations and images that may be fragmented and without context. When something happens in the present that reminds you of the crime, it may "trigger" the same emotional/physical reactions you had when it first happened. Although these thoughts and feelings are most upsetting, it is important to remember that they are normal reactions to trauma and/or victimisation. These reactions can last for several hours, days, weeks, months or even years depending on the individual and the circumstances that they are faced with.

Crime victims often suffer a broad range of psychological and social injuries that persist long after their physical wounds have healed. Intense feelings of anger, fear, isolation, low self-esteem, helplessness, and depression are common reactions. Like combat veterans, crime victims may suffer from post-traumatic stress disorder, including recurrent memories of the incident, sleep disturbances, feelings of alienation, emotional numbing, and other anxiety-related symptoms. Janoff-Bulman suggests that victimisation can shatter basic assumptions about the self and the world which individuals need in order to function normally in their daily lives—that they are safe from harm, that the world is

meaningful and just, and that they are good, decent people. This happens not only to victims of violent assaults but also to victims of robbery and burglary and to their friends and family. Herman has suggested that survivors of prolonged, repeated trauma, such as battered women and abused children, often suffer what she calls "complex post-traumatic stress disorder," which can manifest as severe "personality changes, including deformations of relatedness and identity [which make them] particularly vulnerable to repeated harm, both self-inflicted and at the hands of others."

The emotional damage and social isolation caused by victimisation also may be compounded by a lack of support, and even stigmatization, from friends, family and social institutions, that can become a "second wound" for the victim. Those closest to the victim may be traumatized by the crime in ways that make them unsupportive of the victim's needs. Davis, Taylor and Bench found that close friends and family members, particularly of a victim of sexual assault, sometimes withdraw from and blame the victim.

Crime victims must also contend with society's tendency to blame them for the crime, which compounds the trauma of the event. To protect their belief in a just world where people get what they deserve, and to distance themselves from the possibility of random or uncontrollable injury, many prefer to see victims as somehow responsible for their fate. The lack of support for victims trying to recover from a crime can exacerbate the psychological harm caused by victimisation and make recovery even more difficult.

When victims do seek help, they may be treated with insensitivity. They may feel ignored or even revictimized by the criminal justice process, which has traditionally been more concerned with the rights of the accused than with the rights and needs of the victim. Family members of homicide victims in particular may feel left out of the justice process. When one woman whose child had been murdered asked to be informed as the case progressed, she was asked, "Why do you want to know? You're not involved in the case."

SELF-ASSESSMENT EXERCISE 1

Briefly discuss how crime affects victims.

3.2   Government, Society and Crime

Criminals

Criminals gain a lot by committing crime. Whether they physically hurt people, take their lives or property or generally engage in creating public disorder or mayhem, criminals are enriched both psychologically and financially. While engaging in criminal activities, criminals have reported feelings ranging from elation to anger, hatred and satisfaction.

Criminal Justice System

The Criminal Justice System is impacted negatively by crime. This is because they are the machinery that is supposed to prevent crime, more especially the policing arm of it. The courts and the prison arm will also feel a high level of frustration because they will come to an understanding that their activities are not quite successful in deterring criminals from engaging in their nefarious activities.

Government

The Government is impacted negatively by crime. This is because the government is responsible for ensuring security within the geopolitical confines of the state and for providing safety for the citizens within its boundary. The government will experience feelings of frustration and failure when crime continually occurs because they will feel they have failed in protecting the citizenry from the terrible consequences of crime.

Society

The Society is impacted negatively by crime. This is because the society can only be enjoyed in a peaceful and secured form. Crime threatens peace, safety and security of lives and property as such members of the society will continually live in fear when crime occurs either in its violent form or in its sophisticated form. Crime represents the unknown and when this situation exists at a high level it causes anxiety and mortal terror among the citizenry.

SELF-ASSESSMENT EXERCISE 2

List four groups affected by crime and explain how crime affects government and society.

3.3   Criminal Justice System And Crime

Criminal Justice System is the system of practices, and Oganisations, used by national and local governments, directed at maintaining social control, deter and controlling crime, and sanctioning those who violate laws with criminal penalties. The primary agencies charged with these responsibilities are law enforcement (police and prosecutors), courts, defence attorneys, local jails and prisons which administer the procedures for arrest, charging, adjudication and punishment of those found guilty.

When processing the accused through the criminal justice system, government must keep within the framework of laws that protect individual rights. The pursuit of criminal justice is like all forms of "justice," "fairness" or "process," essentially the pursuit of an ideal. Throughout history, criminal justice has taken on many different forms which often reflect the cultural norms of society. Criminal justice system is the means for society to enforce the standards of conduct necessary to protect individuals and the community from the activities of undesirable members of the society."

Components of the criminal justice system

The criminal justice system consists of law enforcement (police), courts, prosecutors, defense attorneys and corrections. Criminal justice agencies are intended to operate within the rule of law.

Police Force

The first contact an offender has with the criminal justice system is usually with the police (or *law enforcement*) that investigate and make the arrest. Police or law enforcement agencies and officers are empowered to use force and other forms of legal coercion or means to effect public and social order. The term is most commonly associated with police departments of a state that are authorised to exercise the police power of that state within a defined legal or territorial area of responsibility. The word comes from the Latin word *politia* (civil administration), which itself is derived from the Ancient Greek πόλις, for *polis* ("city") (Alastair, 2003).

The first police force comparable to the present-day police was established in 1667 under King Louis XIV in France, although modern police usually trace their origins to the 1800 establishment of the Marine Police in London, the Glasgow Police, and the Napoleonic police of Paris (Walker, 1977).

The notion that police are primarily concerned with enforcing criminal law was popularised in the 1930s with the rise of the Federal Bureau of Investigation as the pre-eminent "law enforcement agency" in the United States; this, however, has constituted only a small portion of policing activity (Brodeur et al, 1992). Policing has included an array of activities in different contexts, but the predominant ones are concerned with order maintenance and the provision of services *(Neocleous, 2004)*. Within the Nigerian context we have the Nigerian Police Force. This body engages in arresting criminals and providing security for Nigerians. Presently the Civil Defence Corp has also been empowered by the Nigerian government to engage in policing activities.

Courts of Law

The courts serve as the venue where disputes are settled and justice is administered. With regard to criminal justice, there are a number of critical people in any court setting. These include the judge, prosecutor, and the defense attorney. The judge, or magistrate, is a person who should be knowledgeable in the law, and whose function is to objectively administer the legal proceedings and offer a final decision to dispose of a case (Garland, 2002).

In America and a growing number of nations, guilt or innocence is decided through the adversarial system. In this system, two parties will both offer their version of events and argue their case before the court (sometimes before a judge or panel of judges, or a jury). The case is decided in favor of the party that offers the most sound and compelling argument based on the law as applied to the facts of the case.

The prosecutor is the lawyer who brings charges against an individual or corporation. It is the prosecutor's duty to explain to the court what crime was committed and the detail what evidence has been found which incriminates the accused. The prosecutor should not be confused with a plaintiff or plaintiff's counsel. Although both serve the function of bringing a complaint before the court, the prosecutor is a servant of the state who makes accusations on behalf of the state in criminal proceedings, while the plaintiff is the complaining party in civil proceedings.

A defense attorney counsels the accused on the legal process, likely outcomes for the accused and suggests strategies. The accused, not the lawyer, has the right to make final decisions regarding a number of fundamental points, including whether to testify, and to accept a plea offered or demand a jury trial in appropriate cases. It is the defense attorney's duty to represent the interests of the client, raise procedural and evidentiary issues, and hold the prosecution to its burden of proving

guilt beyond a reasonable doubt. Defense counsel may challenge evidence presented by the prosecution or present exculpatory evidence and argue on behalf of their client. At trial, the defense attorney may attempt to offer a rebuttal to the prosecutor's accusations.

In modern America, an accused person is entitled to a government-paid defense attorney if he or she is in jeopardy of losing his/her liberty. Those who cannot afford a private attorney may be provided one by the state. Historically, however, the right to a defense attorney has not always been universal. For example, in Tudor, England criminals accused of treason were not permitted to offer arguments in their defense. In many jurisdictions, there is no right to an appointed attorney, if the accused is not in jeopardy of losing his or her liberty.

The final determination of guilt or innocence is typically made by a third party, who is supposed to be disinterested. This function may be performed by a judge, a panel of judges, or a jury panel composed of unbiased citizens. This process varies depending on the laws of the specific jurisdiction. In some places the panel (be it judges or a jury) is required to issue a unanimous decision, while in others only a majority vote is required. In America, this process depends on the state, level of court, and even agreements between the prosecuting and defending parties. Other nations do not use juries at all, or rely on theological or military authorities to issue verdicts.

Some cases can be disposed of without the need for a trial. In fact, the vast majority are. If the accused confesses their guilt, a shorter process may be employed and a judgment may be rendered more quickly. Some nations, such as America, allow plea bargaining in which the accused pleads guilty, nolo contendre or not guilty, and may accept a diversion program or reduced punishment, where the prosecution's case is weak or in exchange for the cooperation of the accused against other people. This reduced sentence is sometimes a reward for sparing the state the expense of a formal trial. Many nations do not permit the use of plea bargaining, believing that it coerces innocent people to plead guilty in an attempt to avoid a harsh punishment.

The entire trial process, whatever the country, is fraught with problems and subject to criticism. Bias and discrimination form an ever-present threat to an objective decision. Any prejudice on the part of the lawyers, the judge, or jury members threatens to destroy the court's credibility. Some people argue that the often Byzantine rules governing courtroom conduct and processes restrict a layman's ability to participate, essentially reducing the legal process to a battle between the lawyers. In this case, the criticism is that the decision is based less on sound justice and more on the lawyer's eloquence and charisma. This is a particular

problem when the lawyer performs in a substandard manner. The jury process is another area of frequent criticism, as there are few mechanisms to guard against poor judgment or incompetence on the part of the layman jurors.

Within the Nigerian context, courts of law exists at different levels ranging from the Supreme Courts, Federal High Courts, Court Of Appeal, Magistrate Courts etc to process criminal elements. These courts try their best to sort the innocent from the guilty under the auspices of the law.

Correctional Institutions (Prisons and Remand Homes)

Offenders are then turned over to the correctional authorities, from the court system after the accused has been found guilty. Like all other aspects of criminal justice, the administration of punishment has taken many different forms throughout history. Early on, when civilizations lacked the resources necessary to construct and maintain prisons, exile and execution were the primary forms of punishment. Historically shame punishments and dismemberment have also been used as forms of censure (Wolfgang, 1990).

The most publicly visible form of punishment in the modern era is the prison. Prisons may serve as detention centers for prisoners after trial. For containment of the accused jails are used. Early prisons were used primarily to sequester criminals and little thought was given to living conditions within their walls. In America, the Quaker movement is commonly credited with establishing the idea that prisons should be used to reform criminals. This can also been seen as a critical moment in the debate regarding the purpose of punishment.

Punishment (in the form of prison time) may serve a variety of purposes. First, and most obviously, the incarceration of criminals removes them from the general population and inhibits their ability to perpetrate further crimes. Many societies also view prison terms as a form of revenge or retribution, and any harm or discomfort the prisoner suffers is "payback" for the harm he/she caused his/her victims. A new goal of prison punishments is to offer criminals a chance to be rehabilitated. Many modern prisons offer schooling or job training to prisoners as a chance to learn a vocation and thereby earn a legitimate living when they are returned to society. Religious institutions also have a presence in many prisons, with the goal of teaching ethics and instilling a sense of morality in the prisoners.

There are numerous other forms of punishment which are commonly used in conjunction or in place of prison terms. Monetary fines are one

of the oldest forms of punishment still used today. These fines may be paid to the state or to the victims as a form of reparation. Probation and house arrest are also sanctions which seek to limit a person's mobility and their opportunities to commit crimes without actually placing them in a prison setting. Many jurisdictions may require some form of public service as a form of reparations for lesser offences.

Execution or capital punishment is still used around the world. Its use is one of the most heavily debated aspects of the criminal justice system. Some societies are willing to use executions as a form of political control, or for relatively minor misdeeds. Other societies reserve execution for only the most sinister and brutal offenses. Others still have outlawed the practice entirely, believing the use of execution to be excessively cruel or hypocritical.

Within the Nigerian context correctional institutions can be found at Federal and State levels and these are dichotomised into prison and remand homes. More often than not, one finds adolescents in some Nigerian prisons rather than in remand homes.

SELF-ASSESSMENT EXERCISE 3

Write short notes on the arms of the criminal justice system?

4.0   CONCLUSION

The understanding of the impact of crime is indispensible for a addressing the issue of crime. The knowledge derived will go a long way in assisting security and crime control stakeholders in performing their duties with a degree of competence.

5.0   SUMMARY

In this unit, we have been able to discuss the impact of crime. We also examined how crime affects the stakeholders in the society.

6.0   TUTOR-MARKED ASSIGNMENT

1.   How does crime impact on victims?
2.   How does crime affect the government?
3.   What is the impact of crime on the criminal justice system?

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MODULE 2   DELINQUENCY AND SOCIETY

Unit 1   Defining Delinquency
Unit 2   Causes of Delinquency
Unit 3   Theories of Delinquency
Unit 4   Types of Delinquency
Unit 5   Impact of Delinquency

UNIT 1   DEFINING DELINQUENCY

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
         3.1   Delinquency
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         3.3   Complexity of Delinquency
4.0   Conclusion
5.0   Summary
6.0   Tutor-Marked Assignment
7.0   References/Further Reading

1.0   INTRODUCTION

Delinquency has been and will continue to be a crucial issue in the affairs of mankind. Delinquency has existed since time immemorial to plague human beings by affecting young people negatively. The constantly touted phraseology "societal nuisance" is a pointer to the fact that delinquency is both an embarrassing and unacceptable phenomenon which should be properly studied regarding its precursors and its place in human society.

In this unit, we are going to critically examine the rudiments of the "AETIOLOGY" of delinquency. After this, the nitty gritty of how delinquency evolved and the THEATRE of delinquency will be investigated thoroughly.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- give concise definitions of delinquency
- identify the exacerbations surrounding delinquency
- explain the reasons why delinquency exists in the human society
- use concepts and terminologies attached to delinquency.

3.0   MAIN CONTENT

3.1   The Concept "Delinquency"

Young people usually experience series of physical and emotional changes which at times constitutes serious problems for some. One of the key anomalies that have been identified and that can drastically affect a young person's life is juvenile delinquency. Although some people see this anomaly as "normal" or typical, it should be noted that both are signals that a young person is in trouble and needs help.

The range of behaviours defined as delinquent tends to be broad. Nearly ninety percent (90%) of all young people have engaged in behaviour that can be termed delinquent or that would fall under the jurisdiction of juvenile court. Much of these behaviours include things such as fighting, truancy, premature sex, rape, running away from home and not abiding by parents rules, an act of omission or commission that is ordinarily not considered criminal except when engaged in by a minor (usually someone under age 17 or 18).

It should be noted that in some countries, legal statutes define delinquency so broadly that virtually all juveniles could be categorised as delinquents. In such countries, delinquency, then, includes a much greater range of behaviour than does crime (Papalia & Olds, 1992, Lauer & Lauer 2002).

Rogoli & Hewit (1999) argue that in deciding who the delinquent is, it will not be prudent to use rigid, legal definition, because nearly all children commit acts for which they could have been institutionalised, had they been caught and prosecuted to the full extent of law. They submit that it is also not instructive to argue that all children are delinquents, even though it is true that practically all-young people have committed delinquencies.

It is factual to assume that the level of delinquency of individuals differs. Most children are only sporadically or occasionally involved in delinquency, while some others are serious chronic offenders. One way to determine whether an adolescent is a juvenile delinquent is to evaluate his or her behaviour along a series of continuum with each continuum reflecting a different dimension of behaviour. These continuums emphasised the frequency, seriousness, and duration of behaviour (Barlow & Theodore, 1992). Thus, a juvenile delinquent is a child (adolescent) who has shown a consistency in behaviour that falls toward the extreme right end of each continuum. The number of times the individual has committed each delinquent act such as stealing, truancy, fighting, running away from home, etc will determine whether

the child is really delinquent or not. In other words, delinquency is only established after an extended period of time. Adolescent delinquent, is a child with a long and problematic history.

SELF-ASSESSMENT EXERCISE 1

What does the term delinquency mean to you?

3.2   Definition of Delinquency

A delinquent is one who fails to do that which is required by law or by duty when such failure is minor in nature. The term is often used to refer to a juvenile who commits a minor criminal act—juvenile delinquents.

In other cases, a delinquent is a person who fails to pay a debt or other financial obligation, like a mortgage. Failure to cure a delinquent payment can result in repossession or foreclosure. Accounts that are not current are also known as delinquent accounts. Juvenile delinquency is also a legal term for behavior of children and adolescents that in adults would be judged criminal under law. In the United States, definitions and age limits of juveniles vary, the maximum age being set at 14 years in some states and as high as 21 years in others. The 16 to 20 year age group, considered adult in many places, has one of the highest incidences of serious crime. A high proportion of adult criminals have a background of early delinquency.

Juvenile delinquency refers to criminal acts performed by juveniles. Most legal systems prescribe specific procedures for dealing with juveniles, such as juvenile detention centers. There are different theories on the causes of crime, most if not all of which can be applied to the causes of youth crime. Youth crime is an aspect of crime which receives great attention from the news media and politicians. Crime committed by young people has risen since the mid-twentieth century, as have most types of crime. The level and types of youth crime can be used by commentators as an indicator of the general state of morality and law and order in a country, and consequently youth crime can be the source of 'moral panics'.

SELF-ASSESSMENT EXERCISE 2

Discuss the various definitions of delinquency?

3.3   Complexity of Delinquency

The recent trend in Nigeria shows that juvenile delinquency is extremely pervasive, appearing everywhere from the large metropolitan cities to

the rural areas of the country that were once thought to be immune to urban problems (Owumi, 1994 and Ifaturoti, 1994). Also, in most cities in Nigeria, a close observation would reveal a preponderance of adolescents engaging in sexual behaviour, drug abuse, stealing, cultism and a host of other delinquents' behaviour in schools and in the neighbourhood (Obioha, 1994). Aderinto (1996), in his study of adolescent delinquency in Ibadan and Lagos metropolis, found that the facts of delinquency expressed by these adolescents were multifaceted and ranged from running away from home, truancy, underage drinking, drug abuse, wandering, armed robbery, stealing, raping, violent offence and murder. Udegbe and Omololu (1994) reported that adolescents were engaged in four general forms of sexual violence, which include physical assault, gang rape, individual rape and verbal assault.

However, the major problem now, confronting the Nigerian society at large is the rate at which the rising delinquency of adolescents has drastically affected the environment. The cost of juvenile delinquency is immense and ubiquitous, in that it impacts the psychological and physical well-being of the individual involved, the socioeconomic and emotional wellbeing of the family and the economy and sense of wellbeing of the entire society at large. A delinquent child causes the family to feel shame and a sense of worthlessness, threatens the marital harmony of the parents as engendered in recriminations about the child's condition and threatens the security of the society.

There is also the cost of maintaining security system and other crime prevention measures and the cost of rehabilitating a delinquent. The government expends millions of naira on delinquency prevention and management which tends to be a waste on the long run. Cash that would have been useful in improving youth education and health is then utilised for the control of delinquency.

SELF-ASSESSMENT EXERCISE 3

Why is it difficult to define crime?

4.0   CONCLUSION

Delinquency is a critical phenomenon within Nigeria like in any other country. The term delinquency is becoming popular within the Nigerian society because adolescents have been caught engaging in criminal activities. The trend of delinquency is so threatening that specialised personnel have been employed by the government to combat it. The expressions of delinquency pervade the society and the repercussions of not addressing it stares us on the face every day. Street children, Armed robbery attacks, assassinations, hired killings, arson, hostage taking,

terrorism, intertribal battles, ethnic conflicts, student riots, cultism, pickpockets, area boyism, extortion, police brutality, reckless driving, poor environmental sanitation, Vandalism, rape, etc., are all illegal activities that arise as a result of not nipping delinquency in the bud. The solutions to the problems of delinquency will depend on the understanding of its antecedents.

5.0   SUMMARY

In this unit, we have discussed a number of subjects on delinquency. you have leant the definitions of delinquency and also identified the reasons why it is difficult to define delinquency. In the next unit we shall critically examine the history of delinquency.

6.0   TUTOR-MARKED ASSIGNMENT

1. Define delinquency in its legal form and in a personalised manner.
2. Critically examine the contribution of delinquency to the morale of the Nigerian populace.
3. Discuss the complexity involved in defining delinquency.

7.0   REFERENCES/FURTHER READING

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UNIT 2   CAUSES OF DELINQUENCY

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
        3.1   History of Delinquency
        3.2   Reasons for Delinquency
        3.3   Risk Factors
1.0   Conclusion
2.0   Summary
3.0   Tutor-Marked Assignment
4.0   References/Further Reading

1.0   INTRODUCTION

Delinquency is a universal phenomenon that occurs everywhere simultaneously. This crucial issue in human existence, spans time, age and space. When man came into being it was there and it exists till date in all human societies. It affects all individuals and groups in one way or the other. Delinquency has constituted a problem for all known human societies. In this unit we will critically assess the matrices surrounding the origin of delinquency, its precursors and risk factors responsible for its existence in human society.

We will examine the when, why and which of delinquency in the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the origin of delinquency
- identify the reasons for delinquency
- discuss the risk factors for delinquency in human society.

3.0   MAIN CONTENT

3.1   History of Delinquency

According to biblical accounts the first delinquent act was committed by Cain when he murdered his brother Abel. Other crimes like robbery, rape etc followed which led to the destruction of the earth by a flood. The crooked means used by Jacob to steal his brother's birthright and blessing were also an example of delinquency. The Biblical David was

also a delinquent before he became king. Other religious literatures seem to have similar stories about how delinquency started. It should be noted however that delinquency exists only where the law is clear about what it entails. This because where there is no law there is no sin or offence.

Children were viewed as non-persons until the 1700s. They did not receive special treatment or recognition. It was not believed before this time that children could commit crimes. Discipline then is what we now call abuse. There were some major assumptions about life before the 1700's. The first assumption is that life was hard, and you had to be hard to survive. The people of that time in history did not have the conveniences that we take for granted. For example, the medical practices of that day were primitive in comparison to present-day medicine. Marriages were more for convenience, rather than for child-bearing or romance.

The second assumption was that infant and child mortality were high. It did not make sense to the parents in those days to create an emotional bond with children there was a strong chance that the children would not survive until adulthood.

At the end of the 18th century, "The Enlightenment" appeared as a new cultural transition. This period of history is sometimes known as the beginning of reason and humanism. People began to see children as flowers, who needed nurturing in order to bloom. It was the invention of childhood love and nurturing instead of beatings to stay in line. Children had finally begun to emerge as a distinct group. It started with the upper-class, who were allowed to attend colleges and universities.

Throughout all time there has been delinquency. It may not have had the delinquency label, but it still existed. In ancient Britain, children at the age of seven were tried, convicted, and punished as adults. There was no special treatment for them, a hanging was a hanging. Juvenile crime is mentioned as far back as ancient Sumeria and Hammurabi, where laws concerning juvenile offenders first appear in written form.

Within Nigeria in particular and the African continent in general, the constant intertribal wars led to delinquency among the numerous children who were orphaned during the wars. In Nigeria, the issue of delinquency was intensified by the civil war of 1967-1970.

SELF-ASSESSMENT EXERCISE 1

Give a brief history of the origin of crime.

3.2   Reasons for Delinquency

A series of reasons exist for the prevalence of delinquency in the society:

- Poverty.
- Criminal tendencies of some individuals.
- Public normlessness/environmental instability.
- Religious sentiment and faith.
- Greed.
- Weak law enforcement agencies.
- Weak laws.
- Poor socialisation
- Mental instability
- Ignorance of the law

Individuals need to be responsible for their own actions. An understanding of root causes cannot and should not be seen as a way to absolve us from personal accountability. However, while individuals have an obligation to act responsibly and with respect for their fellow citizens, communities have a responsibility to address those conditions, which hinder healthy development and can become the breeding ground for crime. The root causes of delinquency are well documented and researched. Delinquency is primarily the outcome of multiple adverse social, economic, cultural and family conditions. To prevent crime it is important to have an understanding of its roots.

These are many, complex and interrelated, but can be summarised in three main categories:

- Poverty and Economic variables
- Social variables and Environment
- Familial variables

Poverty and Economic Variables

In addition to lack of financial resources, poverty manifests itself in a lack of educational opportunities, lack of meaningful employment options, poor housing, lack of hope and the prejudice against persons living in poverty.

Societal Variables and Environment

Our social structure mirrors to citizens and communities what we value and how we set priorities. Social root causes of crime are: inequality, not

sharing power, lack of support to families and neighborhoods, real or perceived inaccessibility to services, lack of leadership in communities, low value placed on children and individual well-being, the overexposure to television as a means of recreation.

Familial Variables

The families are uniquely placed in contributing to raising healthy responsible members of society. But the task of putting children first goes well beyond the family to include communities and society. Dysfunctional family conditions contribute to future delinquency.

The Root Causes of Delinquency

These conditions include:

- Parental inadequacy
- Parental conflict
- Parental criminality
- Lack of communication (both in quality and quantity)
- Lack of respect and responsibility
- Abuse and neglect of children
- Family violence
- Peer pressure
- Psychological imbalance
- Poverty
- Environmental uncertainties

3.3   Risk Factors for Delinquency

When several risk factors are combined, there is a higher probability that delinquency occurs. "Root Cause" is not the most accurate term when talking about risk factors. In fact a cause-effect mindset makes it too easy to assume that the existence of a risk factor inevitably leads to delinquency. For example, the research literature overwhelmingly points to poverty as a factor in delinquency. However, many poor youths do not necessarily engage in delinquency.

Individual risk factors

Individual psychological or behavioural risk factors that may make offending more likely include: intelligence, impulsiveness or the inability to delay gratification, aggression, empathy, and restlessness (Farrington, 2002). Children with low intelligence are likely to do worse in school. This may increase the chances of offending because low

educational attainment, a low attachment to school, and low educational aspirations are all risk factors for offending in themselves (Walklate, 2003). Children who perform poorly at school are also more likely to truant, which is also linked to offending. (Farrington, 2002), "If strain theory or subcultural theory is valid, poor educational attainment could lead to crime as children were unable to attain wealth and status legally. However it must be born in mind that defining and measuring intelligence is troublesome. Young males are especially likely to be impulsive which could mean they disregard the long-term consequences of their actions, have a lack of self-control, and are unable to postpone immediate gratification". This may explain why they disproportionately offend. Graham & Bowling: 1995, Farrington, (2002) & Walklate, (2003) observed that impulsiveness is seen by some as the key aspect of a child's personality that predicts offending though it is not clear whether these aspects of personality are a result of deficits in the executive functions of the brain, parental influences or other social factors.

Mental disorders

Conduct disorder usually develops during childhood and manifests itself during an adolescence life. (Holmes et al: 2001) Some juvenile behavior is attributed to the diagnosable disorder known as conduct disorder. In accordance to the DSM-IV-TR Codes 312.xx (where xx varies upon the specifice subtype exhibited) adolescence who exhibit conduct disorder also show a lack of empathy and disregard for societal norms. The DSM is the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association [7] and most often referred to by Psychiatrists for diagnosing mental disorders. Juvenile delinquents who have reoccuring encounters with the criminal justice system are sometimes diagnosed with conduct disorders because they show a continuous disregard for their own and others' safety and property. Once the juvenile continues to exhibit the same behavioral patterns and turns eighteen he is then at risk of being diagnosed with antisocial personality disorder and much more prone to become a serious criminal offender. (DeLisi: 2005) One of the main component used in diagnosing an adult with antisocial personality disorder consists of presenting documented history of conduct disorder before the age of 15. These two personality disorders are analogous in their erratic and aggressive behavior. This is why habitual juvenile offenders diagnosed with conduct disorder are likely to exhibit signs of antisocial personality disorder as they mature. Once the juveniles reach maturation their socially unacceptable behavior has grown into a life style and they develop into career criminals. "Career criminals begin committing antisocial behavior before entering grade school and are versatile in that they engage in an array of

destructive behaviors, offend at exceedingly high rates, and are less likely to quit committing crime as they age."

Quantitative research was completed on 9,945 juvenile male offenders between the ages of 10 and 18 in the 1970s. The longitudinal birth cohort was used to examine a trend among a small percentage of career criminals who accounted for the largest percentage of crime activity. The trend exhibited a new phenomenon amongst habitual offenders. For this study habitual offenders were youth who experienced more than five police encounters.(Wolfgang et al: 1972) The phenomenon indicated that only 6% of the youth qualified under their definition of a habitual offender and yet were responsible for 52% of the delinquency within the entire study. The same 6% of chronic offenders accounted for 71% of the murders and 69% of the aggravated assaults (Wolfgang et al, 1972). This phenomenon was later researched among an adult population in 1977 and resulted in similar findings. S.A. Mednick did a birth cohort of 30,000 males and found that 1% of the males were responsible for more than half of the criminal activity. The habitual crime behavior found amongst juveniles is similar to that of adults. "Habitual offenders will make a 'career' of bad choices and bad behavior and probably end up, sooner, or later, dead or in prison These juvenile offenders are in need of treatment because they have a negative disposition and high propensity to continue committing crime" (DeLisi, 2005).

Family environment

Family factors which may have an influence on offending according to Graham & Bowling 1995, include:

- the level of parental supervision,
- the way parents discipline a child,
- parental conflict or separation,
- criminal parents or siblings,
- parental abuse or neglect,
- quality of the parent-child relationship.

Children brought up by single parents are more likely to start offending than those who live with two natural parents, however once the attachment a child feels towards their parent(s) and the level of parental supervision are taken into account, children in single parent families are no more likely to offend then others. (Graham & Bowling,1995). Conflict between a child's parents is also much more closely linked to offending than being raised by a single parent. (Walklate: 2003) If a child has low parental supervision he is much more likely to offend. Many studies have found a strong correlation between a lack of

supervision and offending, and it appears to be the most important family influence on offending. When parents do not know the where about of their children, activities or who their friends are, they are more likely to truant from school and have delinquent friends, each of which are linked to offending (Graham & Bowling 1995). A lack of supervision is connected to poor relationships between children and parents, as children who are often in conflict with their parents may be less willing to discuss their activities with them which may result in weak attachment to their parents that leads to offends. (Graham & Bowling: 1995)

SELF-ASSESSMENT EXERCISE 2

Write short notes on the risk factors responsible for delinquency.

4.0   CONCLUSION

Delinquency variables are numerous. These variables are usually topical problems that affect the safety and security of the citizenry in different ways. It is necessary to have an idea of how these issues affect humanity and how they are applicable to the Nigerian context.

5.0   SUMMARY

In this unit, you have learnt the history, causes and risk factors of delinquency. In the next unit we shall critically examine the theories of crime.

6.0   TUTOR-MARKED ASSIGNMENT

1.   In your own words describe the origin of delinquency.
2.   Write short notes on the precursors of delinquency.
3.   What are the risk factors responsible for high rate of delinquency in the society?

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UNIT 3   THEORIES OF DELINQUENCY

CONTENTS

1.0   INTRODUCTION

Theories on causes of delinquency are important within criminology. This is because crime is committed disproportionately by those aged between twelve and twenty-five. Also by definition, any theory on the causes of crime will focus on youth crime, as adult criminals would have started offending from the time when they were young. A Juvenile Delinquent is one who repeatedly commits crime; however these juvenile delinquents could most likely have mental disorders / behavioral issues such as schizophrenia, post traumatic stress disorder, conduct disorder or bipolar disorder.

In this unit, we are going to critically examine the theories of delinquency.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the theories of delinquency
- applies the theories to reality
- discuss the theoretical underpinning of delinquency
- identify aspects of classical theorising in delinquency
- discuss its usefulness as a course of study.

3.0   MAIN CONTENT

3.1   Classical Theory of Delinquency

Rational Choice Theory

Classical criminology stresses that causes of crime lie within the individual offender, rather than in their external environment. For classicists, offenders are motivated by rational self-interest, and the importance of free will and personal responsibility is emphasised (Eadie & Morley, 2003). Rational choice theory is the clearest example of this approach. This theory indicates that certain youths deliberately make a rational choice to be delinquents.

Social disorganization Theory

Current positivist approaches generally focus on the Culture, which would produce the breakdown of family relationships and community, competing values, and increasing Individualism (Walklate, 2003). Studies showed that only 16 in every 100 kids will do something bad opposed to 26 adult in 100 doing something bad or illegal. When the rules in the society are not clear and the social roles are not clear, then some youths become delinquents.

Strain Theory

Strain theory is associated mainly with the work of Robert Merton. He felt that there are institutionalised paths to success in society. Strain theory holds that crime is caused by the difficulty those in poverty have in achieving socially valued goals by legitimate means (Eadie & Morley, 2003). As those with, for instance, poor educational attainment have difficulty achieving wealth and status by securing well paid employment, they are more likely to use criminal means to obtain these goals (Brown, 1998). Merton's suggests five adaptations to this dilemma:

1.   **Innovation:** individuals who accept socially approved goals, but not necessarily the socially approved means.
2.   **Retreatism:** those who reject socially approved goals and the means for acquiring them.
3.   **Ritualism:** those who buy into a system of socially approved means, but lose sight of the goals. Merton believed that drug users are in this category.
4.   **Conformity:** those who conform to the system's means and goals.

5.   Rebellion: people who negate socially approved goals and means by creating a new system of acceptable goals and means.

A difficulty with strain theory is that it does not explore why children of low-income families would have poor educational attainment in the first place. More importantly is the fact that much youth crime does not have an economic motivation. Strain theory fails to explain violent crime, the type of youth crime which causes most anxiety to the public.

SELF-ASSESSMENT EXERCISE 1

Are delinquents born or made? Discuss.

3.2   Typing Theories of Crime

Subcultural Theory

Related to strain theory is subcultural theory. The inability of youths to achieve socially valued status and goals result in groups of young people forming deviant or delinquent subcultures, which have their own values and norms. (Eadie & Morley: 2003) Within these groups criminal behaviour may actually be valued, and increase a youth's status. (Walklate: 2003) The notion of delinquent subcultures is relevant for crimes that are not economically motivated. Male gang members could be argued to have their own values, such as respect for fighting ability and daring. However it is not clear how different this makes them from 'ordinary' non-lawbreaking young men. Furthermore there is no explanation of why people unable to achieve socially valued goals should necessarily choose criminal substitutes. Subcultural theories have been criticised for making too sharp a distinction between what is deviant and what is 'normal'. (Brown: 1998) There are also doubts about whether young people consciously reject mainstream values. (Brown: 1998). This explains the phenomenon of gangs, cultism and area boyism.

Differential Association Theory

The theory of Differential association also deals with young people in a group context, and looks at how peer pressure and the existence of gangs could lead them into crime. It suggests young people are motivated to commit crimes by delinquent peers, and learn criminal skills from them. The diminished influence of peers after men marry has also been cited as a factor in desisting from offending. There is strong evidence that young people with criminal friends are more likely to commit crimes themselves. However it may be the case that offenders prefer to associate with one another, rather than delinquent peers causing

someone to start offending. Furthermore there is the question of how the delinquent peer group became delinquent initially.

SELF-ASSESSMENT EXERCISE 2

Write short notes on the theories of delinquency.

3.3   Other Theories of Crime

Labeling Theory

Labeling theory states that once young people have been labeled as criminal, they are more likely to offend. The idea is that once labeled as deviant, a young person may accept that role, and be more likely to associate with others who have been similarly labeled (Eadie & Morley 2003). Labeling theorists say that male children from poor families are more likely to be labeled deviant, and that this may partially explain why there are more lower-class young male offenders (Walklate, 2003).

Gender differential theory of delinquency

Youth crime is disproportionately committed by young men. Feminist theorists and others have examined why this is the case. One suggestion is that ideas of masculinity may make young men more likely to offend. Being tough, powerful, aggressive, daring and competitive may be a way of young men expressing their masculinity and acting out these ideals may make young men more likely to engage in antisocial and criminal behaviours (Walklate, 2003). Alternatively, rather than young men acting as they do because of societal pressure to conform to masculine ideals, they may actually be naturally more aggressive, daring, etc. The way young men are treated by their parents may also make them more susceptible to offending (Walklate, 2003). According to a study led by Florida State University criminologist, Kevin M. Beaver, adolescent males who possess a certain type of variation in a specific gene are more likely to flock to delinquent peers. The study, which appears in the September 2008 issue of the Journal of Genetic Psychology, is the first to establish a statistically significant association between an affinity for antisocial peer groups and a particular variation (called the 10-repeat allele) of the dopamine transporter gene (DAT1).
The major focus of feminist theories is that males are more prone to delinquency than females because of gender expectations of the sexes. Physically, socially and emotionally, males are more prepared to engage in delinquency.

 SELF-ASSESSMENT EXERCISE 3

Using examples briefly differentiate between labeling theory and gender differential theory of delinquency.

4.0   CONCLUSION

Theories are indispensible aspect needed for a clearer understanding of delinquency in the society. The knowledge garnered from theories usually go a long way in assisting stakeholders in security and crime control to have a better understanding of delinquency and perform their duties with a high degree of competence. The development of theories of delinquency cannot be divorced from the theories of crime. It should be noted that they are basically similar with only extensions added to theories of crime as indicated in module one.

5.0   SUMMARY

In this unit, we have been able to discuss the theories of crime. We have also examined the classical theories of crime. Also we examined other theories explaining criminal behaviour in a simplistic form. In the next unit we will examine the types of delinquencies.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Discuss the classical theories of delinquency?
2.   Discuss the theory which explains the cause of delinquency best.
3.   Criticall examine the gender theory of delinquency.
4.   Write short notes on five theoretical explanations for delinquency.

7.0   REFERENCES/FURTHER READING

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UNIT 4   TYPES OF DELINQUENCY

CONTENTS

1.0   INTRODUCTION

Delinquency occurs in various forms and can be exhibited in a variety of ways. According to the law, delinquency is meant to be corrected although the weight of different delinquent acts varies considerably. We will examine the different types of delinquency in the society. These are school and crime oriented and anti-social delinquencies.

2.0   OBJECTIVE

At the end of this unit, you should be able to:

* identify the different types of delinquent acts in human society.

3.0   MAIN CONTENT

3.1   School Oriented Delinquency

Nigeria as a nation is beset by the problem of delinquency. Delinquent acts can be tied to school activities. And these behaviours include truancy, absenteeism, school refusal, drop outs, bullying etc.

Truancy

When a child stays off school without the knowledge and agreement of parents and teachers, it is called *truancy*. Sometimes, parents don't seem to mind that their child is not going to school, and even approve or encourage them (e.g. by sending them to hawk products like pure water). Many children who are truants also have behavioural problems such as stealing, lying, fighting and destructiveness and there may be problems at home. (Carr, 2000).

School Refusal

School refusal refers to a phenomenon in which a child is too fearful or anxious or afraid to go to school. Worrying about going to school can make such children feel vaguely unwell, with sickness, headaches, tummy aches, poor appetite and frequent visits to the toilet, although usually, no physical cause can be found for these symptoms. The symptoms are usually worse on weekday mornings and tend to disappear later in the day. This is sometimes called "school phobia".

However, the problem does not always lie with school. A child may seem to be worried about going to school, when actually they are fearful about leaving the safety of their home and parents or are afraid of being bullied or being victimized by teachers. They can be rather clingy and lacking in confidence. Scott, Shaw, & Joughin, (2001).

Adolescent School Drop Outs

The common sense conception of drop out is straightforward: A dropout is a student who leaves school before graduating. The social science conception of dropouts is more complicated, however, because it is influenced by differences in schools' calculation procedures. Schools may differ in what they count as *an absence,* the procedures they use for adding students to the rolls, the time frame during which a dropout is counted, the range of grade levels selected to represent a pool of possible dropouts, and the method of student accounting. Depending upon the time frame, the range of grade levels and the method for calculating the pool of students served, the dropout rate will vary from school to school, district to district, state to state (Natriello, 1995; Rumberger, 1987). This local variation in accounting procedures is a contemporary example of the problem that has long plagued social scientists who must rely on statistics produced by bureaucracies in order to conduct their analysis (Kitsuse & Cicourel, 1963).

Nigeria seriously faces the problem of school drop outs today as compared to the 1970s and 80s were school completion was 90% and above. Economists and policy makers maintain that completion of high school is the absolute minimal educational level necessary to prepare youngsters for the vast majority of jobs in the modern economy. Most of the state reform efforts and the national reports on education generated in the 1980s and 1990s were predicated on the belief that the increased use of new technologies and structural changes in the composition of jobs in the economy would require more sophisticated educational skills than before. Although these visions of the future may be erroneous--in that the majority of new jobs will be in the service sector and not high - end technology areas (Drucker, 1993; Levin & Rumberger, 1987) these

visions do suggest that students who do not complete high school will be even more disadvantaged in the future job market than they have been in the past.

Unevenness in educational attainment across ethnic groups is another often cited reason for the current concern for dropouts. Although the overall high school completion rate has increased, it has not improved for the Hausas and the Fulanis in Nigeria. Students who drop out of high school face a more difficult road to success than their peers who finish high school or college. The relative earnings of high school dropouts are lower than those for students who complete high school or college. Similarly, high school dropouts experience more unemployment during their work careers. Young women who drop out of high school are more likely to become single parents at young ages. As a result of these factors, high school dropouts are more likely to have recourse to crime and end up in jail or prison.

Bullying

Bullying refers to the brutalization of weaker individuals because one has the power to do so. Bullying is a problem among young people more especially in primary and secondary school. The bully beats up other students and collects their property for personal use. The bully usually has followers who provides social support and who are also groomed to become bullies. Bullies usually have a strong physique and are very aggressive. They are known to have low self esteem and an inferiority complex. It is a rampant problem in Nigerian schools, more especially the public schools where poverty makes bullying a rewarding pastime for students who are inclined towards it.

SELF-ASSESSMENT EXERCISE 1

Briefly discuss delinquent behaviours that are common in the school setting.

3.2   Crime Oriented Delinquency

Nigeria has a crime problem. It is however disquieting that crime has spread to encompass the youths of the country. Delinquent acts can be totally crime oriented. These behaviours include stealing, youth gangs, rape, assault, pick pocketing, etc.

Stealing

It is normal for a very young child to take something, which excites his or her interest. This should not be regarded as stealing until the

youngster is old enough, usually three to five years old; to understand that taking something which belongs to another person is wrong. When an adolescent takes someone else's property without permission it is stealing and constitutes a delinquent behaviour. Most children are not actively taught by their parents about property rights and the consideration of others. Parents are role models and are found to at times encourage their children to steal. Some parents come home with stationary or pens from the office or brag about a financial mistake at the market. When this occurs, the lessons about honesty will be a lot harder for the child to understand.

Although children have learned that theft is wrong, older children or teenagers steal for various reasons. A youngster may steal to make things equal if a brother or sister seems to be favored with affection or gifts. Sometimes, a child may steal as a show of bravery to friends, or to give presents to family or friends or to be more accepted by peers. Children may also steal out of a fear of dependency; they don't want to depend on anyone, so they take what they need.

If stealing is persistent or accompanied by other problem behaviors or symptoms, the stealing may be a sign of more serious problems in the child's emotional development or problems in the family. Children who repeatedly steal may also have difficulty trusting others and forming close relationships. Rather than feeling guilty, they may blame the behavior on others, arguing that, "Since they refuse to give me what I need, I will take it."

Rape

Rape is the crime of forcibly engaging in sexual intercourse with a person who has not consented. When individuals think about rape or sexual assault, many imagine a situation in which an evil and unknown perpetrator jumps out of the bushes and attacks an unsuspecting victim. Although this kind of "stranger rape" does occur, a much greater percentage of rapes are committed by individuals who know their victims, and is referred to as "acquaintance rape" or "date rape."Acquaintance rape is forced and unwanted sexual intercourse with a person you know. It is a violent "power trip" on the part of the perpetrator, and a violation of your body and trust. It is wrong, and it is illegal.

Sexual Assault

Sexual Assault is any unwanted sexual contact or attention made through force, threats, bribes, manipulation, pressure, tricks or violence. It may be physical or non-physical and includes rape and attempted

rape, child molestation and incest, and sexual harassment. All forms of sexual assault are crimes.

Pre-Marital Sex

Premarital sex refers to sexual relationships between underage persons. Farrow and Shapiro (1999) asserted that teenagers who feel incomplete, inadequate and unappreciated are more likely to seek comfort in a sexual relationship. But those with a life rich in relationships, family traditions, activities, interests and - most of all- consistent love and affirmation are less likely to embark on a desperate search for fulfillment that could lead to unwise sexual decisions. Those who have a healthy, productive faith in God are more likely to have deeply rooted reasons to respect and preserve the gift of sex and to respect rather than exploit others.

Be aware of these specific risk factors for teen sex:

- Alcohol and drug use. Aside from reflecting problem attitudes (rebellion, poor self-concept, invulnerability) that make sex more likely, intoxication also clouds judgment and weakens resistance to sexual overtures.

- A steady boyfriend or girlfriend. Strong attachments and feelings of exclusivity invite nature to take its course, especially when physical expressions of affection begin early in the relationship. This is a particular risk in a situation where the boy is more than two or three years older than the girl is. If a teen romance appears to be getting hot and heavy and a lot of physical contact is already displayed, you will need to speak with both boy and girl diplomatically but candidly about the physical process they are setting in motion.

- Little parental monitoring. Leaving adolescents alone for hours at a time or not requiring accountability is a setup for sex.

- A parental belief that adolescent sex is appropriate. If you think premarital sex is okay, your adolescent will too and will act on that belief.

- A parental belief that adolescent sex is inevitable. Many parents who disapprove of teen sex have also concluded that it is as certain as death and taxes. Their approach to the subject will thus be double-edged: "Don't do it, but in case you do, use this condom." Adolescents will get the message loud and clear and are likely to act accordingly.

- Low grade-point average/low attachment to school. While school performance is affected by a variety of factors, a basic desire to do well in school reflects a more hopeful outlook on the future and a willingness to put off immediate gratification for long-term goals. Teen sex, on the contrary, usually reflects ignorance of or little regard for consequences. This doesn't mean, of course, that every scholar is a bulwark of morality or that all who are not academically oriented are destined to be promiscuous. What ultimately matters is a person's commitment to basic values such as responsibility, respect for self and others and concern about the effect of today's decisions on the future.

- A history of physical or sexual abuse. These acts against children and adolescents violate their bodies, minds and hearts. Sexual abuse creates a grossly distorted view of sexual behavior, destroys boundaries, and drives a deep sense of worthlessness into the emotions. Whether the abuse occurred in the distant or recent past, adolescents with this history need ongoing support, counseling and prayer to help them develop healthy attitudes about sex and about themselves.

- Frequent family relocations. Moving generally stresses both parents and adolescents (especially if the kids resent the decision). This can erode parental authority and distract parents from involvement with their children. Bonds to social supports such as church groups that help prevent sexual activity are severed by multiple moves. Loneliness and loss of friendships may lead some teenagers to use sexual activity to gain social acceptance. These issues should be considered by parents who are thinking about a possible relocation.

- Only one parent in the household. Parenting was meant to be a team effort, and some risks will naturally increase when one parent is left to do all the protecting and monitoring alone. Some studies do indicate that adolescents living with a single parent are more likely to become sexually active than those living with both parents. Work and household demands can prevent single parents from being as involved and attentive as they need and want to be. And the divorce and desertion that sometimes lead to a one-parent home can make teens uncertain about the value of marriage as the setting for sexual activity and about the role of sexuality in parental relationships.

SELF-ASSESSMENT EXERCISE 2

Write short notes about five crime oriented delinquent behaviours.

3.3   Anti Social Delinquency

Adolescent Fighting

Fighting refers to physical exchange of blows between people for reasons that are personal to them. Swahn (2001) examined demographic characteristics and psychosocial factors to determine the correlates of physical fighting and alcohol-related physical fighting among adolescent drinkers. Although research shows that alcohol use and fighting are associated in adolescence, most drinkers do not fight. Little is known about adolescent drinkers who fight or who fight due to drinking alcohol (alcohol-related fighting).

Youth Gangs

Youth gangs are a conglomeration of youths who come together for mutual protection and who are willing to fight against other individuals and groups for dominance.

Decker and Van Winkle (1996) view joining youth gangs a consisting of both pulls and pushes. Gang membership can enhance prestige or status among friends, especially girls and provide opportunities to be with the boys (Slayton, Stephens, and MacKenna, 1993). Gangs provide other attractive opportunities such as the chance for excitement by selling drugs and making money. Thus, many youth see themselves as making a rational choice in deciding to join a gang; they see personal advantages to gang membership.

Social, economic, and cultural forces push many adolescents in the direction of gangs. Protection from other gangs and perceived general well-being are other key factors (Baccaglini, 1993; Decker and Van Winkle, 1996). As noted above, some researchers contend that the underclass status of minority youth serves to push them into gangs. Feeling marginalised, adolescents join gangs for social relationships that give them a sense of identity. For some youth, gangs provide a way of solving their social adjustment problems, particularly the trials and tribulations of adolescence. In some communities, youth are intensively recruited or coerced into gangs and they seemingly have no choice. A few are virtually born into gangs as a result of neighborhood traditions and their parent's earlier (and perhaps continuing) gang participation or involvement in criminal activity (Moore, 1978).

Adolescent Drug Use

Drug abuse has to do with the use of illicit drugs. Most of these drugs are addictive. Such drugs include alcohol based products like beer, palm wine, whisky, gin, brandy, marijuana, LSD, cocaine, heroin etc.

Substance abuse is a major public health problem that puts millions of adolescents at increased risk for alcohol-related and drug-related traffic accidents, risky sexual practices, poor academic performance, juvenile delinquency, and developmental problems. Although several national surveys indicate that teen use of most illicit drugs has held steady during the past few years, adolescent drug abuse remains alarmingly high. Moreover, use of alcohol and nicotine (cigarettes) is common among teenagers while the use of marijuana appears to be increasing among adolescents.

Runaway/Street Children

A runaway is a minor or a person under an arbitrary age, depending upon the local jurisdiction, who has left the home of his or her parent or legal guardian without permission, or has been thrown out by his or her parent and is considered by the local authorities to lack the capacity to live under his or her own accord.

"Street children" is a term used to refer to children who live on the streets of a city. They are basically deprived of family care and protection. Most children on the streets are between the ages of about 5 and 17 years old, and their population between different cities varies.

Street children live in abandoned buildings, cardboard boxes, parks or on the street itself. A great deal has been written defining street children, but the primary difficulty is that there are no precise categories, rather a continuum, ranging from children who spend some time in the streets and sleep in a house with ill-prepared adults, to those who live entirely in the streets and have no adult supervision or care.

A widely accepted set of definitions, commonly attributed to UNICEF, divides street children into two main categories:

1.   Children on the street are those engaged in some kind of economic activity ranging from begging to vending. Most go home at the end of the day and contribute their earnings to their family. They may be attending school and retain a sense of belonging to a family. Because of the economic fragility of the family, these children may eventually opt for a permanent life on the streets.

2.   Children of the street actually live on the street (or outside of a normal family environment). Family ties may exist but are tenuous and are maintained only casually or occasionally.

SELF-ASSESSMENT EXERCISE 3

Critically discuss anti-social delinquent behaviours you are aware of.

4.0   CONCLUSION

Delinquency is expressed in numerous ways. The expressions delinquency, spans time and space and has long range effect on the citizenry in different ways. It is necessary to have an idea of various types of delinquent behaviours and how they are applicable to the Nigerian context.

5.0   SUMMARY

In this unit, we have been able to discuss various types of delinquent behaviour. In the next unit we shall examine the impact of delinquency.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Classify delinquency in a simplistic manner.
2.   What do you understand by school oriented delinquency?
3.   Write short notes on runaways, stealing, gangs, fighting and drug abuse among adolescents.
4.   Premarital sex is a delinquent behaviour in the society. Discuss.

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UNIT 5 IMPACT OF DELINQUENCY

CONTENTS

1.0 INTRODUCTION

Delinquency affects different people in different ways. It affects the health, emotions, finances and overall wellbeing of perpetrators, victims and witnesses. It affects all individuals and groups (family and society) in one way or the other. In this unit we will assess how delinquency affects the members of the society.

2.0 OBJECTIVES

At the end of this unit, you should be able to describe the:

- impact of delinquency
- criminal justice system and criminology
- relationship between delinquency and society
- importance of theory in academic research on delinquency.

3.0 MAIN CONTENT

3.1 Impact of Delinquency

Delinquency affects everybody. This includes the victims, the delinquents, the criminal justice system, the government and the society at large.

Victims

Victims of delinquency, their family and friends go through a difficult adjustment period following the act of delinquency. Whether they have been physically hurt, had their purses stolen or raped, the delinquent acts

will have impact on them. The trauma that people experience after being victimised is not a sign of weakness but a stress reaction to the loss of safety and security brought about by the act of the delinquent. If you or someone close to you has been the victim of a delinquent act, you may find that you are experiencing some or all of the reactions listed below:

Feeling:

> Extremely fearful!
> Angry, resentful/revengeful and easily agitated
> Anxious - on edge, easily startled and suspicious of everyone
> Violated and vulnerable
> Embarrassed about some of the details of the event
> Guilty – about your actions or reactions
> Alone – disconnected and different from others
> Scattered – unable to focus on work or daily activities

Wondering:

> Why has this happened to me?
> What if things were worse than this…
> If only I had been somewhere else…

Having:

> Sleepless nights, nightmares, headaches, changes in appetite
> Recurring thoughts about the event
> Difficulty concentrating on work/school

Traumatic memories are stored in the form of vivid sensations and images that may be fragmented and without context. When something happens in the present that reminds you of the crime, it may trigger the same emotional/physical reactions you had when it first happened. Although these thoughts and feelings are most upsetting, it is important to remember that they are normal reactions to trauma and/or victimisation. These reactions can last for several hours, days, weeks, months or even years depending on the individual and the circumstances that they are faced with.

Victims of delinquency often suffer a range of psychological and social injuries that persist long after their physical wounds have healed. Intense feelings of anger, fear, isolation, low self-esteem, helplessness, and depression are common reactions. Like combat veterans, victims of delinquent acts may suffer from post-traumatic stress disorder, including recurrent memories of the incident, sleep disturbances, feelings of alienation, emotional numbing, and other anxiety-related symptoms.

Janoff-Bulman suggests that victimisation can shatter basic assumptions about the self and the world which individuals need in order to function normally in their daily lives—that they are safe from harm, that the world is meaningful and just, and that they are good, decent people. This happens not only to victims of violent assaults but also to victims of pickpockets and rape and to their friends and family. Herman has suggested that "survivors of prolonged, repeated trauma," such as battered women and abused children, often suffer what she calls "complex post-traumatic stress disorder," which can manifest as severe "personality changes, including deformations of relatedness and identity [which make them] particularly vulnerable to repeated harm, both self-inflicted and at the hands of others."

The emotional damage and social isolation caused by victimisation also may be compounded by a lack of support, and even stigmatisation, from friends, family and social institutions, that can become a "second wound" for the victim. Those closest to the victim may be traumatised by the crime in ways that make them unsupportive of the victim's needs. Davis, Taylor and Bench found that close friends and family members, particularly of a victim of sexual assault, sometimes withdraw from and blame the victim.

Victims of delinquent acts must also contend with society's tendency to blame them for the act, which compounds the trauma of the event. To protect their belief in a just world where people get what they deserve, and to distance themselves from the possibility of random or uncontrollable injury, many prefer to see victims as somehow responsible for their fate. The lack of support for victims trying to recover from a delinquent act can exacerbate the psychological harm caused by victimisation and make recovery even more difficult.

When victims do seek help, they may be treated with insensitivity. They may feel ignored or even revictimised by the juvenile justice process, which has traditionally been more concerned with the rights of the accused than with the rights and needs of the victim. Family members of rape victims in particular may feel left out of the justice process. When one woman whose child had been sexually assaulted asked to be informed as the case progressed, she was asked, "Why do you want to know? You're not involved in the case."

SELF-ASSESSMENT EXERCISE 1

Briefly discuss how delinquent act affects victims.

3.2   Impact of Delinquency on Government, Society and Delinquent

Delinquents

The delinquents do not always profit from their actions. While engaging in delinquent activities, some of them have reported feelings ranging from sorrow, disgust, malice, elation, anger, hatred and dissatisfaction. Others, however claim to gain as much as they lose, such as the fighters, drug abusers, runaways, the thieves, touts, pickpockets, gang members and those engaged in pre-marital sex.

Juvenile Justice System

The Juvenile Justice System is impacted negatively by delinquency. This is because they are the machinery that is supposed to prevent delinquency, more especially the policing and rehabilitation part of it. The juvenile courts, the remand homes and juvenile correctional centres also feel a high level of frustration because they usually have the experience that their activities are not quite successful in deterring delinquents from engaging in their problematic activities.

Government

The Government is impacted negatively by delinquent acts. This is because the government is responsible for ensuring security and optimal wellbeing within the geopolitical confines of the state and for providing safety for the citizens within its boundary. There is also the cost of maintaining security system and other crime prevention measures and the cost of rehabilitating a delinquent. The government usually experiences feelings of frustration and failure in discouraging delinquency among adolescents and protecting the citizenry from the negative implications of delinquency. Much money is spent to address the issue with little reduction of the scourge.

Society

The Society is negatively affected by delinquency. This is because the society can only be enjoyed when it is peaceful and secured. Delinquency threatens peace, safety and security of lives and property to an extent that members of the society continually live in fear of delinquent acts either in its violent form or in the form that people see as normal. Delinquency represents the unknown and when this situation exists at a high level it causes anxiety and mortal terror among the citizenry. Delinquency creates low morale for members of the society

because more often than not, they are mostly responsible for the problems of delinquency.

Family

The family is negatively affected by delinquency. This is because the family is usually a precursor of delinquent behaviours. Delinquency causes low morale, shame and disgrace into the family. It spoils the good name of the family and usually makes it a byword among other members of the society. It also causes tension, anxiety and uncertainty among family members.

SELF-ASSESSMENT EXERCISE 2

List four groups affected by delinquency and explain how delinquency affects government and society.

3.3   Juvenile Justice System and Delinquency

The Juvenile justice system is a system set up to protect and help juvenile offenders/delinquents. It was established in 1868 to protect children from the influences of adult prisoners, divert youthful offenders from the criminal courts and to encourage rehabilitation based on the juvenile's needs. (Crime, Panel J., et al. Juvenile Crime, Juvenile Justice. 2001 Print.)

History

The Juvenile justice system was established by Jan in 1868 in Chicago as a byproduct of the Progressive Era. Before this, anyone under the age of 17years who committed a crime was placed in the same system as adults. However, by this time, social views had begun to change. With recent discoveries and research by psychologists, many started to see juveniles as youths who had simply lost their way, rather than as hardened criminals. It was belief that with proper structure and disciplanary guidelines instituted in the youth's life they could be rehabilitated and become productive members of society (Burton, 2002). The qualifications for what designates a minor as "juvenile" under the law vary from country to country. In most instances, the system applies to anyone between the ages of seven and seventeen. Children younger than seven are not held accountable for their actions. This is called the defense of infancy.

Burton, (2002) has described Chicago juvenile justice reformer Mary Bartelme as the single most important person in the first 25 years of the

Cook County Juvenile Court, the first juvenile court established in the U.S.

Functions

The juvenile justice system is a network of agencies that deal with juveniles whose conduct have come in conflict with the law. These agencies include police, prosecutor, detention, court, probation, and the Department of Juvenile Corrections.

The Juvenile justice system acts as a shield for juveniles who perform adult criminal acts or status offences. That is acts that are illegal only when performed by a juvenile; such as truancy, being beyond control of parents or guardians, running away, and/or knowingly associating with criminals (Vito, Tewksbury, and Wilson, 1998). The Juvenile Justice System is set up to help rehabilitate, rather than imprisoning and punishing them.

How Does the System Work?

There are various stages in the process. At each stage important decisions are made about how to handle cases.

Police contact

When the police determine that a crime has been committed and have a suspect, they have the option of referring the juvenile to the prosecutor's office and returning the juvenile to his/her parent or requesting that the juvenile be detained.

Intake

The purpose of intake is to screen cases to determine how they will be handled. If a juvenile is detained and a petition is filed, the case is referred to court. However, in the case of minor offenses, the case may be referred for informal handling through the youth accountability board or through the probation department. Repeat offenders and felony cases are automatically referred to court by the prosecutor's office.

Detention

Detention is a short-term secure facility where juveniles are held awaiting court hearings. Juveniles may be held because of the seriousness of the offense, a history of criminal offenses, the juvenile is a threat to others, or to insure that the juvenile returns to court. The juvenile may also be placed in detention after the sentencing by the

judge as a consequence for his/her actions. Parents may be ordered to pay detention costs.

Arraignment

The initial hearing is for the purpose of informing the juvenile and parents of the charges and their rights. The judge will also decide where and under what conditions the juvenile will stay until the next hearing.

Evidentiary hearing

The evidentiary hearing is the same as a trial, except that juveniles do not have the right to a jury. At this hearing, the judge listens to everyone's testimony and determines whether the acts charged actually happened.

Sentencing

At the sentencing hearing the judge will decide what services will be ordered and what conditions the juvenile and parents must fulfill. Before the hearing, a probation officer will investigate the case by interviewing the family and other people to gather information to help the judge make a disposition. The judge may also order evaluations such as psychological, substance abuse, medical, etc. At the hearing the judge will consider the evaluations, reports, and statements made by all parties, including the victim. The juvenile and parents will be ordered to repay the victim for losses.

Dispositions

The two main dispositions the court may order are probation or commitment to the Department of Juvenile Corrections.

Probation is the disposition made in most juvenile court cases. The judge will order that the juvenile live with a responsible adult, usually the parents, and order that certain conditions be followed. They may include a curfew, school attendance, counseling, etc. The judge may order that the parents follow certain conditions and if they fail to, may be ordered to pay fines up to 5,000 naira or serve jail time.

The judge may determine that the juvenile needs treatment that is not available in the community or that the community needs to be protected from the juvenile's behavior. In such cases, the juvenile may be placed in the custody of the Department of Juvenile Corrections. The Department may then place the juvenile in foster care, a group home, a hospital, secure confinement, or placement in another state. Although

the Department has legal custody of the juvenile that does not mean that the parents lose either their rights or responsibilities as the parents. The Department will require that the parents pay for the treatment of their child while he/she is in the state's custody.

Waiver to adult court

The judge may determine that the juvenile is not going to respond to the juvenile system and presents enough of a danger to the community that the juvenile should be treated as an adult. First there has to be a hearing where the prosecutor must prove that the child should be treated as an adult. If the judge orders the juvenile into the adult system, he/she will be subject to any punishment available in adult court. There are certain offenses where a juvenile may be waived into adult court automatically. Any juvenile between the ages of fourteen and seventeen who is charged with first or second-degree murder, any type of gun violation (Armed Robbery), or any crime relating to gang violence is automatically tried as a youthful offender, which really means that the juvenile is charged as an adult. If convicted, the juvenile will be sent to an adult prison to serve the imposed sentence.

Components of the criminal justice system

The criminal justice system consists of police, prosecutor, detention, court, probation, and the Department of Juvenile Corrections. Juvenile justice agencies are intended to operate within the rule of law.

Police Force

The first contact an offender has with the criminal justice system is usually with the police (or *law enforcement*) who investigate and make the arrest. Police or law enforcement agencies and officers are empowered to use force and other forms of legal coercion and legal means to effect public and social order. The term is most commonly associated with police departments of a state that are authorised to exercise the police power of that state within a defined legal or territorial area of responsibility. The word comes from the Latin *politia* ("civil administration"), which itself derives from the Ancient Greek πόλις, for *polis* ("city") (Alastair, 2003).

The first police force comparable to the present-day police was established in 1667 under King Louis XIV in France, although modern police usually trace their origins to the 1800 establishment of the Marine Police in London, the Glasgow Police, and the Napoleonic police of Paris (Walker, 1977).

The notion that police are primarily concerned with enforcing criminal law was popularised in the 1930s with the rise of the Federal Bureau of Investigation as the pre-eminent "law enforcement agency" in the United States; this, however, has constituted only a small portion of policing activity (Brodeur et al, 1992). Policing has included an array of activities in different contexts, but the predominant ones are concerned with order maintenance and the provision of services *(Neocleous, 2004)*. Within the Nigerian context we have the Nigerian Police Force. This body engages in arresting criminals and providing security for Nigerians. Presently the Civil Defence Corp has also been empowered by the Nigerian government to engage in policing activities.

Juvenile Courts

The focus of the juvenile justice system is to rehabilitate juveniles, rather than imprisoning and punishing them. Many countries have special courts set aside just to try juveniles. Others have courts that deal with juvenile cases in addition to regular ones. The courts serve as the venue where disputes are then settled and justice is administered. With regard to juvenile justice, there are a number of critical people in any court setting. These include the judge, prosecutor, and the defense attorney.

In many countries, juveniles, upon arraignment, enter a plea of "delinquent" or "not delinquent," rather than "guilty" or "not guilty." The purpose of this is to establish that they are different from a regular criminal.

Unlike normal proceedings, which are almost always open to the public, juvenile courts are usually closed to the public. Juvenile records are often sealed (made so that they cannot be seen), and are sometimes even cleared when the juvenile reaches a certain age (usually eighteen or twenty-one). In some countries, all court records, including juvenile court records, exist forever. The record is still available to law enforcement agencies and the courts. It is common practice (and in some places even a law) for the news media not to report the name of any minor involved in criminal proceedings. Juvenile court cases are usually decided upon by a judge, rather than by a jury.

Within the Nigerian context, juvenile courts of law exist in every state to process delinquent entities. These courts try their best to process delinquents under the auspices of the law.

Correctional Institutions (Prisons and Remand Homes)

Offenders are turned over to the correctional authorities, from the court system after the accused has been found guilty. Like all other aspects of criminal justice, the administration of punishment has taken many different forms throughout history. Early on, when civilizations lacked the resources necessary to construct and maintain prisons, exile and execution were the primary forms of punishment. Historically shame punishments and dismemberment have also been used as forms of censure (Wolfgang, 1990).

The most publicly visible form of correction or punishment in the modern era for juveniles is the remand home or prison.

The juvenile prison system works under the same philosophy as the rest of the justice system, focusing more on rewarding good behavior, rather than punishing the bad. Delinquents being held in these facilities are given the opportunity (and usually ordered by the court) to attend school and receive their secondary school certificates or a trade. Many detention centers offer the inmates a chance to have jobs working around the prison, such as being a teacher's assistant, gardener, or kitchen staff member.

The Nebraska Correctional Youth Facility has a program called Project HEART, which gives inmates the chance to take care of and train dogs that have been abandoned. If the juvenile does a good job by taking proper care of it, the animal may be set up for adoption through the local humane society.

Within the Nigerian context correctional institutions can be found at Federal and State levels and these are dichotomised into PRISON and REMAND HOMES. More often than not, one finds adolescents in some Nigerian prisons rather than in remand homes.

SELF-ASSESSMENT EXERCISE 3

Write short notes on the arms of the Juvenile justice system and how they are affected by delinquency.

4.0   CONCLUSION

The understanding of the impact of delinquent is indispensible for addressing the issue of delinquency. The knowledge derived will go a long way in assisting stakeholders in security and delinquency control to perform their duties with a higher degree of competence.

5.0   SUMMARY

In this unit, we have been able to discuss the impact of delinquency. We also examined how delinquency affects the stakeholders in the society..

6.0   TUTOR-MARKED ASSIGNMENT

1.   How does delinquency impact on the perpetrators and victims?
2.   How does delinquency affect the family, the society and the government?
3.   What is the impact of delinquency on the criminal justice system?

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MODULE 3   MEASUREMENT OF CRIME AND DELINQUENCY

Unit 1   Measuring Crime and Delinquency
Unit 2   Victims Report Method
Unit 3   Police Report/Administrative Data Method
Unit 4   Self Report Method
Unit 5   Improving Crime Measurement in the Nigerian State

UNIT 1   MEASURING CRIME AND DELINQUENCY

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
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6.0   Tutor-Marked Assignment
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1.0   INTRODUCTION

Crime and delinquency is a disruptive issue in the affairs of mankind. As a result of this it is necessary to measure it so as to know its prevalence in society for the purpose of attenuating it. Measurement of crime and delinquency is usually statistical in nature. Crime statistics attempt to provide statistical measures of the crime and delinquency in societies. Given that crime and delinquency is illegal, measurements of it are likely to be inaccurate.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

* explain what crime and delinquency measurement is
* identify the problems surrounding measuring crime and delinquency
* recognise how crime and delinquency is recorded and classified
* list the problems assailing crime and delinquency measurement.

3.0   MAIN CONTENT

3.1   Crime and Delinquency Measurement

Measures of crime include simple counts of offences, victimisations or apprehensions, as well as population based crime rates and international crime extrapolations. Counts are normally made over a year long reporting period. More complex measures involve measuring the numbers of discrete victims and offenders as well as repeated victimisation rates and recidivism. Repeated victimisation involves measuring how often the same victim is subjected to a repeated occurrence of an offence, often by the same offender. Repetition rate measures are often used to assess the effectiveness of interventions (Van Djik et al, 2008).

Because crime is a social issue, comparisons of crime between places or years are normally performed on some sort of population basis. Several methods for measuring crime exist, including household surveys, hospital or insurance records, and compilations by police and similar law enforcement agencies. Typically, official crime statistics are the latter, but some offences are likely to go unreported to the police. Public surveys are sometimes conducted to estimate the amount of crime not reported to police. Such surveys are usually more reliable for assessing trends. Public surveys rarely encompass all crime, rarely procure statistics useful for local crime prevention, often ignore offences against children, and do not count offenders brought before the criminal justice system (Jupp, 1989).

Crime statistics are gathered and reported by many countries and are of interest to several international organisations, including Interpol and the United Nations. Law enforcement agencies in some countries, such as the FBI in the United States and the Home Office in England & Wales, publish crime indices, which are compilations of statistics for various types of crime (Van der Westhuizen, 1981).

Crime statistics, which is the uniform data on offences and offenders expressed in numerical terms, is derived in Nigeria by official agencies like the police, prison, courts, Nigeria Drug Law Enforcement Agency (NDLEA), Customs, Immigration, Independent Corrupt Practices and Other Related Offences Commission (ICPC), Economic and Financial Crimes Commission (EFCC), Federal Road Safety Corps (FRSC), National Agency for the Prohibition of Traffic in Persons (NAPTIP) etc. These numerical data are derived from the record of these official agencies. These records are often tabulated, classified and analyzed, in order to establish relationship between or among the classes of offences

recorded. Crime statistics is expected to be reported at a given period in the year i.e. quarterly, every six months or annually.

Data collection and Organisation

Statistics are usually collected on:
Offences - Breaches of the law
Offenders - Those who commit offences
Victims - Those who are offended against
Two major methods for collecting crime data are law enforcement reports, which only reflect reported crimes and victimisation statistical surveys, which rely on individual honesty. For less frequent crimes such as intentional homicide and armed robbery, reported incidences are generally more reliable. Because laws vary between jurisdictions, comparing crime statistics between and even within countries can be difficult.

SELF-ASSESSMENT EXERCISE 1

Explain briefly how crime and delinquency is measured.

3.2   Crime and Delinquency Recording Practices

Recording Practices

The crime statistics recording practices vary, not only between countries and jurisdictions but sometimes within jurisdictions and even between two individual law enforcement officers encountering the same situation. Because many law enforcement officers have powers of discretion, they have the ability to affect how much crime is recorded based on how they record their activities.

Although a member of the public may report a crime to a law enforcement officer, it will not be counted unless that crime is then recorded in a way that allows it to be incorporated into the crime statistics. As a consequence, offending, particularly minor offending may be significantly under counted in situations where law enforcement officers are overloaded with work or do not perceive the offending as worth recording.

Similarly, certain high profile categories of crime may be well reported when there is an incentive (such as a financial or performance incentive) for the law enforcement officer to do so. For example; almost all recorded traffic offends are reported either by law enforcement officers or by automatic road safety cameras because there is normally a fine and (profitable) revenue collection process to go through. Yet it is likely that

very little traffic offence reported by the public will make its way into official statistics because of the difficulty in following up these stories (Van Djik, 2008).

Crime rate is a useful statistic for many purposes, such as evaluating the effectiveness of crime prevention measures or the relative safety of a particular city or neighbourhood. Crime rate statistics are commonly used by politicians to advocate for or against a policy designed to deal with crime. The calculation of crime rates uses data that is obtained either from criminal justice systems or from public surveys. Comparisons between the two types of data are problematic, and so are comparisons using the same type of data between different jurisdictions.

The United Nations publishes international reports of both crime trends and operations of criminal justice (Van Djik, 2008). A European initiative has resulted in the European sourcebook, an utmost attempt is made to harmonise the criminal justice data for the purpose of international (European) comparison (Kesteren, 2000).

Counting rules

Counting rules vary from country to country. Relatively few standards exist and none that permit international comparability beyond a very limited range of offences. However, many jurisdictions accept the following:

There must be a prima facie case that an offence has been committed before it is recorded. That is to that the police has to find evidence or receive a believable allegation of an offense being committed. Some jurisdictions count offending only when certain processes happen, such as an arrest is made, ticket issued, charges laid in Court or only upon securing a conviction.

Multiple reports of the same offence usually count as one offence. Some countries count each report separately; others count each victim of offence separately. Where several offences are committed at the same time, in one act of offending, only the most serious offense is counted. Some jurisdictions record and count each and every offense separately; others count cases, or offenders, that can be prosecuted.

Where multiple offenders are involved in the same act of offending, only one act is counted when counting offenses but each offender is counted when apprehended.

Offending is counted at the time it comes to the attention of a law enforcement officer. Some jurisdictions record and count offending at

the time it occurs. Offending that is a breach of the law but for which no punishment exists is often not counted. For example: Suicide, which is technically illegal in most countries, may not be counted as a crime, although attempted suicide and assisting suicide are. Also traffic offending and other minor offending that might be dealt with by using fines, rather than imprisonment, is often not counted as crime. However separate statistics may be kept for this sort of offending (Catalano, 2006).

SELF-ASSESSMENT EXERCISE 2

Discuss the peculiarities that affect recording practices and counting rules of crime and delinquency.

3.3 Difficulty in Crime and Delinquency Measurement

The dark figure of crime is a term employed by criminologists and sociologists to describe the amount of unreported or undiscovered crime, which calls into question the reliability of official crime statistics (Pilkin 1995, Moore, 1996).

Unrecorded and unreported crime

Not all the crimes that take place are reported to, or recorded by, the police. Given this, sociologists refer to the gap between the official level of crime and the amount of crime in the community as the 'dark figure' for crime. For a crime to be recorded at least three things must happen:

- Somebody must be aware that a crime has taken place.
- That crime must be reported.
- The police or other agency must accept that a law has been broken.

It is now widely accepted by social researchers that official crime statistics have significant limitations. These include:

1. Some crimes are not reported to the police because

The general public regards them as too trivial
The victim finds the matter embarrassing
Individuals are unaware they are victims (e.g. fraud or confidence tricks)
Lack of confidence or trust in the police
A fear of reprisals or victimisation
The victim may take law into own hands - a form of rough justice
Children who may not understand issues

Victim may not want to harm the offender (e.g. domestic violence and abuse).

2.   Some crimes are much more likely to be reported and recorded than others

Where insurance claims for cars or household goods are involved. Serious crimes are more likely to be reported than trivial offences. Media campaigns or the reporting of high profile cases can lead to 'moral panics' and sensitize the general public to the existence of crime and thus reporting behaviour. This is known as 'deviance amplification'

3.   Police discretion can influence reporting and recording

Different police forces employ different categories and paperwork.

There are campaigns that lead to crack downs on certain crimes or offences, such as drunk driving at Christmas.

Some forces will pay less attention to certain types of offence, such as the decision by the Met to liberalise the policing of soft drugs in Brixton in 2002.

A shift from informal or community policing to stricter, military style policing and zero tolerance campaigns, or vice versa, will influence crime rates.

4.   Changes in legislation, technologies and police manpower can influence the crime figures

Some existing offences may be decriminalised or downgraded (e.g. homosexuality, abortion, some drug offences).

New offences may be created (e.g. cyber crime, not wearing seatbelts, driving whilst using a mobile phone).

The wider availability of telephones, alarm technologies, private security staff and closed-circuit cameras can make it easier to report offences and incidents.

The number of police officers per capita has doubled in the UK since 1861. Furthermore, the police now employ civilians to deal with routine back office tasks that have freed up uniformed officers and other professional for other tasks.

5.   **Social and economic changes can influence the volume of official crime recorded**

There are now more value consumer goods, such as domestic electronics or cars, to steal than in the past.

Wider coverage for insurance has increased the incentives to report crimes.

Changes in the age distribution of the population can influence the crime rate. Fewer young people can lead to a reduction in deviance and delinquency.

The decline in close knit communities and greater population mobility can reduce informal social control and influence the crime rate.

Changing norms and values can influence the crime rate. For example, members of the public are now less tolerant of child abuse or domestic violence than in the past (Coleman and Moynihan, 1996).

Sociologists and criminologists recognise these limitations of official crime statistics and have endeavored to find alternative measures of criminality. These can broadly be divided into victimisation and self report studies. For example, some crimes, such as tax evasion, do not have an obvious victim, and it is these that are least likely to be reported. However, attempts have been made to estimate the amount of crime which victims are aware of but are not reported to the police or not recorded as a crime by them.

Classification

In order to measure crime in a consistent manner, different crimes need to be classified and separated into groups of similar or comparable offences. While most jurisdictions could probably agree about what constitutes a murder, what constitutes a homicide may be more problematic, while a crime against the person could vary widely. Legislation differences often mean the ingredients of offences vary between jurisdictions.

The penalty for an offence may also vary with fines being imposed in one jurisdiction, while imprisonment occurs in another. The level of penalty may determine what does and does not constitute a crime. Some jurisdictions may even have offences that do not exist in others.

Classification systems attempt to overcome these problems, although different jurisdictions perform this classification in different ways. Some

classification systems concentrate on specific indicator crimes, such as murder, robbery, burglary and vehicle thefts. Other systems like the Australian Standard Offence Classification (ASOC), attempt to be more comprehensive (Van Djik et al, 2005).

The International Crime Victims Survey has been done in over 70 countries to date and has become the 'de facto' standard for defining common crimes. Complete list of countries participating and the 11 defined crimes can be found at the project web site (Van Djik, 2008). Nigeria however releases annual crime reports, courtesy of the Nigerian Police Force. The Accuracy of these statistics is however open to debate.

Difficulty in measurement

Because of the difficulties in quantifying how much crime actually occurs, researchers generally take two approaches to gathering statistics about crime.

Statistics from law enforcement organisations are often used. These statistics are normally readily available and are generally reliable in terms of identifying what crime is being dealt with by law enforcement organisations, as they are gathered by law enforcement officers in the course of their duties and are often extracted directly from law enforcement computer systems.

However, these statistics often tend to reflect the productivity and law enforcement activities of the officers concerned and may bear little relationship to the actual amount of crime. Officers can only record crimes that come to their attention and might not record a matter as a crime if the matter is considered minor and is not perceived as a crime by the officer concerned. The statistics may also be biased because of routine actions and pragmatic decisions that the law enforcement officers make in the field.

For example, when faced with a domestic violence dispute between a couple, a law enforcement officer may decide it is far less trouble to arrest the male party to the dispute, because the female may have children to care for, despite both parties being equally culpable for the dispute. This sort of pragmatic decision-making asked if they are victims of crime, without needing to provide any supporting evidence. In these surveys it is the participant's perception, or opinion, that a crime occurred, or even their understanding about what constitutes a crime that is being measured.

As a consequence victimisation surveys can also exhibit a subjective bias. Also, differing methodologies may make comparisons with other

surveys difficult. One way in which victimisation surveys are useful is that they show some types of crime are well reported to law enforcement officials, while other types of crime are under reported. These surveys also give insights as to why crime is reported or not. The surveys show that the need to make an insurance claim, seek medical assistance, and the seriousness of an offence tend to increase the level of reporting, while the inconvenience of reporting, the involvement of intimate partners and the nature of the offending tend to decrease reporting.

This allows degrees of confidence to be assigned to various crime statistics. For example; Motor vehicle thefts are generally well reported because the victim may need to make the report for an insurance claim, while domestic violence, domestic child abuse and sexual offences are frequently significantly under-reported because of the intimate relationships involved, embarrassment and other factors that make it difficult for the victim to make a report.

Attempts to use victimisation surveys from different countries for international comparison had failed in the past.

SELF-ASSESSMENT EXERCISE 3

What does the dark figure of crime and delinquency contribute to the measurement of crime and delinquency?

4.0   CONCLUSION

Crime and delinquency are negatively salient phenomenon within Nigeria just as they are in any other country. Since this phenomenon needs be addressed, it becomes pertinent that they be measured to have an idea regarding their magnitude so that necessary logistics is put in place to nip them in the bud. Measuring crime and delinquency is however very difficult and problematic because a lot of factors militate against reporting them. Apart from this, crime and delinquency do not make themselves easily open to measurement because of their peculiar nature. The measurement of crime and delinquency in Nigeria is particularly difficult and the level at which it is done is quite amateurish and pathetic because of poor logistics and a predominantly mediocre criminal and juvenile justice system. The solutions to the problems of crime and delinquency measurement will depend on the understanding of how it has been done in advanced societies and the logistics utilised.

5.0   SUMMARY

In this unit, we have been able to discuss a number of subjects on measuring crime and delinquency. We briefly discussed how crime and

delinquency can be measured. We also identified the recording practices and counting rules peculiar to measuring crime and delinquency, what classification of delinquency and crime contributes to their measurement and reasons why crime and delinquency are difficult to measure. In the next unit we shall examine the history of delinquency.

6.0 TUTOR-MARKED ASSIGNMENT

1. Why is it necessary to measure crime and delinquency?
2. Critically examine the contribution of recording practices and counting rules to the measurement of crime and delinquency.
3. Discuss the complexity involved in measuring crime and delinquency.

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UNIT 2   VICTIMS REPORT METHOD

CONTENTS

1.0   INTRODUCTION

Crime and delinquency is a disruptive issue in the affairs of mankind. As a result of this, it is necessary to measure it so as to know its prevalence in society for the purpose of attenuating it. Measurement of crime and delinquency is usually statistical in nature. One crucial method for measuring crime is the report given by victims of crime and delinquency. Victimisation surveys are sometimes conducted to estimate the amount of crime not reported to police. Such surveys are usually more reliable for assessing trends. Public surveys rarely encompass all crime and delinquency, rarely procure statistics useful for local crime prevention, often ignore offences against children, and do not count offenders brought before the criminal justice system.

2.0   OBJECTIVES

At the end of this unit, you should be able to explain:

* what victim report method is
* how victims feel when reporting crime
* the problems surrounding measuring crime and delinquency with victim report method
* why this technique is used.

3.0   MAIN CONTENT

3.1   Victim Report Method

Official crime statistics produced by the police, prisons and the courts are the indicators of criminality and victimisation commonly available in

most societies. However, such statistics are inaccurate due to dark figures (unreported crimes), grey figures (reported but unrecorded crimes and manipulation of records to satisfy political and/or institutional interests (as when reported increase or decrease may be advantageous to regime in power or the police force).

Globally, official statistics are known to suffer several weaknesses. Such weaknesses led criminologists to develop two methods of obtaining information on criminality, victimisation, criminal justice administration and public attitudes to crime and criminal justice administration in society. These are the self-report measures – crime survey (self reported criminal behaviour) survey and victim survey (self-reported victimisation). They complement official crime statistics produced by the police, judiciary and the prisons service. Crime survey involves the study of a sample of the population as regards the types and number of crimes that they committed during a particular period, usually during the past year - whether or not detected or reported to the police. The method uses questionnaire to collect relevant information. Crime survey as well is characterised by many weaknesses:

First, the questionnaire tends to contain more questions on minor crimes with which the respondents are more comfortable and questions on more serious and sensitive crimes are avoided.

Second, respondents may not accurately recall their criminal activities, and third, respondents also tend to underreport serious crimes that they may have committed. Notwithstanding, the deficiencies, crime surveys have provided a broader view of the extent and pattern of crimes and public perceptions of crime and criminal law enforcement in society.

Victim survey is used to obtain data on the extent of criminal victimisation. Unlike crime survey, which is used to obtain data on extent and pattern of crimes committed by members of society, victim survey is used to measure the extent and pattern of victimisation in a community, among members of groups and in a nation. Questionnaires were designed to gather information on respondents' experience of criminal victimisation. The method also suffers several deficiencies, including inability of the respondents to accurately report events during the period covered by the survey. However, several advantages have been attributed to victim survey. Principally, it provides rich data for understanding the distribution of criminal victimisation and the socio-demographic characteristics of victims and criminals offer better information for building theories on criminality and victimisation. It also promotes understanding of the consequences of victimisation and extent of fear of crime among different groups in different locations (Alemika, 1997).

Victims' report method or victimisation method involves measuring the numbers of discrete victims and offenders as well as repeat victimisation rates and recidivism. Repeat victimisation involves measuring how often the same victim is subjected to a repeat occurrence of an offence, often by the same offender. Repetition rate measures are often used to assess the effectiveness of interventions.

A victim study (victimisation survey or victimisation study) is a survey, such as the British Crime Survey, that asks a sample of people which crimes have been committed against them over a fixed period of time and whether or not they have been reported to the police. Victim studies may be carried out at a national or local level. Victim studies are canvasses of the public which request them to report any crimes which they have experienced, whether or not they have reported them. This is one of the main ways in which the dark figure of crime is exposed particularly in cases of abuse. Such surveys usually show that the level of criminal activity is at least double that which appears in the official crime statistics (Sebba, 1996).

Victimisation surveys are usually of two types:

National survey: This is a survey of a whole country in which people are asked to provide information on crimes which have been perpetrated against them. The British Crime Survey and the United States National Crime Victimisation Survey are examples.

Area or neighbourhood surveys: In this, a specific (usually inner city) neighbourhood is targeted and criminologists or sociologists engage in a more detailed study of the same issues. These small scale victim studies have been particularly associated with Left Realist criminology. For example, victim studies have been carried out in Islington in London by Jock Young, revealing a fear of crime amongst local residents that shapes much of their behaviour. Alemika and Chukwuma also carried out a victimisation study in Lagos, Nigeria in 2005.

The International Crime Victim Survey (ICVS) is a programme of standardised sample surveys to look at householders' experience with crime, policing, crime prevention and feelings of unsafety in a large number of countries. International comparison is the main aim for this project.

A criticism of victim surveys is that there is no way of verifying information given by respondents (Karman, 2003, Alemika and Chukwuma, 2005).

SELF-ASSESSMENT EXERCISE 1

Give detailed explanation regarding victim report method.

3.2   Victimology

Victimology is the scientific study of victimisation, including the relationships between victims and offenders, the interactions between victims and the criminal justice system. (the police and courts, and corrections officials) and the connections between victims and other social groups and institutions, such as the media, businesses, and social movements (Karman, 2003). Victimology is however not restricted to the study of victims of crime alone but may cater to other forms of human rights violations that are not necessarily crime.

Victim of a crime

In criminology and criminal law, a victim of a crime is an identifiable person who has been harmed individually and directly by the perpetrator, rather than merely the society as a whole. However, this may not always be the case, as with victims of white collar crime, who may not be clearly identifiable or directly linked to the crime. Victims of white collar crime are often denied their status as victims by the social construction of the concept (Croall, 2001). Not all criminologists accept the concept of victimisation or victimology.

The United States Supreme Court first recognised the rights of crime victims to make a victim impact statement in the sentencing phase of a criminal trial in the case of Payne v. Tennessee 501 U.S. 808 (1991). A victim impact panel is a form of community-based or restorative justice in which the crime victims (or relatives and friends of deceased crime victims) meet with the defendant after conviction to tell the convict about how the criminal activity affected them, in the hope of rehabilitation or deterrence.

Consequences of crimes

Emotional distress as the result of crime is a recurring theme for all victims of crime. The most common problem, affecting three quarters of victims, were psychological problems, which include: fear, anxiety, nervousness, self-blame, anger, shame, and difficulty sleeping (Sebba, 1996). These problems often result in the development of chronic PTSD (post-traumatic stress disorder). Post crime distress is also linked to pre-existing emotional problems and sociodemographic variables. This has known to become a leading case of the elderly to be more adversely affected (Sendstiock and Liang, 1979, Sebba, 1996).

Victims may experience the following psychological reactions:

- Increase in the belief of personal vulnerability;
- The perception of the world as meaningless and incomprehensible;
- The view of themselves in a negative light;
- The experience of victimisation may result in an increasing fear of the victim of the crime, and the spread of fear in the community (Sebba, 1996).

Victimisation

One of the most controversial sub-topics within the broader topic is victimisation. The concept of "victim-proneness" is a "highly moralistic way of assigning guilt" to the victim of a crime, also known as victim blaming. One theory, the environmental theory, posits that the location and context of the crime gets the victim of the crime and the perpetrator of that crime together. That may just be an academic way of stating that the victim and the perpetrator were in the wrong place at the wrong time (Kingma, 1999).

There have been some studies recently to quantify the real existence of victim-proneness (Thisser and Wainer, 1999). Contrary to the urban legend that more women are repeat victims and thus more victim prone than men. men in their prime (24 to 34 year-old males) are more likely to be victims of repeated crimes. While each study used different methodology, their results must be taken seriously and further studies are warranted (Sebba, 1996, Kingma, 1999).

The study of victimology may also include the "culture of victimhood," wherein the victim of a crime revels in his status, proclaiming that self-created victimhood throughout a community by winning the sympathy of professionals and peers. In the case of juvenile offenders, the study results also show that people are more likely to be victimised as a result of a serious offense by someone they know; the most frequent crimes committed by adolescents towards someone they know were sexual assault, common assault, and homicide. Adolescents victimising people they did not know, generally commit common assault, forcible confinement, armed robbery, and robbery (Lusignan, 2007).

Examples

A well known example of a class at increased risk to varying forms of attacks is the prostitute. These people have been known anecdotally to have an abnormally high incidence of violent crime, and such crimes usually go unresolved. Victimological studies of the matter might

investigate current societal (expectations, roles, social status), legal status of prostitutes, typical working/living conditions, statistical analysis of the actual increased and secondary risk factors, and the economic activity of a prostitute. Another example is when the victim actively precipitates or initiates the crime scene, for example, by starting a fight or baiting another individual (Lusignan, 2007).

SELF-ASSESSMENT EXERCISE 2

What do you understand by the term victimology?

3.3   Victim Facilitation

Victim facilitation, another controversial sub-topic, but a more accepted theory than victim blaming, finds its roots in the writings of criminologists, Marvin Wolfgang. The choice to use victim facilitation as opposed to "victim blaming" or some other term is that victim facilitation is not blaming the victim, but rather the interactions of the victim that make he/she vulnerable to a crime.

While victim facilitation relates to "victim blaming" the idea behind victim facilitation is to study the elements that make a victim more accessible or vulnerable to an attack. In an article that summarises the major movements in victimology internationally, Schneider (2001), expresses victim facilitation as a model that ultimately describes only the misinterpretation of victim behavior of the offender. It is based upon the theory of a symbolic interaction and does not alleviate the offender of his/her exclusive responsibility.

In Eric Hickey's (2006) Serial Murderers and their victims, a major analysis of 329 serial killers in America is conducted. As part of Hickey's analysis, he categorised victims as high, low, or mixed regarding the victim's facilitation of the murder. Categorisation was based upon lifestyle risk (example, amount of time spent interacting with strangers), type of employment, and their location at the time of the killing (example, bar, home or place of business). Hickey found that 13-15% of victims had high facilitation, 60-64% of victims had low facilitation and 23-25% of victims had a combination of high and low facilitation. Hickey also noted that among serial killer victims after 1975, one in five victims placed themselves at risk either by hitchhiking, working as a prostitute or involving themselves in situations in which they often came into contact with strangers.

It is important to study and understand victim facilitation as well as continue to research it as a sub-topic of victimisation (Hickey, 2006). For instance, a study of victim facilitation increases public awareness,

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leads to more research on victim-offender relationship, and advances theoretical etiologies of violent crime. One of the ultimate purposes of this type of knowledge is to inform the public and increase awareness so that less people become victims (Miethe, 1985). Another goal of studying victim facilitation, as stated by Godwin (1998), is to aid in investigations. Godwin discusses the theory of victim social networks as a concept in which one looks at the areas of highest risk for victimisation from a serial killer. This can be connected to victim facilitation because the victim social networks are the locations in which the victim is most vulnerable to the serial killer. Using this process, investigators can create a profile of places where the serial killer and victim both frequent.

Studies

The study of victims is multidisciplinary. It does not just cover victims of crime, but also victims of (traffic) accidents, natural disasters, war crimes and abuse of power. The professionals involved in victimology may be scientists, practitioners and policy makers. Studying victims can be done from the perspective of the individual victim but also from an epidemiological point of view.

Victimisation rate in United States

The National Crime Victimisation Survey (NCVS) is a tool to measure the existence of actual, rather than reported crimes (the victimisation rate). The NCVS is the United States': "primary source of information on crime victimisation. Each year, data are obtained from a nationally represented sample of 77,200 households comprising nearly 134,000 persons on the frequency, characteristics and consequences of criminal victimisation in the United States. This survey enables the government to estimate the likelihood of victimisation by rape, sexual assault, robbery, assault, theft, household burglary, and motor vehicle theft for the population as a whole or segments of the population such as women, the elderly, members of various racial groups, city dwellers, or other groups. According to the Bureau of Justice Statistics (BJS), and the NCVS, from 1994 to 2005, violent crime rates have declined, reaching the lowest levels ever recorded though property crimes continue to decline.

Many countries have such victimisation surveys. They give a much better account for the volume of crimes but are less accurate for crimes that occur with a (relatively) low frequency such as homicide, or victimless crimes such as drug abuse. Attempts to use the data from these national surveys for international comparison have failed.

Differences in definitions of crime and other methodological differences are too big for proper comparison.

A dedicated survey for international comparison: A group of European criminologists started an international victimisation study with the sole purpose to generate international comparative crime and victimisation data. The project is now known as the International Crime Victims Survey (ICVS). After the first round in 1989, the surveys were repeated in 1992, 1996, and 2000 and 2004/2005.

Society as crime victim

There is one strain of thought that society itself is the victim of many crimes, especially such homicide felonies as murder and manslaughter. This sentiment has been espoused by many lawyers, judges, and academics. Some researchers feel that the society created crime and is always its first victim (Mukoro, 1994, Albert et al, 2007, Agboola, 2007).

Penal couple

The penal couple is defined as the relationship between perpetrator and victim of a crime. A sociologist invented the term in 1963 and this term is now accepted by many sociologists. This term is that when a crime takes place, it has two partners, one, the offender and second, the victim, who is provides the opportunity for the criminal to commit the crime. The victim in this view is a participant in the penal couple and should bear some 'functional responsibility' for the crime. This idea is strongly rejected by some other victimologists as blaming the victim (Van Ness, 1986).

Rights of Victims

In 1985, the UN General Assembly adopted the Declaration on the basic principles of justice for victims of crime and abuse of power. Also, the International Victimology Institute (INTERVICT) and the World Society of Victimology developed a draft UN Convention for Victims of Crime and Abuse of Power.

SELF-ASSESSMENT EXERCISE 3

Discuss the factors that contribute to victim facilitation.

4.0   CONCLUSION

Victim report method is one of the techniques for measuring crime and delinquency in society. The challenge that arises, is that this technique of crime and delinquency measurement can only do so much. The percentage of crime and delinquency that it records is usually negligible and more often than not, the statistics derived from it is just generalised through external validation and were eventually extrapolated. The interesting thing however, is that victim reports make crime and delinquency statistics fuller.

5.0   SUMMARY

In this unit, we have been able to discuss topics concerning the victim report method. We described the victim report method. We talked about victimology and victim facilitation. In the next unit we shall critically examine the International Crime statistics.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Critically describe what the victim report method means with germane examples.
2.   What do you understand by the term victimology? Is it present in Nigeria?
3.   Discuss how victim facilitation contributes to crime and delinquency reporting.

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UNIT 3   POLICE REPORT/ADMINISTRATIVE DATA

CONTENTS

1.0   INTRODUCTION

Crime and delinquency are problematic factors in all human society. As a result of this, it is necessary to measure it so as to know its magnitude in society for the purpose of controlling it. We have discussed the victim report method in the previous unit. Another crucial method for measuring crime and delinquency is administrative data or the report given by the police force and other members of the criminal and juvenile justice system regarding crime and delinquency. Although police report account for only a small aspect of crime statistics in reality, practically, it represents a huge percentage of crime and delinquent statistics in both developed and developing societies.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- discover what police data method is
- identify the problematic assailing administrative data as a crime and delinquency measurement
- mention why this technique is used.

3.0   MAIN CONTENT

3.1   Police Data/Administrative Data Defined

Administrative data refers to information recorded by agencies on their administrative systems. Police data is the most widely sourced administrative data used to produce crime statistics. It refers to those criminal offences that have been reported to or detected by police, and subsequently recorded by them.

Police data is useful for compiling crime statistics because it represents an official record of crime. All police forces collect information about crime in their respective states and territories. In addition, given that police data is recorded once it has come to the attention of police, it is a source of up-to-date information that can be broken down by day, month, and year and so on. This also enables police data to be used for comparative purposes and to track trends in the incidence of certain offences (Walkgate, 2003). The administrative data or police data is published as Annual Police Report which usually stands as the actual crime statistics for most societies.

The sources of administrative data in Nigeria include the following:

- Police Record
- Prosecutor's record
- Court Record
- Prison Record
- National Drug Law Enforcement Agency (NDLEA)
- Customs
- Immigration
- Federal Road Safety Corps (FRSC)
- Independent Corrupt Practices and Other Related Offences
- Commission (ICPC)
- Economic and Financial Crimes Commission (EFCC)
- National Agency for Prohibition of Traffic in Persons (NAPTIP)
- Records of juvenile institutions.
- Census data from either the Federal/State Statistics.

SELF-ASSESSMENT EXERCISE 1

What do you understand by the term Administrative data or Police Report?

3.2   Problems of Police Report

Police data has a number of limitations:

1   Police data only provides information on those criminal offences that have come   to the attention of police. Some of the crimes committed may not be detected by   the police.
2   Not all crimes committed are reported to the police due to factors as:

- attitudes about the potential effectiveness of police in handling matters;

- the kind of people involved in an incident; and
- the possible implications for victims (including 'payback' and re-victimisation).

  It is therefore obvious that much more crime is actually committed than is reported to the police. A number of studies show this to be the case, particularly with regard to domestic and family violence. It was acknowledged that the level of reporting is significantly lower for women and children who are victims of physical and sexual assault. Furthermore, there is low level of reporting among minority groups such as gay communities. Similarly, in some indigenous communities, issues may be dealt with internally through traditional means as it may be felt that the police do not need to be notified.

3.   Not all crimes reported are actually recorded by the police. Police have an enormous discretion; when a crime is reported to them, as to whether to record it and what they record it as. Many studies have shown that it is not in all cases that reported crimes are recorded.

   If it is determined that a crime warrants recording, further discretion is used to determine the category of crime and the offender. This of course may differ according to individual police officers.

   Finally, police data is limited to the particulars of information collected and the level of accuracy of detail recorded in respective systems. Administrative systems are designed and maintained to meet organisational needs, and the data collected on these systems may not fully accord with external research needs.

There may be other influences impacting on the reliability of police data. Certain crime statistics had been deliberately falsified. Statistics concerning armed robbery have been inflated by police. A number of police officers had knowingly created false and misleading reports relating to the use of drugs and, indeed have carried out unlawful arrest of so called drug users and armed robbery suspects. A major cause for the inflated statistics may be senior officers advocating that statistical data be driven up to justify the effectiveness of the Police Force. Inflating such statistics is usually widespread across Police forces in developing and underdeveloped countries (Walkgate, 2003).

SELF-ASSESSMENT EXERCISE 2

What major challenges face administrative data as a measure of crime and delinquency in the society?

a.   Improving Police Report

In considering the reliability of crime statistics based on police data, this has serious implications. Data which has been utilised by the Bureau of Crime Statistics and Research, the government and the police force itself to formulate policy and direct policing resources has been found to be completely unreliable in all respects. In addition, many Police forces in various countries use a crime index and, by selectively choosing limited categories of crime to report on, they have been able to provide a distorted picture of the true level of crime (Brown, 1998).

Crime statistics based on police data may therefore fall well short of providing an accurate and comprehensive picture of the nature and extent of crime in Australia. Furthermore, police data may reveal more about the efficiency of police in recording reported crime than reflect any real change in crime levels. Despite such obvious shortcomings, it is the only data available to produce annual national crime statistics (Eadie and Morley, 2003).

Studies have shown that crime and delinquency statistics had indeed been artificially over-inflated in some countries while they were under-reported in many countries. However, this was considered to have been primarily the result of weaknesses in the recording system, lack of training and lack of appropriate supervision (Walkgate, 2003).

A number of recommendations were made to find solution to this:

- An appropriate management action need to be taken with regard to the individuals involved in crime and delinquency statistics inflation or under-reporting and the auditing of all local area commands.
- The deficiencies in the recording system should be corrected.
- Training of personnel is also a necessity to enhance proper computation.
- The police needs be taught proper statistical tools.
- They must also be taught to be objective in reporting crime by eschewing subjective and personal bias.
- Workable reforms need to be introduced to attenuate the shortcomings expressed by the police when reporting crime statistics.
- Proper book-keeping needs be taught to police statistician coupled with competent crime documentation.

SELF-ASSESSMENT EXERCISE 3

Recommend solutions to the shortcomings of administrative data as a measure of crime and delinquency in the society.

4.0   CONCLUSION

Administrative data or police report method is one of the techniques for measuring crime and delinquency in society. The drawbacks assailing this technique of crime and delinquency measurement make it unreliable as an indicator of the true image of crime and delinquency in society. The percentage of crime and delinquency that serves as its component is small compared to the reality and is subject to over and under inflation. The interesting thing however is that administrative data or police reports makes up the bulk of crime and delinquency statistics.

5.0   SUMMARY

In this unit, we have been able to discuss administrative data/police report as a measure of crime and delinquency. We delved into the weaknesses of administrative data/police report as a measure of crime and delinquency and the recommendations for solving the problems inherent in adminstrative data/police report. In the next unit we shall examine computer statistics as a measure of crime and delinquency..

6.0   TUTOR-MARKED ASSIGNMENT

1.   In your own words describe what you understand by administrative data or police report.
2.   What are the major challenges facing administrative data or police report as a source of crime and delinquency statistics?
3.   Using Nigeria as an example, proffer solutions to the drawbacks militating against administrative data or police report being a true measure of crime and delinquency.

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UNIT 4   SELF REPORT METHOD

CONTENTS

1.0   INTRODUCTION

Crime and delinquency are a smear on the fabric of human society. This makes measurement a necessity so as to know its preponderance in order to attenuate it. We have discussed the police report/administrative data in the previous unit. Another crucial method for measuring crime and delinquency is self report given by criminals and delinquents. Although self report method is reliable for measuring crime and delinquency, it accounts for only a small aspect of crime and delinquency statistics in reality. This technique is usually widely used in western countries and hardly exists in the Nigerian state and other developing countries in Africa.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- identify what self report method is
- explain the history of self report method
- identify the challenges confronting self report method as a crime and delinquency measurement
- discuss how this technique is used.

3.0   MAIN CONTENT

3.1   Defining Self-Report

The self-report technique is one of the three major ways of measuring involvement in delinquent and criminal behavior. The basic approach of

the self-report method is to ask individuals if they have engaged in delinquent or criminal behavior, and if so, how often they have done so. The development and widespread use of the self-report method of collecting data on delinquent and criminal behavior is one of the most important innovations in criminological research in the 20th century. Currently, this method of data collection is used extensively within the United States and other western countries (Klein 1989). Because of its common use, we often lose sight of the major impact that self-report studies have had on the research concerning the distribution and patterns of crime and delinquency, the etiology of juvenile delinquency, and the juvenile justice system, including the police and courts.

Although researchers were aware of many of these limitations, the dilemma they faced was how to obtain information closer to the source of criminal and delinquent behavior. Observing the behavior taking place would be one method, but given the illegal nature of the behavior and the potential consequences if caught, participants in crime and delinquency are reluctant to have their behavior observed. Even when observational studies were conducted, for example, in studies of gangs (e.g., Thrasher 1927); researchers could only observe a very small portion of crime that took place. Hence, although these studies generated theoretical ideas about why and how crimes took place, they had limited utility in describing the distribution and patterns of criminal behavior.

If one could not observe the behavior taking place, self-reports of delinquent and criminal behavior would be the nearest data source to the actual behavior. There was great skepticism about whether respondents would agree to tell researchers about their participation in illegal behaviors. However, early studies (Porterfield 1943; Wallerstein and Wylie 1947) found that not only were respondents willing to self-report their delinquency and criminal behavior, they did so in surprising numbers.

Since those early studies, the self-report methodology has become much more sophisticated in design, making it more reliable and valid and extending its applicability to a myriad of issues. These developments include the use of inventories with a wide array of delinquency items incorporating serious offenses; the use of open-ended frequency response sets instead of a relatively small number of categories; and the use of follow up questions to eliminate trivial, and perhaps not criminal acts. Much work has been done on improving the reliability and validity of self-reports, including specialised techniques to enhance the quality of self-report data. The use of self-report surveys within the context of longitudinal designs has given rise to other concerns that are not as problematic in cross-sectional research, such as construct continuity and

testing or panel effects. These developments have made self-report studies an integral part of the way crime and delinquency is studied.

SELF-ASSESSMENT EXERCISE 1

What do you understand by the self- report method of measuring crime and delinquency?

3.2   History of the Self -Report Technique

Early studies on delinquency and crime in America relied on official sources of data, such as police, court, and prison records. With these data, criminologists mapped the geography of crime (Park, Burgess, and McKenzie 1928; Shaw and McKay 1942) and, to the extent possible, identified the socio-demographic characteristics of delinquents and criminals. The data indicated that crime was disproportionately located in disadvantaged areas of the city and that those convicted of crime were more likely to be of lower class status and to be minority group members.

Although relying on official sources of data to make such generalisations, many scholars recognised that these data were not ideal for the task (Merton 1938; Sutherland 1939) because they did not tap "hidden delinquency" that constituted the "dark figure of crime" (Gibbons 1979). An early study by Robison (1936) found that estimates of the number of delinquents doubled when they included those referred to as unofficial agencies rather than sent through the Children's Court. Moreover, she reported that social status characteristics, including race and religion, seemed to be related to where children were referred. Robison concluded "court figures alone are not only insufficient, but also misleading" (p. 76). Similar conclusions were reached by Murphy, Shirley, and Witmer (1946), after analysing caseworker records of boys brought to the juvenile court. They found that less than 1.5 percent of law violations in the caseworker reports had resulted in official complaints.

Gibbons (1979), credits Edwin Sutherland for providing the impetus for self report studies. Sutherland's (1949) landmark work on white-collar crime provided what Gibbons (p. 81) characterises as the first important challenge to the prevailing wisdom that individuals from favored social backgrounds were unlikely to break the law. The apparent discrepancy between reports relying on official data about "street crimes" and Sutherland's observations about crime among the upper classes led criminologists to seek alternative means of measuring crime.

Austin Porterfield (1943 and 1946) provided the first published results from a self report survey on crime. Porterfield analysed the juvenile court records of 2,049 delinquents from the Fort Worth, Texas, area and identified 55 offenses for which they had been adjudicated delinquent. He then surveyed 200 men and 137 women from three colleges in northern Texas to determine if and how frequently they had committed any of the 55 offenses. He found that every one of the college students had committed at least one of these offenses. The offenses committed by the college students were as serious as those committed by the adjudicated delinquents (although not as frequent), yet few of the college students had come into contact with legal authorities.

Inspired by Porterfield's findings, Wallerstein and Wylie (1947) sampled a group of 1,698 adult men and women and examined self-reports of their delinquent behavior committed before the age of 16. They mailed questionnaires containing 49 offenses to their sample. Almost all reported committing at least one delinquent act, and 64 percent of the men and 29 percent of the women had committed at least 1 of the 14 felonies included on their checklist.

The Porterfield and the Wallerstein and Wylie studies are methodologically unsophisticated. Evaluated on criteria used today, they are problematic in terms of sample selection of delinquency items, failure to examine the reliability and validity of these items, and reliance on descriptive analysis to examine poorly stated hypotheses. They are still landmark studies in the history of self-report methodology because they did not only alert criminologists of the existence of extensive hidden delinquency, but also demonstrated a methodology for measuring such behavior. Although the contributions of Porterfield, Wallerstein and Wylie are significant developments in the self-report methodology, the work of James Short and F. Ivan Nye (1957and 1958) revolutionised ideas about the feasibility of using survey procedures with a hitherto taboo topic and changed the thinking about delinquent behavior itself.

What distinguishes Short and Nye's research from previous self-report methods is their attention to methodological issues—such as scale construction, reliability, validity and sampling their explicit focus on the substantive relationship between social class and delinquent behavior. Short and Nye collected self-report data from high school students in three Western communities varying in population from 10,000 to 40,000; from three Midwestern communities varying across rural, rural-urban fringe, and suburban areas; and from a training school for delinquents in a Western State. A 21-item list of criminal and antisocial behaviors was used to measure delinquency, although most of their analyses employed a scale composed of a subset of only 7 items. Focusing on the relationship between delinquent behavior and the

socioeconomic status (SES) of the adolescents' parents, Nye, Short and Olson (1958) found that, among the different SES groups, relatively few differences in delinquent behavior were statistically significant.

Short and Nye's work stimulated much interest in both the use of self-report methodology and the substantive issue concerning the relationship between some measure of social status (socio-economic status, ethnicity, race) and delinquent behavior. The failure to find a relationship between social status and delinquency challenged prevailing theories built on the assumption that an inverse relationship did in fact exist, and suggested that the juvenile justice system might be using extralegal factors in making decisions concerning juveniles who misbehave. A number of studies in the late 1950s and early 1960s used self-report to examine the relationship between social status and delinquent behavior These studies advanced the use of the self-report method by applying it to different ethnically diverse populations (Gold 1966; Clark and Wenninger 1962; Voss 1966), attending to issues concerning validity and reliability (Gold 1966; Clark and Tifft 1966; Dentler and Monroe 1961), and constructing measures of delinquency that specifically addressed issues regarding offense seriousness and frequency (Gold 1966).

These studies found that although most juveniles engaged in some delinquency, relatively few committed serious delinquency repeatedly. For example, Gold (1966) found that 88 percent of his sample committed one or more delinquent acts, but only 6 percent of the boys and none of the girls committed armed robbery. With few exceptions, these studies supported Short and Nye's general conclusion that if there were any statistically significant relationship between measures of social status and self-reported delinquent behavior, it was weak and did not mirror the findings of studies using official data sources. During the 1960s, researchers began to recognise the true potential of the self-report methodology. By including questions about other aspects of adolescent life with a delinquency scale in the same questionnaire, researchers could explore etiological issues. Theoretically, interesting issues concerning the family emerged as the central focus of self-report studies. The potential of the self-report methodology in examining etiological theories of delinquency was perhaps best displayed in Travis Hirschi's (1969).

The use of self-report studies to examine theoretical issues continued throughout the 1970s till date.

This technique is not used in the Nigerian state. When used at all, it is used by academics when concocting articles in the field of criminology.

SELF-ASSESSMENT EXERCISE 2

Write a brief history of self-report method as a measure of crime and delinquency.

3.3   Shortcoming of Self Report Method

Two studies were particularly instrumental in pointing to the flaws in self-report measures. Hindelang, Hirschi, and Weis (1979), illustrated the problems encountered when comparing results from studies using self-reports with those using official data. They employed a third source of data on crime victimisation data and compared characteristics of offenders from the three data sources. They concluded that there is more similarity in those characteristics when comparing victimisation data with UCR data than between self-report data and the other two sources. They argued that self-report instruments do not include many of the more serious crimes for which people are arrested, which are included in victimisation surveys. Thus, self-reports tap a different domain of behaviors than either of the other two sources, and discrepancies in observed relationships when using self-reports should not be surprising. The differential domain of crime tapped by early self-report measures could also explain the discrepancy in findings regarding the association between social status and delinquency.

Elliott and Ageton (1980) also explored the methodological shortcomings of self-reports. They observed that a relatively small numbers of youths commit a disproportionate number of serious offenses. However, most early self-report instruments truncate the response categories for the frequency of offenses and do not include serious offenses in the inventory at all. In addition, many of the samples did not include enough high-rate offenders to clearly distinguish them from other delinquents. By allowing respondents to report the number of delinquent acts they committed rather than specifying an upper limit (e.g., 10 or more), and by focusing on high-rate offenders, Elliott and Ageton found relationships between engaging in serious delinquent behavior and measures of social status that are more consistent with results from studies using official data. The Hindelang, Hirschi, and Weis (1979) and the Elliott and Ageton (1980) studies both suggested designing self-report studies so that they would acquire sufficient data from those high-rate, serious offenders most likely to come to the attention of authorities. They also suggested a number of changes in the way in which we measure self-report data to reflect the fact that some offenders contribute disproportionately to the rate of serious and violent delinquent acts.

The development of instruments to better measure serious and very frequent offenses and the suggestion to acquire data from high-risk samples coincided with a substantive change in the 1980s in the focus of much criminological work on the etiology of offenders. The identification of a relatively small group of offenders who commit a disproportionate amount of crime and delinquency led to a call to focus research efforts on the "chronic" or "career" criminals (Wolfgang, Figlio, and Sellin 1972; Blumstein et al. 1986). Blumstein and his colleagues' observation that we need to study the career of criminals, including early precursors of delinquency, maintenance through the adolescent years, and later consequences during the adult years—was particularly important in recognising the need for examining the lifecourse development of high-risk offenders with self-report methodology.

The self-report methodology continues to advance, both in terms of its application to new substantive areas and the improvement of its design. Gibbons' (1979) suggestion that self-reports were just a fad whose use was likely to disappear is clearly wrong. Rather, with improvements in question design, administration technique, reliability and validity, and sample selection, this technique is being used in the most innovative research on crime and delinquency. The sections that follow describe the key methodological developments that have made such applications possible.

SELF-ASSESSMENT EXERCISE 3

Briefly discuss drawbacks militating against self-report method as a measure of crime and delinquency.

4.0   CONCLUSION

Self-report method is one of the techniques for measuring crime and delinquency in society. This technique is widely used in western societies but not in the Nigerian context as a measurement for crime and delinquency. When properly used, it furnishes us with a firsthand indication of the true image of crime and delinquency in society. The percentage of crime and delinquency that serves as its component is quite huge because it is a report given by delinquents and criminals, be they potential or actual members of this genre. The interesting thing however is that self- reports are only used by academics who publish articles on criminological topics in the Nigerian context.

5.0 SUMMARY

In this unit, we have been able to discuss self-report as a measure of crime and delinquency. We delved into the discourse concerning the meaning of self-report technique. We also examine the history of self-report as a measure of crime and delinquency and its shortcoming. In the next unit we shall critically examine how self report is used as a measure of crime and delinquency.

6.0 TUTOR-MARKED ASSIGNMENT

1. In your own words describe what you understand by self report as a measure of crime and delinquency.
2. Critically examine the history of self report as a source of crime and delinquency statistics?
3. What shortcomings assail self report as a measure of crime and delinquency?
4. Using Nigeria as an example, why is self report not an option used to measure crime and delinquency?

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UNIT 5   IMPROVING CRIME MEASUREMENT IN THE NIGERIAN STATE

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
     3.1   Weaknesses of Crime/Delinquency Measurement in Nigeria
     3.2   Scientific Problematiques of Crime/Delinquency Measurement in Nigeria
     3.3   Tips for Improving Crime/Delinquency Measurement in Nigeria
4.0   Conclusion
5.0   Summary
6.0   Tutor-Marked Assignment
7.0   References/Further Reading

1.0   INTRODUCTION

Crime and delinquency are a serious problem attacking the seams of the Nigerian state. This makes measurement a sine qua non for problem solution. We have discussed the self-report method in the previous unit. In this unit we will examine how crime measurement can be improved in the Nigerian state. Although crime measurement exists in its elementary form in the Nigerian state, the measurement of crime and delinquency is open to improvement.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- identify the weaknesses facing crime/delinquency measurement in Nigeria
- explain the problems facing crime/delinquency measurement in Nigeria
- mention how crime/delinquency measurement in Nigeria can be improved.

3.0   MAIN CONTENT

3.1   Weaknesses of Crime/Delinquency Measurement in Nigeria

The measurement of crime and delinquency in Nigeria is fraught with a lot of drawbacks which can be labeled as weaknesses. Some of these weaknesses are addressed in this unit.

Crime Profiling/Scaling

This technique of crime/delinquency measurement attaches various weight to different crime categories. This weight is supposed to indicate the seriousness of this crime. Two crimes cannot be the same. The idea of weighting of crime was first introduced by Sellin and Wolfgang (1964). What they did was to take the various offences after the compilation, and then sent out questionnaire to members of the public. The public is to attach weight in terms of seriousness. The most serious offence should be given the highest number, and the least of all should be attached the lowest number. For example, if there are 10 offences, you will have numbers 1 to 10. The most serious of all the offences will be attached 10, while the least offence will be attached 1.This is to give a better picture of the crime, so as to project and plan.

This particular technique for measuring crime and delinquency is hardly used in the Nigerian state because it is seen as too hypothetical or theoretical. It is believed that this technique does not give a full picture of what crime and delinquency in the society looks like.

Participant Observation

This technique of crime/delinquency measurement requires that the researchers keep a close watch on criminal and delinquent behaviours and record them as they are happening in a particular area. Sometimes, some researchers may decide to participate in the act so as have a firsthand experience of what crime and delinquency feels like and to understand the likely motivations for the acts. This type of research is usually adopted in victimless offences e.g. prostitution, gambling, homosexuality etc. The major weakness of this technique is that these types of offences are usually not classified as offences in the Nigerian state. Secondly, the law enforcement agents will arrest and persecute all criminal or delinquent offenders regardless of whether they are original perpetrators or researchers trying to understand the nitty gritty of crime and delinquency. Although the Police force uses undercover agents, it is usually to make arrests or destroy a gang rather than to measure crime. Furthermore, academics who utilize this measurement technique use it

to write limited articles which are time specific and which are not necessarily represented in the statistics of the Nigerian state.

Self-Report Method

This technique of crime/delinquency measurement requires that the researchers find out from a specific population in time and space the criminal or delinquent offences they have committed during the period of their existence. It is typically self- confession as captured by a scale crafted as a questionnaire to indicate the offences they have committed at a particular time and place. The rules of anonymity and confidentiality are adhered to strictly to get the best from this technique.
The Self-Report method is more useful for eliciting information from juvenile delinquents. There is an assumption in criminology that all children/kids are delinquent, but it is only the unfortunate ones that are caught by the official agencies. One way to discover this is to administer questionnaire to children in Schools to ask which offence they have committed. This is what is called the "delinquency of non-delinquent" .
The weakness of this technique is that such a technique represents a joke in the Nigerian state, and is more limited to for use by academics. Also, this method cannot be shunted into official data in terms of volume, nature and character, because they are incompatible. One is hypothetical while the other is realistic. This method is also better conducted on juvenile. One cannot conduct this study on adults because they cannot be manipulated. Utilising this technique, certain questions about certain offences cannot be asked. For example, sexual acts are likely to be concealed. They are not likely to be reported. As such, the rates of offences that can be conveyed are limited. Furthermore, this technique encourages information concealment and exaggeration thus distorting the so called statistics generated.

It also depends on the psychology of the child. If the offence is serious, he may be

Victim-Report Method

This technique of crime/delinquency measurement requires that the researchers find out from a specific population in time and space the criminal or delinquent offences perpetrated against them. Victim survey is geared towards understanding how victims perceive crime and delinquency in society as they have experienced it personally. In Nigeria, victims of crime are usually prone to lying, exaggeration and information concealment. Victim-report method is usually low on validity and reliability. When victim-survey is carried out in Nigeria, they usually do not compare their findings with administrative or official data. This inability to supplement the official crime statistics is a major

drawback. The range of questions regarding types of crime/delinquency one wants to ask about from respondents is usually limited. For example, one may ask questions on offences specific to the individual or his household, such as burglary, simple assault, armed robbery etc. There are some offences, which the victim may not like to disclose such as moral offence like rape, homosexuality etc. The accuracy with which respondents recall the offence he has suffered is not always possible. In a victim-survey, there is a tendency to report mostly serious offences while neglecting minor cases or vice versa. Finally, on the basis of classification of crime/delinquency under victims' survey, there may be misclassification of offences. For example, if a victim-survey report of forceful entry is supposed to be regarded as burglary and it is classified as armed robbery in police record, this disparity in recording will give a distorted result.

SELF-ASSESSMENT EXERCISE 1

Briefly discuss drawbacks militating against crime and delinquency measurement in Nigeria.

3.2   Scientific   Problematiques   of   Crime/Delinquency Measurement in Nigeria

There are a lot of problems that assail crime and delinquency measurement in the Nigerian state. Some of these problems are scientific in nature because they are a direct violation of the assumption of science. The extent to which the measurement of crime and delinquency is objective, logical and comprehensive usually indicates if there are scientific challenges assailing the measurement techniques utilized and the authenticity of the end result.
The critical question that arises and that faces most academics is if official Crime Statistics and the means by which it is measured in Nigeria meets the scientific criterion of validity, reliability, and utilisability.

Validity refers to the extent to which crime figures are correct representation of actual criminality or a reflection of the true situation of crime in a given area. It is a true representation of crime and the type of crime committed in an area. For example, what constitutes armed robbery or any other crime should be the same. The criteria should be constant and applicable to definition of crime everywhere and at any time the incidence of occurs.

Reliability refers to the extent to which the crime figures are the result of a consistent measure of the same phenomenon from village to village, town to town and State to State. It also refers to the consistency of a

measuring instrument. This means that if one wants to measure a social phenomenon such as criminality, the yardstick must be consistent from one occurrence to another. For example, the same criteria must be used to measure crime in Sokoto as is used in Lagos. Furthermore, the same instrument must be able to measure crime across time.

Utility refers to the extent to which the crime figures contribute to the knowledge of crime, improving the understanding, and providing enough information for projection and planning for the future. It also refers to the usefulness of Crime Statistics. It refers to the extent to which crime statistics help in projecting and planning about crime. Crime Statistics can only be useful for projecting and planning, if it is reliable and valid. Therefore, if crime statistics is reliable and valid, then there will be high degree of utility.

1.   Police record, as a source of Crime Statistics in Nigeria, is not valid relative to the actual or "true" volume of crime in the country every year. This is so because these crime figures are based on "recorded" criminality i.e. offences "known to the police" as a result of complaints lodged by citizens or directly as a result of police observation. The recorded criminality is therefore only a *sample* or fraction of the *total* criminality, which is always an "unknown" quantity. The degree to which that "sample" represents the total but "unknown" criminality, is a function of:

a.   The nature of the offence i.e. the seriousness of the offence will determine whether the case will be reported or not. For example, a case of murder is most 'likely' to be reported when compared to petty theft.
b.   The intensity and pattern of law enforcement activities i.e. the convincing argument that police crime statistics are, in fact, statistics of law enforcement activities; and the fact that there is bias for whatever reason, in exercising the various discretionary powers in favour of certain persons and groups (Odekunle, 1978).

2.   The reliability of the figures for the various categories of offences is also very questionable. First, there is the difference, among others, in the "charging procedure between the Penal Code and Criminal Code States.

        Second, even though we have a unified police force, definitional practices are hardly *uniform* or standardised, from one police station to another. That is, exactly what one station sends in as "theft" may be sent in by another as "burglary"; "rape" in one station may be recorded as "indecent assault", in another,

"attempted murder" in one station may be recorded as "aggravated assault" in another police station.

Third, the lumping of offences into unexplained categories jeopardizes any attempt to separate what is serious from that, which is minor.

3.   The report also fails us in terms of its utility potential. All it does is to give us absolute distribution (i.e. figures) of unexplained categories of offences. Yet for police crime statistics to be useful and utilizable, they must provide answers, on an annual basis, to the following questions:

a.   What is the general state and trend of crime in the country?
How many of each offence type were "known" to the police?
What proportion of this was "unfounded" or "untrue", for each offence type?

Considering the total volume and the figure for each offence type, what was the proportional increase relative to the previous year and making allowance for increase or decrease in the relevant population? What were the comparative figures and proportional increases or decreases for different communities (large cities, towns, rural areas) and the various States?

b.   What are the volume, extent, and seriousness of criminal victimisation in the population? That is counting crime by victim and "weighted" seriousness of offence, rather than by offence per se. For example, one offence may have ten victims; and no two thefts are the same in seriousness and neither are two assaults. What was the monetary, material, human and other costs of crime to the nation? Compared to the previous year, have the risk and cost of criminal victimisation proportionally increased or decreased? if so, for what offence type, in what areas and for what kind of people?

c.   For each of the major or "serious" offence type, what is the volume, trend, rate, nature, clearance, attributes of persons charged to court?

d.   What is the police "clearance rate" (i.e. by arrest) for each of the offence type? And, has this increased or decreased, proportionately, over the years?

e.   What are the socio-economic attributes (age, sex, occupation, marital status, etc) of persons arrested?

f.   Going by information on those arrested, is there any indication of a development of "careers in crime?

Based on the fact that the Nigerian police Crime Statistics cannot answer these questions, there is low level of validity and reliability. As such, they are hardly utilizable for the purposes of giving the knowledge needed for planning crime prevention and control for the present and for the future (Odekunle, 1978, Okeshola, 2008).

SELF-ASSESSMENT EXERCISE 2

Discuss the major scientific problems affecting the measurement of crime and delinquency in Nigeria?

3.3   Tips for Improving Crime/Delinquency Measurement in Nigeria

Crime and delinquency measurement in Nigeria, be it official or unofficial can be improved in order to guarantee more accurate crime and delinquency statistics in the Nigerian state. Some of the moves necessary to improve measurement are structural while others are more geared towards improving human motives.

Some of the ideas for improvement are discussed below.

1.   **Develop a crime/delinquency index:** It is necessary to select certain offences as an index for the measurement of the volume, rate and trend of crime in the population. This is because "recorded" criminality is only a "sample" of the "unknown" total volume of crimes, and because of the degree of representativeness of that sample it is a function of offence seriousness or reportability and of the character of law-enforcement. The offences to be selected should not be less than five or more than ten. It should:

a.   represent the most common crimes;
b.   be serious offences either by their very nature or due to the volume in which they occur;
c.   represent crimes both against person and against property;
d.   be the most consistently reported to the police.

2.   **Develop a Crime/Delinquency Data Format:** A format should be designed that will be comprehensive in its demand for information: type of crime; extent of injury; amount of loss; where and when offence occurred; age, sex, occupation, residence, marital status, etc. of all arrested persons and victims, time progress and final disposition of each case that passes through each police station. It should be added that whatever the

number of information items, they could be coded and even computerized.

3.   **Develop a Uniform Recording System:** To achieve reliability of the annual returns, all stations and all policemen must be consistent with one another in their categorization and recording of similar acts. Considering the authority structure of the NPF, such an effort towards consistency needs to come from the Headquarters to be effective. In addition, if such a consistency is to be realized and the suggested format is to be applied uniformly throughout the federation, adequate and accurate records must be kept, with regard to each and every duty or assignment carried out, every crime reported or directly discovered, every action taken and every decision made on such reports or discoveries.

4.   **Develop a Regular Reporting and Publication System:** For crime statistics to be useful, they must be collated, analyzed and published as close as possible to the period they cover. To achieve this and avoid out-datedness, stations should be mandatorily required to make concurrent cumulative returns on weekly basis in the Division, the division on bimonthly basis to the State; and the State on monthly basis to Lagos or Abuja. With such continuous collation and analysis, it will be possible for the NPF to even give "verbal" quarterly reports on the current state of crime in the country. But more crucial, it will be able to release its annual reports within three months after the end of the particular year.

5.   **Develop a Viable Data Research and Planning Department:** By the training disposition of NPF and other professional priorities, they are neither equipped nor prepared for *collation* and *analysis* of Crime Statistics. In view of this, the NPF policy makers should seriously consider the development of nonuniformed and non-policing personnel who are professionals in Criminology and Social Statistics to handle (collation and analysis) its data and suggest lines of research and planning. With one such qualified professional in each State Police Command and about five in the Abuja Headquarters, the problems of Crime Statistics should be solved (Odekunle, 1978, Okeshola, 2008).

SELF-ASSESSMENT EXERCISE 3

Write a short essay on how the measurement of crime and delinquency can be improved in Nigeria.

4.0   CONCLUSION

The measurement of crime and delinquency in Nigeria is fraught with many drawbacks but there is always room for improvement. Most of the measurement techniques widely used in western societies are successful and constitutes adequate crime statistics. In Nigeria the measurement for crime and delinquency is not as valid, reliable and utilisable as it should be. When the various techniques of crime and delinquency measurement is properly used, taking into consideration the scientific method, it will definitely provide us with proper crime and delinquency statistics which will be a true representation of crime and delinquency in society. With the necessary facilities in place, measuring crime and delinquency properly will be a foregone conclusion.

5.0   SUMMARY

In this unit, we have been able to discuss the weaknesses and shortcomings of crime and delinquency measurement. You have learnt the scientific problematiques assailing the measurement of crime and delinquency in Nigeria. We also examined tips for improving crime and delinquency measurement. In the next unit we shall examine trends and patterns of crime and delinquency in Nigeria.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Describe the shortcomings of the measurement of crime and delinquency in Nigeria.
2.   Critically examine the scientific challenges assailing the measurement of crime and delinquency in Nigeria.
3.   Itemise and write short notes about the tips for improving the measurement of crime and delinquency in Nigeria.
4.   Can crime and delinquency statistics ever be accurate in Nigeria?

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MODULE 4   PATTERNS AND TREND OF CRIME AND DELINQUENCY IN NIGERIA

Unit 1   Patterns of Property Crime in Nigeria
Unit 2   Patterns of Person Crime in Nigeria
Unit 3   Patterns of Fiscal Crime in Nigeria
Unit 4   Patterns of Terroristic Crime in Nigeria
Unit 5   Patterns of Trafficking Crime in Nigeria

UNIT 1   PATTERNS OF PROPERTY CRIME IN NIGERIA

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
    3.1   Robbery/Bank Robbery
    3.2   Art Theft/Carjacking/Burglary/Organised Retail Crime
    3.3   Theft/Piracy
4.0   Conclusion
5.0   Summary
6.0   Tutor-Marked Assignment
7.0   References/Further Reading

1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms can be exhibited in a variety of ways. Some property crime in the Nigerian state has existed since humans inhabited the location and continue to exist while other property crimes were introduced into the region as a result of civilisation, globalization and technological advancement   In this unit we will examine the trend and pattern of the property crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the trend of robbery/bank robbery in Nigeria
- discuss the pattern of art theft/carjacking/burglary/organised retail crime in Nigeria
- mention the trend of theft/piracy in Nigeria.

3.0　MAIN CONTENT

3.1　Armed Robbery

Robbery is the crime of seizing property through violence or intimidation, as opposed to stealth or fraud (which is theft). Robbery is "the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear (Byran, 2009). At common law, robbery is defined as taking the property of another, with the intent to permanently deprive the person of that property, by means of force or fear (Allen, 2005). Precise definitions of the offence may vary between jurisdictions. Robbery differs from simple theft in its use of violence and intimidation.

The word "rob" came via French from Late Latin words (e.g. *deraubare*) of Germanic origin, from Common Germanic *raub*

Among the types of robbery are:

* armed robbery involving use of a weapon, and aggravated robbery involving use of a deadly weapon or something that appears to be a deadly weapon.
* Highway robbery or "mugging" which takes place outside and in a public place such as a sidewalk, street, or parking lot.
* Carjacking is the act of stealing a car from a victim by force.

Extortion is the threat to do something illegal, or the offer not to do something illegal, in the event that goods are not given, primarily using words instead of actions. Criminal slang for robbery includes "eke runs" (armed robbery, usually on the highway), "night bus road jam" (armed robbery, usually of luxurious box), "strong room attack" (armed robbery, usually of banks) and "house job" (armed robbery, usually of homes and organisations.

Pre-Colonial Nigeria

Armed robbery was not very prevalent in pre-colonial Nigeria because of the strict laws and subsequent punishment that accompanied it. Armed robbery then was carried out with cutlasses, cudgels, bow and arrows, dane guns and charms. Things like clothes, cowries (precolonial legal tender), farm produce and livestock were stolen by armed criminals who were usually impoverished warlords.

A lot of armed robbers who resided within the neighbourhood concealed their identity by covering their faces with scarves or masks. Others who were out of town did not bother with such subterfuge.

Colonial Nigeria

Armed robbery was not very prevalent in colonial Nigeria because the colonial masters had a strong police force to discourage crime and enforce the law. Although armed robbery existed, it was similar to what existed in pre-colonial days coupled with the pranks of some members (the local police force) who had access to arms like dane guns and repeating rifles and used intimidation to collect property from members of the public.

Post-Colonial Nigeria

Armed robbery was not very prevalent in post-colonial Nigeria between 1960 and 1966 because the social structures left by the colonial masters ensured economic security for the people and the police force in place was competent in discouraging crime and enforcing the law. Armed robbery existed as isolated incidents just as it did in colonial days.

From 1967 to 1970 there was a civil war in Nigeria which led to a marked influx of arms and ammunitions into Nigerian. During this period, these weapons were used by some people to rob others. The majority of the armed robbers then, were hungry and greedy Nigerian or Biafran soldiers.

From 1970, armed robbery escalated because of the poor economy, a high rate of unemployment and a preponderance of weapons left over from the war. Armed robbery was so rampant between this period and the early 1990s because the social and economic structures within the society were not sufficient to cater to the need of the populace. Around the late 1990s and early 2000s, the spate of armed robbery was reduced because of the violent and retaliative measures put in place by the military government at that time (State Anti Robbery Squads, Operation Sweep, Operation Wipe, Operation Gbale, etc) and at the invitation by the civilian government of traditional vigilante groups like the Egbesu Boys, Bakassi Boys, Odua People's Congress, etc., to participate in crime fighting. From the late 2000s till date, armed robbery seems to be on the increase again because the robbers seem to have access to advanced weapons like the Uzi, Scorpion, Kalashnikov, Mach 4 and AK47s, which are not available to the police force.

Bank Robbery

Bank robbery is the crime of stealing from a bank. In layman's terms, therefore, bank robbery is entering a bank when it is open and either by using force or the threat of force or otherwise obtaining valuables, usually money. Entering a bank when it is closed is burglary. Bank robbery is a predominantly urban crime, taking place most frequently in cities and large towns.

Pre-Colonial Nigeria

Bank robbery did not exist in pre-colonial Nigeria because there were no banks at that time. Everyone kept their money at home.

Colonial Nigeria

Bank robbery did not exist in colonial Nigeria because the colonial masters had a strong police force to discourage crime and enforce the law. The security forces employed by the existing banks during this period were also very competent.

Post-Colonial Nigeria

Bank robbery was not very prevalent in post-colonial Nigeria between 1960 and 1966 because the social structures left by the colonial masters ensured economic security for the people and the police force in place was competent in discouraging crime and enforcing the law. From 1967 to 1970 there was a civil war in Nigeria which led to a marked influx of arms and ammunitions into the Nigerian state. During this period, these weapons were used by some soldiers to rob the banks in the east and the mid-west (The controversial case of General Murtala Muhammed easily comes to mind. He was reputed to have robbed a bank in Midwestern Nigeria and returned the money later. Whether he stole the money for personal reasons or just took it for safe keeping till after the war is open to debate). These banks robberies were opportunistic crimes committed by greedy Nigerian or Biafran soldiers.

From 1970 till the late 1980s Bank robbery escalated because of the poor economy, a high rate of unemployment and a dare devil attitude employed by criminals of the time. Notable among robbers of the time who focused on banks were Oyenusi and Anini. Bank robbery continued to increase between 1988 and 1995 because the political structures within the society encouraged crime. Around the late 1990s and early 2000s, the spate of bank robbery was reduced because of the violent and retaliative measures put in place by the military government at that time and by the invitation by the civilian government of traditional vigilante

groups like the Egbesu Boys, Bakassi Boys, Odua People's Congress etc to participate in crime fighting. From the late 2000s till date bank robbery seems to be on the increase because, the robbers seem to have access to advanced weapons like the Uzi, Scorpion, Kalashnikov, Mach 4 and AK47s, which are not available to the police force. Furthermore bank robbers are more organised and usually have access to explosives for opening the strong room or bank vaults.

SELF-ASSESSMENT EXERCISE 1

Write a short narrative about the trend of armed robbery and bank robbery in Nigeria from precolonial times till date.

3.2   Art Theft/Carjacking/Burglary/Organised Retail Crime

Art Theft

Art theft is the theft of art. This is usually done for the purpose of personal collection, resale, preservation or ransom; Occasionally, professional art thieves are also commissioned by dedicated private collectors to steal artifacts of value from different countries. In Nigeria, stolen art includes statues, masks, totem poles and artifacts that are used in traditional shrines (idols, sacred stones, carved icons, disks, gourds, calabashes, axes, cutlasses, knives, busts, staffs, etc).

Pre-Colonial Nigeria

Art theft did not exist in pre-colonial Nigeria because Art only had functional value and not aesthetic value for the people; as a result they never bothered to steal it.

Colonial Nigeria

Art theft existed prevalently in colonial Nigeria because the colonial masters a strong aesthetic attachment and attraction to traditional ornaments which had high value in their country (Britain). They induced the members of the various communities in Nigeria to steal Art forms for them which they paid a token for. In some cases they took some of the art forms by force or under the guise of confiscation. They later sold these artifacts for a profit in England or America.

Post-Colonial Nigeria

Art theft was rampant in post-colonial Nigeria between 1960 and 1966 because the colonial masters still had a strong tie to Nigeria and had agents in government who continued the spate of art theft. From 1967 to

1970 there was a civil war in Nigeria which led to the reduction of art theft although some soldiers engaged in it. From 1970 till the late 1980s Art theft escalated because of the poor economy, a corrupt government and a get rich quick attitude employed by rulers of the time. Notable at the time when Art theft escalated was the organisation of the Festival of Art and Culture (FESTAC) 77 programme by General Olusegun Obasanjo, the then Head of State. Art theft reduced between 1990s and 2000s because reports regarding them were few. From the late 2000s till date Art theft seems to be on the increase again because the value of artifacts and collector items have increased drastically and reports about youths raiding shrines for artifacts and out rightly stealing graven images and idols from shrines are more prevalent.

Carjacking

Carjacking is a form of hijacking, where the crime is that of stealing a motor vehicle and so also armed assault when the vehicle is occupied. The general term hijacking was used for that type of vehicle abduction, which did not often include kidnapping of the driver and concentration on the theft of the load, rather than the vehicle itself. In the present era, the typical carjacker is armed, and the driver is usually forced out of the car with the threat of bodily injury. In other rarer cases, the driver is kidnapped with the use of a weapon and is retained as a passenger under duress, or made to drive his or her abductor.

The word is a portmanteau of car and hijacking. The crime is extremely hazardous, threatening the physical safety of both the carjacker and the victim. To secure the car, the carjacker may sometimes shoot the victim or physically push/pull the victim out of the driver's seat to force him or her out of the car.

Pre-Colonial Nigeria

Carjacking did not exist in pre-colonial Nigeria because there were no cars to be hijacked.

Colonial Nigeria

Carjacking did not exist in colonial Nigeria because the colonial masters had a strong police force and cars were very scarce at that time and were easily monitored since they belonged to government officials who were usually white people. Furthermore only a few people knew how to drive and they were mostly white people and a minimal number of black people who were mostly politicians and drivers.

Post-Colonial Nigeria

Carjacking was non-existent in post-colonial Nigeria between 1960 and 1966 because the instruments of social control in Nigeria like the police force were effective at that time. From 1967 to 1970, the civil war in Nigeria led to a breakdown of law and order and as such carjacking as a crime in Nigeria was born because of the need for soldiers to move around quickly. In the absence of transport logistics, they commandeered any available car or truck. From 1970 till the late 1980s carjacking escalated because of the poor economy, a corrupt government and a need by the criminals of the time to move around. Carjacking increased between 1990s and 2000s because there were more expensive cars in Nigeria and the number of motor mechanics who knew about cars had increased. From the late 2000s till date Carjacking seems to have stabilised because although the price of stolen cars have increased, nevertheless the presence of constant road checks and car security has contributed to lowering the trend. Notable among the professional carjacjers in Nigeria are Shina Rambo, a criminal who steals exotic cars in well planned operations.

Burglary

Burglary (also called breaking and entering/housebreaking) is a crime ofs entring into a building for the purposes of committing an offence. Usually that offence will be theft, but most jurisdictions specify others which fall within the ambit of burglary. Burglary is defined as, "unlawful entry into a structure to commit a felony or theft (Glick, 2005)." To commit a burglary is to **burgle** (in British English) or **burglarize** (in American English) (Garner, 2009).

In the common law, burglary was defined by Sir Matthew Hale as breaking and entering the house of another in the night time, with the intent to commit a felony therein, whether the felony is actually committed or not (Torcia, 1980).

Pre-Colonial Nigeria

Burglary was not very prevalent in pre-colonial Nigeria because of the strict laws and subsequent punishment that accompanied it. Burglary then was carried out in order to steal things like clothes, cowries (precolonial legal tender), farm produce and livestocks. Most burglars then passed into the house through the window or roof which was made of thatch.

Colonial Nigeria

Burglary was not very prevalent in colonial Nigeria because the colonial masters had an effective police force to discourage crime and enforce the law and houses were built then with security in mind. Although burglary existed, it was similar to what existed in pre-colonial days.

Post-Colonial Nigeria

Burglary was not very prevalent in post-colonial Nigeria between 1960 and 1966 because the social structures left by the colonial masters ensured economic security for the people and the police force in place was competent in discouraging crime and enforcing the law. Burglary existed as isolated incidents just as it did in colonial days.

From 1967 to 1970 there was a civil war in Nigeria which led to a marked increase in hardship among the populace of the eastern and midwestern regions of the Nigerian state. During this period, burglary increased as a result of some people who were looking for food, clothing or materials to keep them comfortable.

From 1970, burglary escalated because of the poor economy, a high rate of unemployment and hunger among the populace. Burglary became more widespread between this period and the early 1990s because the social and economic structures within the society did not cater to the need of the populace. Around the late 1990s and early 2000s, the spate of burglary was reduced because houses were built to be more secure. Accoutrements like burglary proof bars were put on doors and windows, high fences with electric barb wires were built and also alarms were introduced thus making burglary more difficult. Furthermore, the use of local vigilante forces at that time reduced the spate of burglary. From the late 2000s till date, burglary seems to have followed this trend.

Organised Retail Crime

Organised retail crime refers to professional shoplifting, cargo theft, retail crime rings, DVD and VCD piracy and other organised crime occurring in retail environments. One person acting alone is not considered an example of organised retail crime. These criminals move from store to store and even city to city. Working in teams, some create distractions while others steal everything from infant formula to DVDs. Often, they are stocking up on specified items at the request of the organised crime leader.

Pre-Colonial Nigeria

Organised retail crime did not exist in pre-colonial Nigeria because of the strict religio-cultural laws and subsequent punishment that accompanied it.

Colonial Nigeria

Organised retail crime did not exist in colonial Nigeria because the colonial masters had an effective police force to discourage crime and enforce the law.

Post-Colonial Nigeria

Organised retail crime was not very prevalent in post-colonial Nigeria between 1960 and 1966 because the social structures left by the colonial masters ensured economic security for the people and the police force in place was competent in discouraging crime and enforcing the law. From 1967 to 1970 there was a civil war in Nigeria which led to a marked increase in hardship among the populace of the eastern and Midwestern regions of the Nigerian state. During this period, retail crime business was born in a confused state. During this period, relief materials for civilian casualties were stolen and sold by corrupt soldiers and politicians.

From 1970 to 1990, organised retail crime increased as a result of greed. Around the late 1990s and early 2000s, the spate of organised retail crime in the form of film piracy increased drastically as a result of the technological equipments that made it possible. From the late 2000s till date, organised retail crime seems to have reduced because of the special task force combating it.

SELF-ASSESSMENT EXERCISE 2

Craft a story regarding the history of art theft, carjacking, burglary and organised retail crime in Nigeria from precolonial times till date.

3.3   Theft/Piracy

Theft

In criminal law, **theft** is the illegal taking of another person's property without that person's freely-given consent. The word is also used as an informal shorthand term for some crimes against property, such as burglary, embezzlement, larceny, looting, robbery, shoplifting, fraud and sometimes criminal conversion. In some jurisdictions, theft is

considered to be synonymous with larceny; in others, theft has replaced larceny.

Someone who carries out an act of or makes a career of theft is known as a **thief**, and the act of theft is known as **stealing**, **thieving**, or sometimes **filching**.

The *actus reus* of theft is usually defined as an unauthorised taking, keeping or using of another's property which must be accompanied by a *mens rea* of dishonesty and/or the intent to permanently deprive the owner or the person with rightful possession of that property or its use.
For example, if X goes to a restaurant and, by mistake, takes Y's scarf instead of her own, she has physically deprived Y of the use of the property (which is the *actus reus*) but the mistake prevents X from forming the *mens rea* (i.e. because she believes that she is the owner, she is not dishonest and does not intend to deprive the "owner" of it) so no crime has been committed at this point. But if she realises the mistake when she gets home and could return the scarf to Y, she will steal the scarf if she dishonestly keeps it. Note that there may be civil liability for the torts of trespass to chattels or conversion in either eventuality.

Pre-Colonial Nigeria

Theft was not very prevalent in pre-colonial Nigeria because of the strict religio-cultural laws and subsequent punishment that accompanied it. Theft then was carried out to steal things like clothes, cowries (precolonial legal tender), farm produce and livestock.

Colonial Nigeria

Theft was not very prevalent in colonial Nigeria because the colonial masters had a strong police force to discourage crime and enforce the law. Theft existed, it was similar to what existed in pre-colonial days.

Post-Colonial Nigeria

Theft was not very prevalent in post-colonial Nigeria between 1960 and 1966 because the social structures left by the colonial masters ensured that most citizens could make ends meet and the police force in place was competent in discouraging crime and enforcing the law. Theft existed as isolated incidents just as it did in colonial days.

From 1967 to 1970 there was a civil war in Nigeria which led to a marked increase of poverty in the Nigerian state. During this period, a

majority of the people in the war zone were hungry and suffered privation and some became thieves in order to survive.

From 1970, theft as a crime escalated because of the prevalence of poverty, a high rate of unemployment and a weak socio-economic structure left over from the war. Theft was so rampant within this period and continued to increase till the early 1990s because the social and economic structures within the society were not sufficient to cater to the need of the populace. Around the late 1990s and early 2000s, the spate of theft was reduced because of the violent and retaliative measures put in place by the military government at that time and by the invitation by the civilian government of traditional vigilante groups like the Egbesu Boys, Bakassi Boys, Odua People's Congress etc to participate in crime fighting. From the late 2000s till date, theft seems to be on the increase again because the items that are stolen have become smaller and more potable. Items like mobile handsets, DVD sets, Electric Iron, Computer Laptops, walkman radio sets etc.

Piracy

Piracy is a war-like act committed by private parties (not affiliated with any government) that engage in acts of robbery and/or criminal violence at sea. The term can include acts committed in other major bodies of water or on a shore (Burnett, 2002). It does not normally include crimes committed against persons travelling on the same vessel as the perpetrator (e.g. one passenger stealing from others on the same vessel). The term has been used to refer to raids across land borders by non-state agents. Piracy should be distinguished from privateering, which was a legitimate form of war-like activity by non-state actors, authorized by their national authorities, until this form of commerce raiding was outlawed in the 19th century (Cawthorne, 2004).

The English "pirate" is derived from the Latin term *pirata* and that from Greek πειρατής (*peiratēs*) "brigand", from πειράομαι (peiráomai) "attempt", from πεῖρα (*peîra*) "attempt, experience". The word is also cognate to *peril*.

Pre-Colonial Nigeria

Piracy existed in pre-colonial Nigeria because there were some warlords living in the riverine areas who hijacked boats and the people and goods in them for private gain. Some of these pirates levied a toll on boats that passed their territories and usually siezed the boats and their content if the tolls were not paid. Most of the people in the captured boats were either sold as slaves or converted into personal servants while the females were used as sex slaves or concubines.

Colonial Nigeria

The incidence of piracy in colonial Nigeria was reduced because the colonial masters had a strong naval force that patrolled the coast and the creeks at that time and easily monitored the affected regions. Pirates who were caught were summarily executed. Furthermore, during this period, pirates were very few and were not heavily armed.

Post-Colonial Nigeria

Piracy existed in a minor form in post-colonial Nigeria between 1960 and 1966 because the instruments of social control in Nigeria like the police force and navy were effective at that time. From 1967 to 1970, the civil war in Nigeria led to a breakdown of law and order and as such piracy as a crime in Nigeria escalated because of the need by some desperate civilians and soldiers to make quick cash in the riverine areas. The trade in the region was usually tied to the rivers and the coastal waters thus putting piracy on the open season during this period of lawlessness. From 1970 till the late 1980s piracy escalated because of the poor economy, a lackadaisical attitude held towards it by a corrupt government and ease with which pirates could hide out in the creeks. Piracy increased between 1990s and 2000s because the new targets were the sea vessels of the oil multinationals like Shell, Chevron, Mobil etc in the region. Both the boats and their contents which were usually supplies were stolen and used to further the crime of piracy. From the late 2000s till date piracy seems to have dropped because of the high concentration of government security forces in the region. Furthermore, the oil multinationals have beefed up security on the boats. Apprehended pirates are shot out of hand, which seems to be deterrent enough.

SELF-ASSESSMENT EXERCISE 3

Describe the trend of theft and piracy in Nigeria from pre-colonial times till date.

4.0   CONCLUSION

The history of property crime in the Nigerian state is indeed quite interesting and convoluted. Pre colonial Nigeria had the least property crime rate probably because of the strong hold the religious and cultural laws had over the people. Colonial Nigeria also had a low level of property crime because of the iron fist with which the colonial masters ruled the Nigerian colony. After independence, crime rates were still low because the social control actors left by the colonialists were still in place. During and after the civil war, property crime escalated because of poverty, breakdown in law and order and corruption among government officials. A stronger security force seems to have reduced property crime in Nigeria to an extent. (**See appendix**).

5.0   SUMMARY

In this unit, we have been able to discuss the trend of property crimes in Nigeria. In the next unit we shall critically examine the trend of person crime in Nigeria. Congratulations for the successful completion of this unit.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write an essay regarding the history of armed robbery and bank robbery in Nigeria from pre-colonial times till date.
2.   Compare and contrast carjacking, burglary, art theft and organised retail crime in pre-colonial, colonial and post colonial Nigeria till date.
3.   Describe the trend of theft and piracy in Nigeria from pre-colonial times till date.

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UNIT 2   PATTERNS OF PERSON CRIME IN NIGERIA

CONTENTS

1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms can be exhibited in a variety of ways. In the Nigerian state person crimes have existed since humans inhabited the location and continue to exist while a person crime like suicide was not considered a crime then, but were an escape mechanism. In this unit we will examine the trend and pattern of the person crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- describe the trend of kidnapping in Nigeria
- explain the pattern of murder/suicide in Nigeria
- discuss the trend of rape/statutory in Nigeria.

3.0   MAIN CONTENT

3.1   Kidnapping

In criminal law, **kidnapping** is the taking away or transportation of a person against the person's will, usually to hold the person in false imprisonment, a confinement without legal authority. This may be done for ransom or in furtherance of another crime, or in connection with a child custody dispute.

Kidnapping is a common law offence requiring:

1.   that one person takes and carries a minor away;
2.   by force or fraud;
3.   without the consent of the person taken; and
4.   without lawful excuse.

It would be difficult to kidnap without also committing false imprisonment, which is the common-law offence of intentionally or recklessly detaining the victim without lawful authority. The use of force to take and detain will also be regarded as an assault, and other, related offences may also be committed before, during, or after the detention.

Pre-Colonial Nigeria

Kidnapping existed in pre-colonial Nigeria. The kidnappers were usually special individuals attached to the shrine of certain traditional gods or to the palace of the head of a community. Their duties included getting people from other villages for sacrifices. They were usually muscular males versed in the use of charms and hand to hand combat. Some of the kidnappers only captured people and sold them as slaves or converted into personal servants while the females were used as sex slaves or concubines.

Colonial Nigeria

The incidence of kidnapping increased drastically in colonial Nigeria because the colonial masters made the slave trade very profitable. Some individuals became professionals during this period because of the constant demand for slaves. Towards the end of the colonial era, kidnapping as a person crime tapered off because of the abolition of slavery and the strict draconian laws designed to discourage it by the colonial masters.

Post-Colonial Nigeria

Kidnapping existed in a minor form in post-colonial Nigeria between 1960 and 1966 because the instruments of social control in Nigeria like the police force at that time were efficient in doing their jobs. From 1967 to 1970, the civil war in Nigeria led to a breakdown of law and order and as such kidnapping as a crime in Nigeria escalated because of the need by some desperate civilians and soldiers to enlist or punish saboteurs. The children or wives of key players in certain war zones were kidnapped to facilitate victory. From 1970 till the late 1990s kidnapping remained an issue because of the poor economy, a

lackadaisical attitude held towards it by a corrupt government, the need to make quick cash from ransom and increased demand for victims by ritual killers. Kidnapping increased between the late 1990s till date kidnapping because the new targets were the employees and relatives of staff of the oil multinationals like Shell, Chevron, Mobil etc in the Niger-Delta region and the kith and kin of political actors. The kidnapping of this category of people has always been with a bid to getting ransom money from relatives of victims. Despite the high concentration of government security forces in the region, kidnapping is still an knotty issue. The high demand for victims by ritualists has also contributed to an increase in kidnapping till date.

SELF-ASSESSMENT EXERCISE 1

Briefly discuss the incidence of kidnapping in pre colonial, colonial and post-colonial Nigeria.

3.2 Murder/Suicide/Manslaughter

Murder

Murder, as defined by common law, is the unlawful killing of another human being with intent (or malice aforethought), and generally this state of mind distinguishes murder from other forms of unlawful homicide (such as manslaughter). The loss of a human being inflicts enormous grief upon the individuals close to the victim. The fact that the commission of a murder deprives the victim of their existence, most societies both present and in antiquity have considered it a most serious crime worthy of the harshest of punishment. A person convicted of murder is typically given a life sentence or even the death penalty for such an act. A person who commits murder is called a *murderer;* the term *murderess*, meaning a woman who murders, has largely fallen into disuse. (American Heritage Dictionary of English Language, Webster Dictionary)

Voluntary manslaughter

Voluntary manslaughter occurs when the defendant kills with malice aforethought (intention to kill or cause serious harm), but there are mitigating circumstances which reduce culpability. Voluntary manslaughter is a lesser offence of murder. The traditional mitigating factor was provocation, though others have been added in various jurisdictions. The following are some examples of defenses which may be raised to mitigate murder to voluntary manslaughter:

Provocation: A killing which occurs after provocation by an event which would cause a reasonable person to lose self-control.

Imperfect self-defense: Allowed only in a limited number of jurisdictions in the United States, self-defense is a complete defense to murder. However, a person who acted in self defense with an honest but unreasonable belief that deadly force was necessary to do so could still be convicted of voluntary manslaughter or deliberate homicide committed without criminal malice. Malice is found if a person killed intentionally and without legal excuse or mitigation.

Diminished capacity is a defense which serves to negate the mental state of "malice". If a jurisdiction recognises that a person can kill with justification, but also without any evil intent, that jurisdiction is free to define the crime as something less than murder.

Infanticide

Another form of voluntary manslaughter is infanticide. This offence was created by statute in some countries during the 20th century. Generally, a conviction of infanticide will be made where the court is satisfied that a mother killed her newborn child while the balance of her mind was disturbed as a result of childbirth; for instance, in cases of post-natal depression. It is a form of manslaughter, and carries the same range of sentences as a manslaughter conviction. While infanticide is a separate offence from murder, and not a reductive defence to murder (such as the defences listed below), in practice it works in much the same way as a reductive defence.

Involuntary Manslaughter

Involuntary manslaughter is the unlawful killing of a human being without malice aforethought. It is distinguished from voluntary manslaughter by the absence of intention. It is normally divided into two categories; constructive manslaughter and criminally negligent manslaughter.

Constructive Manslaughter

Constructive manslaughter is also referred to as 'unlawful act' manslaughter. It is based on the doctrine of constructive malice, whereby the malicious intent inherent in the commission of a crime is considered to apply to the consequences of that crime. It occurs when someone kills, without intent, in the course of committing an unlawful act. The malice involved in the crime is transferred to the killing, resulting in a charge of manslaughter.

Pre-Colonial Nigeria

Murder existed in pre-colonial Nigeria. Murder was usually a crime of passion in pre-colonial Nigeria. It is only in a few cases that murder was willful and carried out in cold blood because of the strict laws that were put in place to discourage it. Murder were usually politically oriented, precipitated by adultery or struggle over landed property. More often than not, murder was perpetrated with the use of charms and seldom with physical weapons.

Colonial Nigeria

The incidence of murder was not very prevalent in colonial Nigeria because the colonial masters had a strong police force to discourage crime and enforce the law. Murder existed, but it was similar to what existed in pre-colonial days. Furthermore, a high percentage of the murder that occurred during this period were state sponsored and were targeted at troublesome citizens.

Post-Colonial Nigeria

Murder and manslaughter existed in a minor form in post-colonial Nigeria between 1960 and 1964 because the instruments of social control in Nigeria like the police force at that time were competent. Between 1965 and 1966, the members of the civilian government were murdered by a military cabal and they were also murdered by another military cabal. After this episode, murder and manslaughter became institutionalised in the northern part of Nigeria when the northerners started slaughtering the Igbos as fallout of the coup galore. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness as such, murder and manslaughter as a crime in Nigeria escalated because of the need by some desperate civilians and soldiers to satisfy personal grudges. During this period, murder and manslaughter was not a crime but a natural order. From 1970 till the late 1980s, murder and manslaughter remained an issue because of the poor economy, a lackadaisical attitude held towards it by a corrupt government, the political subterfuge that made it necessary. Murder and manslaughter increased from the early 1990s till date because the political turmoil of the early 1990s and the nascent democratic dispensation which started in 1999 till date and its associated thug-gery and political assassinations. Despite the increased efficiency of the Police force, murder continues to gain grounds in the Nigerian state because of the purpose it serves for political players who usually go scot free. On the other hand frustration has risen among the populace following the 1999 elections, thus making murder and manslaughter attractive as a crime for certain people.

Suicide

Suicide (Latin *suicidium*, from *sui caedere*, to kill oneself) is the intentional killing of oneself. The most common cause is an underlying mental disorder which include depression, bipolar disorder, schizophrenia, alcoholism and drug abuse (van Herringen, 2009). Financial difficulties or other undesirable situations play a significant role.

Over one million people commit suicide every year, making it the tenth-leading cause of death worldwide. It is a leading cause of death among teenagers and adults under 35 (O'Connor & Sheehy, 2000). There are an estimated 10 to 20 million non-fatal attempted suicides every year worldwide (Bertolote and Fleischmann, 2002).

Views on suicide have been influenced by broader cultural views on existential themes such as religion, honor, and the meaning of life. The Abrahamic religions consider suicide an offense towards God due to religious belief in the sanctity of life. In the West, it was often regarded as a serious crime. Conversely, during the samurai era in Japan, seppuku was respected as a means of atonement for failure or as a form of protest. In the 20th century, suicide in the form of self-immolation has been used as a form of protest, and in the form of kamikaze and suicide bombing as a military or terrorist tactic. Sati is a Hindu funeral practice in which the widow would immolate herself on her husband's funeral pyre, either willingly, or under pressure from the family and in-laws.

Medically assisted suicide (euthanasia, or the right to die) is currently a controversial ethical issue involving people who are terminally ill, in extreme pain, or have (perceived or construed) minimal quality of life through injury or illness. Self-sacrifice for others is not usually considered suicide, as the goal is not to kill oneself but to save another.

Pre-Colonial Nigeria

Suicide existed in pre-colonial Nigeria. Suicide was usually an option open to people who were tired of the injustice in the society, or who had been disgraced and had to save face. It was not considered a crime in many parts of Nigeria. In some parts however, it was a taboo to take one's own life. Rejected kings or chieftains were allowed or forced to commit suicide. The afterlife companions (Abobaku) were known to commit suicide when kings died.

Colonial Nigeria

The incidence of suicide was not very prevalent in colonial Nigeria because the colonial masters discouraged it and had a strong police force to discourage it. Suicide existed at this time, but it existed at a lower level as compared to its trend in pre-colonial days because the colonialists made it a crime and had taught the people to frown at it.

Post-Colonial Nigeria

Suicide existed in a minor form in post-colonial Nigeria between 1960 and 1966 because the instruments of social control in Nigeria like the police force at that time were competent. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and suicide became an option for some civilians and soldiers because of the privation, frustration and hopelessness of their situation. During this period, suicide was normal. From 1970 till the early 1990s suicide remained an issue because of the poor economy and unfavourable governmental policies that strangled businesses during that period. Suicide has decreased from the early 1990s till date because the political terrain is more favourable to businesses and life is a bit less frustrating. The cases of suicide at this period were usually among those who had made poor financial investments and lost.

SELF-ASSESSMENT EXERCISE 2

Compare and contrast the incidence of murder and suicide in pre-colonial, colonial and post-colonial Nigeria.

3.3   Rape/Indecent Assault/Statutory Rape

Rape

In criminal law, **rape** is an assault by a person involving sexual intercourse with another person without that person's consent. Outside of law, the term is often used interchangeably with sexual assault; closely related, but in most jurisdictions, technically distinct form of assault including rape and other forms of non-consensual sexual activity (Garcia-Moreno, 2005, Robert et al, 2009).

Indecent Assault

Indecent assault is an offence of aggravated assault in many jurisdictions. where?] It is characterised as a sex crime. It was defined as any unwanted sexual behaviour or touching which is forced upon people against their will. It may include forcing

someone to watch pornography or masturbation. This is also related to physical attack cases, including but not explicit to unwanted oral sex.

The mens rea and actus reus of indecent assault are essentially as for common law assault and/or battery. However, there is the additional element of 'indecent circumstances'. Indecent circumstances are currently identified by the following:

An offence is indecent if a 'reasonable person' would believe it indecent, whatever the belief of the accused.

An offence is not indecent if a 'reasonable person' would believe it not indecent, whatever may be the belief of the accused.

If the offence cannot be assigned to either preceding category, then it will be indecent if it can be shown that the accused thought it indecent.

Pre-Colonial Nigeria

Rape and indecent assault existed in pre-colonial Nigeria, usually a crime committed during war periods or by marauding warlords. It is only in a few cases that rape was willfully committed by private citizens and powerful chiefs who needed to sample a woman who caught their fancy. The low incidence of rape during this period can be traced to the strict laws that were put in place to discourage it. Rape and indecent assault was regarded as a taboo then because of the moral sanctity attached to virginity in unmarried females and sole ownership of married females by their lawful husbands.

Colonial Nigeria

The incidence of rape and indecent assault was not very prevalent in colonial Nigeria because the colonial masters had a strong police force to discourage crime and enforce the law. Rape existed, but it was similar to what existed in pre-colonial days. Indecent assault was perpetrated against slaves who were to be sold in the name of examination.

Post-Colonial Nigeria

Rape and indecent assault existed in a minor form in post-colonial Nigeria between 1960 and 1966 because the instruments of social control in Nigeria like the police force at that time were competent. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such rape as a crime in Nigeria escalated because of the need by

frustrated civilians and soldiers to satisfy their sexual urges at all cost. During this period, rape and indecent assault was not a crime but a necessary evil. From 1970 till the early 1980s the incidence of rape went down because the economy was favourable, the cost of living was low, standard of living was high and marriage was inexpensive. Rape increased from the early 1990s till date because the economy became unfavourable, women began to dress provocatively, cultism boomed and sex became very expensive to buy.

Statutory Rape

The phrase ***statutory rape*** is a term used in some legal jurisdictions to describe sexual relations that occur when one participant is below the age required to legally consent to the behavior. Although it usually refers to adults engaging in sex with minors under the age of consent, the age at which individuals are considered competent to give consent to sexual conduct, it is a generic term, and very few jurisdictions use the actual term "statutory rape" in the language of statutes. Different jurisdictions use many different statutory terms for the crime, such as "sexual assault," "rape of a child," "corruption of a minor," "carnal knowledge of a minor," "unlawful carnal knowledge", or simply "carnal knowledge." Statutory rape differs from forcible rape in that overt force or threat need not be present. The laws presume coercion, because a minor or mentally challenged adult is legally incapable of giving consent to the act.

The term *statutory rape* generally refers to sex between an adult and a sexually mature minor past the age of puberty. Sexual relations with a prepubescent child, generically called "**child molestation**," is typically treated as a more serious crime.

Pre-Colonial Nigeria

Statutory rape did not exist in pre-colonial Nigeria. This is because the present age that makes statutory rape a crime today did not exist in pre-colonial Nigeria. If such a thing existed it was usually the sexual violation of children by mentally unbalanced individuals. Having sex with under-aged females was very prevalent in the northern part of Nigeria.

Colonial Nigeria

The incidence of statutory rape was very prevalent in colonial northern Nigeria because it was part of the culture in that region and was not considered a crime. Despite the fact that the colonial masters tried hard to discourage this crime in the north, it persisted.

Post-Colonial Nigeria

Statutory rape existed in post-colonial northern Nigeria between 1960 and 1966. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness. As such, statutory rape as a crime escalated to the southern part of Nigeria because of the need by frustrated civilians and soldiers to satisfy their sexual urges at all cost. During this period, statutory rape was not a crime but a necessary evil. From 1970 till the early 1980s the incidence of statutory rape went down in the southern part of Nigeria because the law against it was strict and similar to the law against rape. Statutory rape has increased from the early 1990s till date because the economy became unfavourable, matured women became more difficult to get as sexual partners, female child precociousness increased and the society became less lax about it.

SELF-ASSESSMENT EXERCISE 3

Describe the trend of rape, indecent assault and statutory rape in Nigeria from pre-colonial times till date.

3.4   Perjury/Blackmail

Perjury

Perjury, also known as forswearing, is the willful act of swearing a false oath or affirmation to tell the truth, whether spoken or in writing, concerning matters material to a judicial proceeding. That is, the witness falsely promises to tell the truth about matters which affect the outcome of the case. For example, it is not considered perjury to lie about one's age unless age is a factor in determining the legal result, such as eligibility for old age retirement benefits.

Perjury is considered a serious offense as it can be used to usurp the power of the courts, resulting in miscarriages of justice. In the United States, for example, the general perjury statute under Federal law defines perjury as a felony and provides for a prison sentence of up to five years. In the United Kingdom a potential penalty for perjury is a prison sentence of up to 7 years. However prosecutions for perjury are rare. A similar situation exists in Nigeria as patterned after British law.

Pre-Colonial Nigeria

Perjury existed to some extent in pre-colonial Nigeria. This was usually common among offenders who tried to talk their way out of a problem or crime. A few individuals however perjured themselves to protect

influential members of the society from being indicted. This crime was very rare because the witchdoctors and traditional priests were able to nip this in the bud because they used trials by ordeals and occultic oaths to forestall it.

Colonial Nigeria

The incidence of perjury increased in colonial Nigeria because adjudication became adversarial. The colonial masters entrenched it by introducing formal courts and shunting oath taking from traditional swearing with oracular material to the use of the bible and the quran which were not efficacious in guaranteeing the truth. This made lies difficult to detect. Furthermore, officials of the colonial government engaged in perjury to protect themselves when they got into trouble and they trained their subordinates to do so.

Post-Colonial Nigeria

Perjury existed in a minor form in post-colonial Nigeria between 1960 and 1967 among civilian citizens and members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and perjury by civilians and members of the military government who were appearing before military tribunals increased because of a need to save their lives. From 1971 till date perjury continues to be a problem because of peoples' need to win cases at all cost.

Blackmail

Blackmail is the crime of threatening to reveal substantially true information about a person to the public, a family member, or associates unless a demand made upon the victim is met. This information is usually of an embarrassing, socially damaging, and/or incriminating nature. As the information is substantially true, the act of revealing the information may not be criminal in its own right nor amount to a civil law defamation; the crime is, making demands in exchange for withholding it. English Law creates a much broader definition of blackmail, covering any unwarranted demands with menaces, whether involving revealing information or not.

Blackmail is similar to extortion. The difference is that extortion involves an underlying, independent criminal act, while blackmail does not.

Blackmail is said to occur if, with a view to gain for himself/herself or another or with intent to cause loss to another, he/she makes any

unwarranted demand with menaces; and for this purpose a demand with menaces is unwarranted unless the person making it does so in the belief:

(a)   he/she has reasonable grounds for making the demand; and
(b)   the use of the menaces is a proper means of reinforcing the demand.

The Act uses the word "menaces", which is considered wider in scope than "threat" and involves a warning of any consequences known to be considered unpleasant by the intended victim. This covers the spectrum from actual or threatened violence to the victim or others, through damage to property, to the disclosure of information.

Pre-Colonial Nigeria

Blackmail existed to some extent in pre-colonial Nigeria. This was usually carried out by people who were contesting over chieftaincy or landed property. They used blackmail to disqualify their opponents if such opponents had secrets (skeletons in their cupboards). Some people were blackmailed with their historical antecedents or the crimes of their antecedents in order to engage in acts of omission or commission.

Colonial Nigeria

The incidence of blackmail increased in colonial Nigeria because the colonial masters entrenched it by setting false standards for employing natives into their service. The natives in order to have the best chance of getting the job, position or contract blackmailed each other by threatening to tell tales to the white men about their opponents. Furthermore, officials of the colonial government thrived on blackmail in order to get the natives to do their biddings. They always had a dossier containing the secret weaknesses and failings of their associates and contacts in order to use it as leverage during business transactions. The local politicians at that time engaged a lot in blackmail to improve their chances in politics and to gain favour with the colonialists. The blackmailed each other with offences ranging from sexual immorality, corruption, murder, bribery, embezzlement, mental insanity in the family, incest etc.

Post-Colonial Nigeria

Blackmail existed in a minor form in post-colonial Nigeria between 1960 and 1967 among civilian citizens and members of the civilian government in order to have better opportunities and an edge in getting

these perks. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and blackmail by civilians and members of the military government increased at that time various groups had the need to get others to engage in actions of omission and commission for their group or private interests. People were blackmailed with their war crimes and saboteur status to get them to do things against their will. From 1971 till date, blackmail continues to be a problem in politics, business and even marital life because of peoples' need to have a hold over others.

4.0   CONCLUSION

The history of person crime in the Nigerian state is indeed quite appalling and convoluted. Pre- colonial Nigeria had the lowest rate of person crime probably because of the strong hold the religious and cultural laws had over the people. Colonial Nigeria also had a low level of person crime because of the iron fist with which the colonial masters ruled the Nigerian colony. After independence, person crime rates were still low because the social control actors left by the colonialists were still in place. During and after the civil war, person crime escalated because of poverty, breakdown in law and order and corruption among government officials. A stronger security force seems to have attenuated person crime in Nigeria to an extent. (**See Appendix**).

5.0   SUMMARY

In this unit, we have been able to discuss the trend of person crimes in Nigeria. In the next unit we shall examine the trend of fiscal crime in Nigeria.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay regarding the history of kidnapping in Nigeria from pre--colonial times till date.
2.   Compare and contrast murder and suicide in pre-colonial, colonial and post colonial Nigeria till date.
3.   Describe the trend of rape and statutory rape in Nigeria from pre-colonial times till date.
4.   Is perjury a foreign import into the Nigerian state? Justify your answer.
5.   Blackmail is a natural phenomenon in the Nigerian state since prehistoric times. Do you agree?

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UNIT 3   PATTERNS OF FISCAL CRIME IN NIGERIA

CONTENTS

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1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms can be exhibited in a variety of ways. In the Nigerian state fiscal crimes have existed since humans inhabited the location and continue to exist. In this unit we will examine the trend and pattern of the fiscal crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- discover the trend of money laundering in Nigeria
- identify the trend of confidence trickery, fraud, advanced fee fraud and white collar crime in Nigeria
- explain the pattern of tax evasion and avoidance in Nigeria
- narrate the history of forgery in the Nigerian state.

3.0   MAIN CONTENT

3.1   Money Laundering

Money laundering is the process of recycling large amounts of money obtained from crimes such as political corruption, embezzlement or drug trafficking in such a way as to make it seem as though it was derived from legitimate sources (Business, investment or inheritance). It is a

crime in many jurisdictions with varying definitions. It is a key operation of the underground economy.

In US law, it is the practice of engaging in financial transactions to conceal the identity, source, or destination of illegally gained money. In UK law, the common law definition is wider. The act is defined as *taking any action with property of any form which is either in whole or in part, the proceeds of a crime that will disguise the fact that that property is the proceeds of a crime or obscure the beneficial ownership of said property.*

In the past, the term "money laundering" was applied only to financial transactions related to organised crime. Today its definition is often expanded by government and international regulators such as the US Office of the Comptroller of the Currency to mean *any financial transaction which generates an asset or a value as the result of an illegal act*, which may involve actions such as tax evasion or false accounting. In the UK, it does not even need to involve money, but any economic good. Legally, it also involves money laundering committed by private individuals, drug dealers, businesses, corrupt officials, members of criminal Oganisations such as the Mafia, and even states.

As financial crime has become more complex, and "Financial Intelligence" (FININT) has become more recognised in combating international crime and terrorism, money laundering has become more prominent in political, economic, and legal debate. Money laundering is ipso facto illegal; the acts generating the money almost always are themselves criminal in some way (for if not, the money would not need to be laundered). Nigeria has also joined the bandwagon in recognising money laundering as a crime.

Pre-Colonial Nigeria

Money laundering did not exist in pre-colonial Nigeria. This was because cash as a legal tender did not exist then and when it came into existence, it was too scarce to be stolen in bulk and laundered.

Colonial Nigeria

The incidence of money laundering started in colonial Nigeria because the colonial masters embezzled a lot of resources from Nigeria and laundered it in Britain.

Post-Colonial Nigeria

Money laundering existed in a minor form in post-colonial Nigeria between 1960 and 1967 among members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such money laundering by profiteers and members of the military government escalated because they had to look for a safe haven for their criminally derived wealth. During this period, money laundering was not a crime but a "must do" for those who had the opportunity. From 1970 till the late 1980s money laundering skyrocketed because the government during these periods (civilian and military) were very corrupt. Money laundering increased from the early 1990s till 2007 because of an increase in corruption among government officials, increase in ritual money, drug trafficking, the introduction of universal banking and weak financial control laws. From 2008 till date the spate of money laundering has reduced to an extent because of the presence of social control actors like EFCC and ICPC and bank reforms. Popular money launderers in Nigeria are Umaru Dikko (a former Nigerian Minister), Alamaisiaegba (a former Governor of Bayelsa State), Dariye (a former Governor of Plateau State) and Ibori (a former Governor of Delta State)

SELF-ASSESSMENT EXERCISE 1

Describe the history of money laundering in Nigeria till date with vivid examples.

3.2   Tax Avoidance/Tax Evasion

Tax avoidance is the legal utilisation of the tax regime to one's own advantage, to reduce the amount of tax that is payable by means that are within the law.

By contrast, **tax evasion** is the general term for efforts to not pay taxes by *illegal* means. The term **tax mitigation** is a synonym for *tax avoidance*. Its original use was by tax advisors as an alternative to the pejorative term *tax avoidance*. Lately, the term has also been used in the tax regulations of some jurisdictions to distinguish tax avoidance foreseen by the legislators from tax avoidance which exploits loopholes in the law.

Some of those attempting not to pay tax believe that they have discovered interpretations of the law that show that they are not subject to being taxed. These individuals and groups are sometimes called tax protesters. An unsuccessful tax protestor has been attempting openly to *evade* tax, while a successful one *avoids* tax. Tax resistance is the

declared refusal to pay a tax for conscientious reasons (because the resister does not want to support the government or some of its activities). Tax resisters typically do not take the position that the tax laws are themselves illegal or do not apply to them (as tax protesters do) and they are more concerned with not paying for particular government policies that they oppose.

Tax avoidance is the legal utilisation of the tax regime to one's own advantage, to reduce the amount of tax that is payable by means that are within the law. The United States Supreme Court has stated that "The legal right of an individual to decrease the amount of what would otherwise be his taxes or altogether avoid them, by means which the law permits, cannot be doubted."

By contrast **tax evasion** is the general term for efforts by individuals, firms, trusts and other entities to evade taxes by illegal means. Tax evasion usually entails taxpayers deliberately misrepresenting or concealing the true state of their affairs to the tax authorities to reduce their tax liability, and includes, in particular, dishonest tax reporting (such as declaring less income, profits or gains than actually earned; or overstating deductions).

Pre-Colonial Nigeria

Tax evasion and avoidance existed in pre-colonial Nigeria. This was because communities taxed their members for development projects at that time. Furthermore, when pre-colonial kingdoms and empires conquered some other nations, they colonised them and taxed them. Some of the taxed community members or conquered nation outrightly evaded the tax while some avoided the tax. This usually had negative repercussions for the offenders.

Colonial Nigeria

The incidence of tax evasion and avoidance increased drastically in colonial Nigeria because the colonial masters placed a huge tax burden on the peoples of Nigeria. These tax burdens became too heavy at a point and some communities avoided or evaded just like they did in pre-colonial times. Other communities avoided or evaded taxes to spite the colonial government. The reprisals carried out by the colonial government against tax avoiders and evaders are replete in Nigerian history.

Post-Colonial Nigeria

Tax evasion and avoidance increased in post-colonial Nigeria between 1960 and 1967 among members of the Nigerian public. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such tax evasion and avoidance by individual citizens escalated because they had personal needs to cater for in that "survival of the toughest environment". During this period, a lot of people and organisations avoided or evaded tax in order to spite the two governments at war at that time. From 1970 till the late 1990s tax evasion and avoidance skyrocketed because the governments during these periods (civilian and military) were very corrupt and focused on oil as their major source of income, they lacked an understanding of how to administer tax laws effectively and rarely used the collected tax for what was promised the masses. Tax evasion and avoidance decreased from the early 2000s till date because of introduction of tax reforms, stronger tax administration laws, Value Added Tax and the inauguration of the Federal Inland Revenue Service. The aforementioned constrained both private citizens to be more forthcoming with paying their taxes since tax evasion or avoidance became a prosecutable crime.

SELF-ASSESSMENT EXERCISE 2

Briefly discuss changes in the phenomenon of tax evasion and tax avoidance in Nigerian history.

3.3   Confidence trickery/fraud/advance fee fraud

Confidence trickery

A **confidence trick** or **confidence game** (also known as a **bunko**, **con**, **flim flam**, **gaffle**, **grift**, **hustle**, **scam**, **scheme**, **swindle** or **bamboozle (gbajue, abracadabra, or ozigabuyaya in Nigeria**) is an attempt to defraud a person or group by gaining their confidence. The victim is known as the *mark* ("mugun" or "maga"in Nigeria), the trickster is called a *confidence man*, *con man*, *confidence trickster*, or *con artist*, and any accomplices are known as shills. Confidence men exploit human characteristics such as greed and dishonesty, and have victimised individuals from all walks of life.

Confidence tricks exploit typical human qualities such as greed, dishonesty, vanity, honesty, compassion, credulity and naïveté. The common factor is that the mark relies on the good faith of the con artist. Just as there is no typical profile for swindlers, neither is there one for their victims. Virtually anyone can fall prey to fraudulent crimes. Certainly victims of high-yield investment frauds may possess a level of

greed which exceeds their caution as well as a willingness to believe what they want to believe. However, not all fraud victims are greedy, risk-taking, self-deceptive individuals looking to make a quick dollar. Also not all fraud victims are naïve, uneducated, or elderly.

A greedy or dishonest mark may attempt to out-cheat the con artist, only to discover that he or she has been manipulated into losing from the very beginning. This is such a general principle in confidence tricks that there is a saying among con men that "you can't cheat an honest man."

The confidence trickster often works with one or more accomplices called shills, who help manipulate the mark into accepting the con man's plan. In a traditional confidence trick, the mark is led to believe that he will be able to win money or some other prize by doing some task. The accomplices may pretend to be strangers who have benefited from performing the task in the past.

Fraud

In the broadest sense, a **fraud** is an intentional deception made for personal gain or to damage another individual; the related adjective is **fraudulent**. The specific legal definition varies by legal jurisdiction. Fraud is a crime, and also a civil law violation. Defrauding people or entities of money or valuables is a common purpose of fraud, but there have also been fraudulent "discoveries", e.g. in science, to gain prestige rather than immediate monetary gain.

A hoax also involves deception, but without the intention of gain, or of damaging or depriving the victim; the intention is often humorous.

Fraud can be committed through many media, including mail, wire, phone, and the Internet (computer crime and Internet fraud). The difficulty of checking identity and legitimacy online, and the ease with which hackers can divert browsers to dishonest sites and steal credit card details, the international dimensions of the web and ease with which users can hide their location, all contribute to the very rapid growth of Internet fraud.

Types of criminal fraud include:

- bait and switch
- bankruptcy fraud
- benefit fraud, committing fraud to get government benefits
- charlatanism (psychic and occult),
- confidence tricks such as the 419 fraud and Spanish Prisoner

- selling counterfeit goods which are not what they claim to be, e.g., designer clothing, fake works of art, archaeological objects, etc.
- creation of false companies or "long firms"
- embezzlement, taking money which one has been entrusted with on behalf of another party
- false advertising
- false billing
- false insurance claims
- forgery of documents or signatures,
- health fraud, for example selling of products known not to be effective, such as quack medicines,
- identity theft
- investment frauds, such as Baba Ijebu schemes and quick financial turnover scheme.
- Religious fraud
- marriage fraud to obtain immigration rights without entitlement
- rigged gambling games such as the shell game
- securities frauds such as pump and dump
- taking payment for goods ordered with no intention of delivering them
- tax fraud, not reporting revenue or illegally avoiding taxes (tax evasion). In some countries tax fraud is also prosecuted under false billing or tax forgery

Advance-fee fraud

An **advance-fee fraud** is a confidence trick in which the target is persuaded to advance sums of money to facilitate a business deal in the hope of realising a significantly larger gain. Among the variations on this type of scam, are the **Nigerian Letter** (also called the **419 fraud**, **Nigerian scam**, **Nigerian bank scam**, or **Nigerian money offer**), the Spanish Prisoner, the black money scam as well as **Russian/Ukrainian scam** (also extremely widespread, though far less popular than the former). The so-called Russian and Nigerian scams stand for wholly dissimilar organised-crime traditions; they therefore tend to use altogether different breeds of approaches.

Although similar to older scams such as the Spanish Prisoner, the modern 419 scam originated in the early 1980s as the oil-based Nigerian economy declined. Several unemployed university graduates first used this scam as a means of manipulating business visitors interested in shady deals in the Nigerian oil sector before targeting businessmen in the west, and later the wider population. Scammers in the early-to-mid 1990s targeted companies, sending scam messages via letter, fax, or

Telex. The spread of e-mail and easy access to e-mail-harvesting software significantly lowered the cost of sending scam letters by using the Internet. In the 2000s, the 419 scam has spurred imitations from other locations in Africa, Asia and Eastern Europe, and, more recently, from North America, Western Europe (mainly United Kingdom and Netherlands), and Australia.

The number "419" refers to the article of the Nigerian Criminal Code (part of Chapter 38: "Obtaining Property by false pretences; Cheating") dealing with fraud.

The advance-fee fraud is similar to a much older scam known as the Spanish Prisoner scam in which the trickster tells the victim that a rich prisoner promised to share treasure with the victim in exchange for money to bribe prison guards. An older version of this scam existed by the end of 18th century, and is called "the Letter from Jerusalem" by Eugène François Vidocq, in his memoirs.

Embassies and other Oganisations warn visitors to various countries about 419. Countries in West Africa with warnings cited include Nigeria, Ghana, Benin, Côte d'Ivoire (Ivory Coast), Togo, Senegal and Burkina Faso. Countries outside West Africa with 419 warnings cited include South Africa, Spain, and the Netherlands.

Even developed nations operate such scam as well, but it's on a smaller scale and is less popular. For example they are advanced fee fraud e-mails originating from the United States primarily from the cities of Buffalo and Detroit posing as legitimate businesses transactions.

White-collar crime

Within the field of criminology, **white-collar crime** has been defined by Edwin Sutherland (1949) as a crime committed by a person of respectability and high social status in the course of his occupation. Sutherland was a proponent of symbolic interactionism and it was believed that criminal behavior was learned from interpersonal interaction with others. White-collar crime, therefore, overlaps with corporate crime because the opportunity for fraud, bribery, insider trading, embezzlement, computer crime, identity theft, and forgery is more available to white-collar employees.

Pre-Colonial Nigeria

Confidence trickery, fraud, advance fee fraud and white collar crime existed to some extent in pre-colonial Nigeria. This was usually common among a few witchdoctors and traditional priests who

defrauded unsuspecting clients more especially, barren women who needed children and women who had given birth to an Ogbanje child. They requested a lot of sacrificial gifts from their clients without doing anything tangible to attenuate their problems. There were times when kingmakers were partial in selecting a kingship candidate for coronation for financial gains.

Colonial Nigeria

The incidence of confidence trickery, fraud, advanced fee fraud and white collar crime continued in colonial Nigeria as it did in pre-colonial times. It further increased in colonial Nigeria because the colonial masters participated in it by using cheap articles like mirrors and hot drinks to collect countless slaves from pre-colonial Nigerian communities. The slave recruiters who were agents of the colonialists used deception like promises of greener pastures to villagers who volunteered to emigrate abroad as labourers but then sold them as slaves in markets in Europe. Furthermore, officials of the colonial government used their positions to commandeer a lot of resources in Nigeria at a cheap price, which they sent to Britain for processing and then shipped back in packaged form to Nigeria for sale at a high price.

Post-Colonial Nigeria

Confidence trickery, fraud, advanced fee fraud and white collar crime existed in a minor form in post-colonial Nigeria between 1960 and 1967 among members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and confidence trickery and fraud by profiteers and members of the military government regarding the fictitious supply of food, weapons and relief materials escalated because of selfishness and greed. From 1970 till the late 1970s confidence trickery, fraud advanced fee fraud and white collar crime was not too common, but it skyrocketed from the early 1980 till around 2007 because both the government and private civilians during these period (civilian and military era) were very corrupt and used their positions and connections to enrich themselves at the expense of the people. Confidence Trickery increased from the early 1990s till 2007 because of an increase in corruption among government officials, introduction of internet into the Nigerian state and a lackadaisical attitude among government officials. Words like "YAHOO BOYS" or "419" were popular at that period. Scams like the "SOGUNDOGOJI (MULTIPLICATION LURE OF TRANSFORMING 20 TO 200)" were rife. From 2008 till date the spate of confidence trickery and fraud has reduced to an extent because of the presence of social control actors like EFCC and ICPC and stronger, more effective anti-vice department of the police force.

SELF-ASSESSMENT EXERCISE 3

What do you know about the incidence of confidence trickery, fraud and advance fee fraud in Nigerian history?

3.4 Forgery

Forgery is the process of making, adapting, or imitating objects, statistics, or documents (see false document), with the intent to deceive. The similar crime of fraud is the crime of deceiving another, including through the use of objects obtained through forgery. Copies, studio replicas, and reproductions are not considered forgeries, though they may later become forgeries through knowing and willful misrepresentations. In the case of forging money or currency it is more often called counterfeiting. But consumer goods are also counterfeits when they are not manufactured or produced by designated manufacture or producer given on the label or flagged by the trademark symbol. When the object forged is a record or document it is often called a false document.

Pre-Colonial Nigeria

Forgery existed to some extent in pre-colonial Nigeria. This was usually common among a few king makers who imposed the wrong candidate as king against the will of the people and the gods and who had to forge the royal accoutrements (crown, scepter, staff, royal robes, necklaces, hand beads etc) to give legitimacy to their candidate being denied the original wardrobe. Witchdoctors and traditional priests also forged graven images/idols of powerful deities to win the followership of the people in their communities.

Colonial Nigeria

The incidence of forgery continued in colonial Nigeria as it did in pre-colonial times. It further increased in colonial Nigeria because the colonial masters participated in it by stealing traditional artifacts and replacing them with forgeries. Furthermore, officials of the colonial government forged letters purported to have come from Britain in order to advance themselves or to take private advantage of natural resources. The native politician and business people followed suit with forgeries when it suited them and when it gave them an advantage that advanced their political careers and business profits respectively.

Post-Colonial Nigeria

Forgery existed in a minor form in post-colonial Nigeria between 1960 and 1967 among members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and forgery of documents by profiteers and members of the military government regarding the fictitious supply of food, weapons and relief materials escalated because of selfishness and greed. Furthermore, the forgery of Nigerian currency increased during this period. From 1970 till the late 1970s forgery was not too common, but it skyrocketed from the early 1980 till around 2007 because both the government and private civilians during these periods (civilian and military era) were very corrupt and used forged documents to deceive the public and enrich themselves at the expense of the people. Forgery increased from the early 1990s till 2007 because of an increase in corruption among government officials, an unnecessary preoccupation with paper documents in the Nigerian state and a lackadaisical attitude among government officials. Words like "OLUWOLE" (a place in Lagos were all and any document could be forged including passports, visa, certificates of all kinds, currencies of all kind, signatures of all persons etc)" were rife. Individuals during this period forged the Nigerian currency with impunity. From 2008 till date the spate of forgery has reduced to an extent because of the presence of social control actors like EFCC and ICPC and stronger, more effective anti-vice department of the police force although the issue of electronic documentation is easily overcome by such entities.

SELF-ASSESSMENT EXERCISE 4

What do you know about the incidence of forgery in Nigerian history?

4.0   CONCLUSION

The history of fiscal crime in the Nigerian state is indeed interesting and shocking. Pre colonial Nigeria had the lowest rate of fiscal crime probably because of the strong hold the religious and cultural laws had over the people. Colonial Nigeria had a higher level of fiscal crime because of most of the colonialists who ruled the Nigerian colony were fraudsters. After independence, fiscal crime rates increased because those who took over from the colonialists had learned from them. During and after the civil war, fiscal crime escalated because of poverty, breakdown in law and order and corruption among government officials. Between the 1980s and 2007 fiscal crimes skyrocketed. From 2008 till date it has leveled out because of the stronger measures that were put in place to attenuate it. (**See Appendix**).

5.0 SUMMARY

In this unit, we have been able to discuss the trend of fiscal crimes in Nigeria. In the next unit we shall critically examine the trend of terroristic crime in Nigeria. Congratulations for the successful completion of this unit.

6.0 TUTOR-MARKED ASSIGNMENT

1. Write a short essay regarding the history of money laundering in Nigeria from precolonial times till date.
2. Compare and contrast tax evasion and tax avoidance in precolonial, colonial and post colonial Nigeria till date.
3. Describe the trend of confidence trickery, fraud and advance fee fraud in Nigeria from precolonial times till date.
4. Was forgery an inherent part of the Nigerian culture from antiquity till date? Argue.

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UNIT 4   PATTERNS OF TERRORISTIC CRIME IN NIGERIA

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
       3.1   Terrorism/Terrorist Financing
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4.0   Conclusion
5.0   Summary
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7.0   References/Further Reading

1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms has its history from antiquity. In the Nigerian state terroristic crimes have existed since humans inhabited the location and continue to exist. In this unit we will examine the trend and pattern of terroristic crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

-    discribe the trend of terrorism/terrorist financing in Nigeria
-    write the pattern of aircraft hijacking in Nigeria
-    discuss the trend of organised crime in Nigeria.

3.0   MAIN CONTENT

3.1   Terrorism

Terrorism in the most general sense, is the systematic use of terror especially as a means of coercion. At present, the International community has been unable to formulate a universally agreed, legally binding, criminal law definition of terrorism (Martyn, 2002, Thalif, 2005). Common definitions of terrorism refer only to those violent acts which are intended to create fear (terror) for an ideological goal (as opposed to a lone attack), and deliberately target or disregard the safety of non-combatants (civilians).

Some definitions also include acts of unlawful violence and war. The history of terrorist oganisations suggests that they do not select terrorism for its political effectiveness (Abrams, 2008). Individual terrorists tend to be motivated more by a desire for social solidarity with other members of their oganisation than by political platforms or strategic objectives, which are often murky and undefined.

The word "terrorism" is politically and emotionally charged, and this greatly compounds the difficulty of providing a precise definition (Hoffman, 1998). Studies have found over 100 definitions of terrorism. The concept of terrorism may itself be controversial as it is often used by state authorities to delegitimise political or other opponents, and potentially legitimise the state's own use of armed force against opponents (such use of force may itself be described as "terror" by opponents of the state.) (Nunberg, 2001, Gardner, 2008). A less politically and emotionally charged, and more easily definable, term is violent non-state actor (though the semantic scope of this term includes not only "terrorists," while excluding some individuals or groups who have previously been described as "terrorists") (Mendelsohn, 2005).

Terrorism has been practiced by a broad array of political oganisations for furthering their objectives. It has been practiced by right and left-wing political parties, nationalistic groups, religious groups, revolutionaries, and ruling governments (Encyclopedia Britannica). One form is the use of violence against noncombatants for the purpose of gaining publicity for a group, cause, or individual (Ruby, 2002).

Terrorist financing

Terrorist financing came into limelight after the events of terrorism on 9/11. The US passed the USA Patriot Act, among other reasons, to ensure that both Combating the Financing of Terrorism (CFT) and Anti-Money Laundering (AML) was given adequate focus by US financial institutions. The act also had extraterritorial impact and non-US banks having correspondent banking accounts or doing business with US banks had to upgrade their AML/CFT processes.

Initially, the focus of CFT efforts was on non-profit organisations, unregistered money services businesses (MSBs) (including so called underground banking or Hawalas) and the criminalisation of the act itself. The Financial Action Task Force on Money Laundering (FATF) made 9 special recommendations for CFT (first 8 then a year later added a 9th). These 9 recommendations have become the global standard for CFT and their effectiveness is assessed almost always in conjunction with AML.

The FATF Blacklist (the NCCT list) mechanism was used to coerce countries to bring about change.

Often linked in legislation and regulation, terrorist financing and money laundering are conceptual opposites. Money laundering is the process where cash raised from criminal activities is made to look legitimate for re-integration into the financial system, whereas terrorist financing cares little about the source of the funds, but it is what the funds are to be used for that defines its scope.

Pre-Colonial Nigeria

Terrorism and terrorist financing existed in a disguised form in pre-colonial Nigeria. This was usually so among renegade warlords and their mercenaries as perpetrated against the inhabitants of targeted villages. Certain kings, chiefs and disgruntled warlords usually financed terrorism to ensure that their warriors struck fear and terror into the minds of their victims. Terrorism was carried out by the generals who had authorisation from their patrons to kill, maim and kidnap targeted persons and destroy targeted property. A popular case was the terrorisation of the yoruba people of Ile Ife by the Ugbo people who were their neighbours. They did this by dressing like masquerades, wearing masks and using this psychological warfare ploy to cause terror. Other forms of terrorism in pre-colonial Nigeria were state sponsored terrorists by certain oracles like the Arochukwu oracle among the Igbo people and cult groups like the Oro group among the Yoruba people. The financiers in this latter case were the high priests or warrior kings who were the patrons of these groups.

Colonial Nigeria

The incidence of terrorism and terrorist financing continued in colonial Nigeria as it did in pre-colonial times. It further increased in colonial Nigeria because the colonial masters participated in it by using their police force and security operatives to terrorise the people. Furthermore, the state sponsored terrorism of colonial government was financed by the British government as headed by the queen and the cabinet. Citizens and communities as a whole were attacked and terrorised over taxes; People were out rightly shot, some were sent into exile while their property were confiscated. The case of Jaja of Opobo and Ovomramwen Nogbaise, the Oba of Benin are popular example of terrorism directed at individuals. The massacre during the Aba riot is a popular case of terrorism directed at a community.

Post-Colonial Nigeria

Terrorism and terrorist financing existed in a minor form in post-colonial Nigeria between 1960 and early 1965 among members of the civilian government. The terroristic acts then were state sponsored. Thugs who worked for the various political parties were unleashed during this period on the supporters of other political parties and the general public. Lives and property were mostly in danger during this period. Between 1965 and 1966, some members of the civilian government were murdered and overthrown by a military cabal and they were also murdered by another military cabal. After this episode, the leadership of the military regime in power at the time instigated the Hausa and Fulani people in the northern part of Nigeria to slaughter the igbo people resident there as a fallout of the coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawless madness and terrorism by death squads and kamikaze pilots under the sponsorship of the military governments heading the Nigerian and Biafran government. The residents of the Mid-Western region were terrorised by soldiers on both sides under the threat of being saboteurs. From 1970 till the early 1980s terrorism was perpetrated by the politicians in acts of violence against opponents using thugs. The case of "WETIE" (the burning of the persons who belonged to opposing political parties and their properties) was very common during this period. Terrorism increased in the early 1980 till around 1999 because the military government terrorised the people with task forces. This was more pronounced under the Abacha regime because he set out to destroy all opposition to his leadership with his death squads and security operatives. The name Al Mustapha and Seargeant Rogers are popular as linked to state sponsored terrorists under Abacha. Terrorism in Nigeria increased from 1999 till date more especially in the Niger-Delta region with militant youths kidnapping oil workers and their families for ransom. Some of the victims were relatives of politicians. Furthermore, the blowing up of oil installations like pipelines and the execution of targetted individuals were rife. Under the Obasanjo Administration, state sponsored terrorism recurred in places like Odi village in Bayelsa State where uniformed Nigerian soldiers were ordered to kill innocent civilians and to destroy their property. Presently apart from the Niger-Delta terrorism, the case of "BOKO HARAM" a terrorist group and initiative in the northern part of Nigeria is worthy of note. The Islamic religion seems to form the background and foundation of boko haram. Although its ring leaders were captured after killing many police officers and civilians and trying to smuggle explosive bombs into the House of Assembly in Abuja, their financers in government keep recruiting new fanatical members. Nigeria was placed on the "World Terrorist Watch list in 2009 and later removed from the list early in 2010. The reason for this is probably because Nigeria has not exported its own brand of terrorism.

SELF-ASSESSMENT EXERCISE 1

Write a concise essay concerning the historical topography of terrorism and terrorist financing in Nigeria since the days of yore till date.

3.2   Aircraft Hijacking

Aircraft hijacking (also known as **skyjacking** and **sky controlling**) is the unlawful seizure of an aircraft either by an individual or by a group. In most cases, the pilot is forced to fly according to the orders of the hijackers. However, there have been cases where the hijackers have flown the aircraft themselves. In at least one case, a plane was hijacked by the official pilot (Raman, 2000).

Unlike the hijacking of land vehicles or ships, skyjacking is usually not perpetrated in order to rob the cargo. Most aircraft hijackings are committed to use the passengers as hostages. Motives vary from demanding the release of certain inmates (notably IC-814) to highlighting the grievances of a particular community (notably AF 8969). Hijacking may also be carried out so as to use the aircraft as a weapon to target a particular location (notably September 11, 2001 attacks). Other hijackers may hold the hostages for ransom.

Most hijackings for hostages result in a series negotiation between the hijackers and the authorities, followed by some form of settlement. However, these settlements do not always meet the hijackers' original demands. If the hijackers show no sign of surrendering, armed Special Forces may be used by authorities to rescue the hostages (notably Operation Entebbe).

Pre-Colonial Nigeria

Aircraft hijacking never existed in pre-colonial Nigeria. This was because there were no such things as airplanes at that time in the entity called Nigeria.

Colonial Nigeria

The incidence of aircraft hijacking never existed in colonial Nigeria because aircrafts were scarce at that time and no tangible reason existed at that time to hijack one among Nigerian.

Post-Colonial Nigeria

Aircraft hijacking never existed in post colonial Nigeria except between 1967 to 1970, the period of the civil war years in Nigeria. During this

periods, aircrafts were hijacked by the soldiers of both the Nigerian and Biafran state in order to ferry documents, necessary supply and personnel as ordered by their leaders. In most cases the hijacking was masterminded by mercenaries working for both sides. From 1971 till date aircraft hijacking has not been an issue because terrorism at that level did not exist in the Nigerian state.

SELF-ASSESSMENT EXERCISE 2

Aircraft hijacking is strange in the Nigerian state. Argue.

3.3   Organised Crime

Organised crime or **criminal oganisations** is a transnational grouping of highly centralised enterprises run by criminals for the purpose of engaging in illegal activity, most commonly for the purpose of generating a monetary profit. The *organised crime control act* (U.S., 1970) defines organised crime as "The unlawful activities of a highly organised, disciplined association.

Mafia is a term used to describe a number of criminal oganisations around the world. The first oganisation to bear the label was the Sicilian Mafia based in Italy, known to its members as Cosa Nostra. In the United States, "the Mafia" generally refers to the American Mafia. Other powerful oganisations described as mafias include the Russian Mafia, the Chinese Triads, the Albanian Mafia, Bosnian mafia, the Irish Mob, the Japanese Yakuza, the Neapolitan Camorra, the Calabrian 'Ndrangheta, the Indian Mafia, the Unione Corse, Serbian Mafia, and the Bulgarian mafia. There are also a number of localised mafia oganisations around the world bearing no link to any specific racial background.

Some criminal oganisations, such as terrorist oganisations, are politically motivated (see VNSA). Gangs may become "disciplined" enough to be considered "organised". An organised gang or criminal set can also be referred to as a mob. The act of engaging in criminal activity as a structured group is referred to in the United States as racketeering.

Pre-Colonial Nigeria

Organised crime never existed in pre-colonial Nigeria. This was because crime among individuals was seriously discouraged thus making the concerted effort to engage in organised crime impossible.

Colonial Nigeria

The incidence of organised crime was born in Nigeria during the colonial because the colonial masters started it. They did this by establishing organisations like the Niger Royal Company to steal the natural and traditional resources of the Nigerian state. All opposition at the local level like Jaja of Opobo were run out of business and exiled. The slave trade in Nigeria at the time was an organised crime. Furthermore, the colonial government had the instrument of social control to make their crimes unchallengeable.

Post-Colonial Nigeria

Organised crime existed in a minor form in post-colonial Nigeria between 1960 and 1967 among members of the civilian government who sold certain natural resources like cocoa, coal, groundnut etc for personalised family profit. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness which further led to a surge in organised crime by profiteers and some members of the military government regarding the stealing of food, weapons and relief materials due to selfishness and greed. From 1970 till the late 1970s organised crime was applied to the oil industry. From the early 1980 till around the mid 1980s organised crime reduced drastically because the government at that time kecked against indiscipline. Organised crime increased from the late 1980s till the late 1990s because of an increase in corruption among the military government officials at that time. Some citizens engaged in arms running, drug trafficking, smuggling of alcohol, clothes and foodstuff from Benin Republic. Others organised robbery gangs, established a fencing business, posted bail for members of the gangs who were arrested, bribed police officers and laundered the dirty money. From 1999 till date the organised crime has been more tied to the oil business and its spate has reduced drastically because of the presence of social control actors like EFCC and ICPC and stronger, more effective anti-crime department of the police force.

SELF-ASSESSMENT EXERCISE 3

Organised crime and the mafia mentally were imported into the Nigerian state. Argue.

4.0   CONCLUSION

The history of terroristic crime in the Nigerian is indeed a chimera. Pre-colonial Nigeria had a low level of terroristic crime probably because of the strong hold the religious and cultural laws had over the people. Colonial Nigeria had the highest level of terroristic crime because the

colonialists who ruled the Nigerian colony had an efficiently organised system of exploiting the resources of the Nigerian colony. After independence, terroristic crime rates decreased because those who took over from the colonialists had learned from them but were constrained by the people. During the civil war, terroristic crime escalated because of poverty, breakdown in law and order and corruption among profiteers and government officials. Between the 1971 and the early 1980s terroristic (organised) crimes dropped as a result of strong social control measures that were put in place. Between the mid 1980s and the late 1990s terroristic crime skyrocketed because of the corruption of the military regime that existed at that time. From 2000 till 2008 terroristic (terrorism) crime skyrocketed in the Niger-Delta region and from 2009 till date terrorism and organised crime has leveled out because of the more efficient measures that were put in place to attenuate it. (**See Appendix**).

5.0   SUMMARY

In this unit, we have been able to discuss the trend of terroristic crimes in Nigeria. In the next unit we shall critically examine the trend of trafficking crime in Nigeria.

6.0   TUTOR-MARKED ASSIGNMENT

1. Write a short essay regarding the history of terrorism and terrorist financing in Nigeria from pre-colonial times till date.
2. Aircraft hijacking is alien to the Nigeria state. Discuss.
3. Describe the trend of organised crime in Nigeria from pre-colonial times till date.

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UNIT 5   PATTERNS OF TRAFFICKING CRIME IN NIGERIA

CONTENTS

1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms has its history from antiquity. In the Nigerian state, trafficking crimes have existed since humans inhabited the location and continue to exist. In this unit we will examine the trend and pattern of trafficking crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the trend of arms trafficking in Nigeria
- describe the pattern of children trafficking in Nigeria
- recognise the trend of human trafficking in Nigeria
- describe the incidence of the illegal drug trade in Nigeria.

3.0   MAIN CONTENT

3.1   Arms Trafficking

Arms trafficking, also known as **gunrunning** is the illegal trafficking or smuggling of contraband weapons or ammunition.

Pre-Colonial Nigeria

Arms trafficking never existed in pre-colonial Nigeria. This was because there were no such things as guns and ammunitions to be run at that time in the entity called Nigeria.

Colonial Nigeria

Arms trafficking existed at a low level in colonial Nigeria because at that time all guns and ammunitions were under the control of the colonial government. The small scale of arms trafficking that occurred a few years prior to independence was carried out by Nigerian politicians who felt there was a need to prepare to fight to gain independence from the colonialists. It proved unnecessary in the end.

Post-Colonial Nigeria

Arms trafficking were quite low in post colonial Nigeria between independence and 1966 simply because some politicians felt a need to prepare for the future. Between 1967 and 1970, the civil war years in Nigeria, arms trafficking escalated among the people of eastern Nigeria as commissioned by Colonel Ojukwu and carried out by Arthur Nzeribe. The military government of Nigeria under General Gowon also engaged in this trade. During the period, aircraft, boats and trucks were used by profiteers and profit chasing soldiers of both the Nigerian and Biafran state to ferry arms from foreign countries like Britain, France, Israel and other African countries for sale in Nigeria. In some cases the arms trafficking was masterminded by mercenaries working for both the Biafran and Nigerian sides. From 1971 till date arms trafficking has continued to increase as a crime because it finds ready customers among armed robbers, freedom fighters and terrorists in the Nigerian state.

SELF-ASSESSMENT EXERCISE 1

What do you know about the history of arms trafficking in Nigeria?

3.2   Child Trafficking

Trafficking of children

Trafficking of children is the recruitment, transportation, transfer, harboring, or receipt of children for the purpose of exploitation.

Commercial sexual exploitation of children can take many forms and include forcing a child into prostitution or other forms of sexual activity or child pornography. Child exploitation can also include forced labour

or services, slavery or practices similar to slavery, servitude, the removal of organs, illicit international adoption, trafficking for early marriage, recruitment as child soldiers, for use in begging or as athletes (such as child camel jockeys or football players), or for recruitment for cults.

Thailand and Brazil are considered to have the worst child sex trafficking records.

Pre-Colonial Nigeria

Child trafficking existed in pre-colonial Nigeria. This was because during especially bloody wars, children were captured as slaves and used in the homes and farms of their captors as servants while the female children are taken as concubines. Some of the children were used as human sacrifices to propitiate the gods.

Colonial Nigeria

Child trafficking escalated in colonial Nigeria because at that the colonial government encouraged the slave trade and in some cases specifically demanded child slaves from their agents in various communities and the professional slave traders of the time.

Post-Colonial Nigeria

Child trafficking ceased in post colonial Nigeria between independence and 1966 simply because there was no market for it. Between 1967 and 1970, the civil war years in Nigeria, the lawlessness spawned at that time caused child trafficking to escalate. This was carried out by profiteers and profit chasing soldiers of both the Nigerian and Biafran state, who ferried them over to Benin Republic and Cameroun and from there they were moved to foreign countries like Britain, France, Portugal and Belgium to work as servants or sex slaves. From 1971 till date child trafficking has continued to increase as a crime, more especially in Cross River and Akwa Ibom states where children are transported to other parts of Nigeria and leased as house boys or house girls (servants) to paying clients. Children are also trafficked from countries like Togo, Senegal, Ghana and Benin Republic to Nigeria to serve as house helps or servants to paying clients in Nigeria. Despite the strong measures taken by the government to combat it, child trafficking continues to grow as a crime in Nigeria today.

SELF-ASSESSMENT EXERCISE 2

In your own words, explain the incidence of child trafficking in Nigeria from pre-colonial times till date.

3.3   Human Trafficking

Human trafficking

Human trafficking is the practice of people being tricked, lured, coerced or otherwise removed from their home or country, and then forced to work with no or low payment or on terms which are highly exploitative. The practice is considered to be the trade or commerce of people, which has many features of slavery, and which is illegal in most countries. The victims of human trafficking are used in a variety of situations, including prostitution, forced labor (including bonded labor or debt bondage) and other forms of involuntary servitude. The sale of babies and children for adoption or other purposes is also considered to be trafficking in those children.

Trafficking in human beings, sometimes called human trafficking, or in the much referred to case of sexual services, sex trafficking - is not the same as people smuggling. A smuggler will facilitate illegal entry into a country for a fee, but on arrival at their destination, the smuggled person is free; the trafficking victim is coerced in some way. Victims do not agree to be trafficked: they are tricked, lured by false promises, or forced into it. Traffickers use coercive tactics including deception, fraud, intimidation, isolation, physical threats and use of force, debt bondage or even force-feeding drugs to control their victims.

While the majority of victims are women, and sometimes children, other victims include men, women and children forced or conned into manual or cheap labor. Due to the illegal nature of trafficking, the exact extent is unknown. A US Government report published in 2003, estimates that 800,000-900,000 people worldwide are trafficked across borders each year. This figure does not include those who are trafficked internally.

Pre-Colonial Nigeria

Human trafficking existed in pre-colonial Nigeria. This was because during wars, people in the defeated villages or communities were captured as slaves and used in the homes and farms of their captors as servants while the females were taken as wives or concubines. Some of them were used as human sacrifices to propitiate the gods.

Colonial Nigeria

Human trafficking escalated in colonial Nigeria because at that time the colonial government encouraged the slave trade and in some cases specifically demanded more slaves from their agents in various communities and the professional slave traders of the time. The slave

recruiters who were agents of the colonialists used deception like promises of greener pastures to villagers who volunteered to emigrate abroad as labourers but then sold them as slaves in markets in Europe.

Post-Colonial Nigeria

Human trafficking ceased in post colonial Nigeria between independence and 1966 simply because there was no market for it. Between 1967 and 1970, the civil war years in Nigeria, the lawlessness spawned at that time caused human trafficking to escalate. This was carried out by profiteers and profit chasing soldiers of both the Nigerian and Biafran state, who ferried them over to Benin Republic and Cameroun and from there they were moved to foreign countries like Italy, Britain, France, Portugal and Belgium to work as prostitutes, pornography actors and actresses or sex slaves. From 1971 till date human trafficking has continued to increase as a crime, more especially in Edo, Delta, Cross River and Akwa Ibom states where women are transported to other parts of Nigeria and leased to brothel owners as prostitutes and made available to paying clients. Despite the strong measures taken by the government to combat it, human trafficking continues to grow as a crime in Nigeria today.

SELF-ASSESSMENT EXERCISE 3

Briefly discuss what you understand regarding the spate of human trafficking in the Nigerian state from antiquity till date.

Illegal Drug Trade

The **illegal drug trade** is a global black market consisting of the cultivation, manufacture, distribution and sale of illegal controlled drugs. Most jurisdictions prohibit trade, except under license, of many types of drugs by drug control laws. Some drugs, notably alcohol and tobacco, are outside the scope of these laws, but may be subject to control under other laws.

The illegal drug trade operated similarly to other underground markets. Various drug cartels specialize in the separate processes along the supply chain, often localized to maximize production efficiency and minimize damages caused by law enforcement. Depending on the profitability of each layer, cartels usually vary in size, consistency, and organisation. The chain ranges from low-level street dealers who may be individual drug users themselves, through street gangs and contractor-like middle men, up to multinational empires that rival governments in size. The UN report said the global drug trade generated an estimated $321.6 billion in 2003. With a world GDP of 36 trillion in the same

year, the illegal drug trade may be estimated as slightly less than 1% of total global commerce.

Illegal drugs may be grown in wilderness areas, on farms, produced in indoor/outdoor residential gardens, indoor hydroponics grow-ops, or manufactured in drug labs located anywhere from a residential basement to an abandoned facility. The common characteristic binding these production locations is that they are discreet to avoid of black market players, corruption is a problem, especially in poorer societies.

Consumption of illegal drugs is widespread globally. While consumers avoid taxation by buying on the black market, the high costs involved in protecting trade routes from law enforcement lead to inflated prices.

Additionally, various laws criminalize certain kinds of *trade* of drugs that are otherwise legal (for example, untaxed cigarettes). In these cases, the drugs are often manufactured and partially distributed by the normal legal channels, and diverted at some point into illegal channels.

Finally, many governments restrict the production and sale of large classes of drugs through prescription systems.

Pre-Colonial Nigeria

Drug trafficking never existed in pre-colonial Nigeria. This was because there was no need for it as there were no illegal drugs then.

Colonial Nigeria

The illegal drug trade did not exist in colonial Nigeria because at that time there were no illegal drugs in Nigeria and the colonial government had no laws pertaining to the nonexistent crime.

Post-Colonial Nigeria

The illegal drug trade did not exist in post colonial Nigeria between independence and 1966 simply because there was no market for it. Between 1967 to 1970, civil war broke out in Nigeria, and contrary to expectations, the lawlessness at that time did not spawn drug trafficking. A few foreign war mercenaries used hard drugs like cocaine and heroin to overcome fatigue and to cope with their duties at that time but it was limited to them and a few soldiers who were close to them. Between 1971 and 1980, drug trafficking was still a strange phenomenon in Nigeria. Starting from 1981 till 1993, drug trafficking became an issue in Nigeria with the case of Gloria Okon the cocaine pusher being a popular example. The Buhari/Idiagbon regime outlawed it and made

death by firing squad the punishment for it. During this period, some individuals had access to foreigners who linked them to the Colombian and Bolivian drug cartels and the term "drug barons" became common in Nigeria. This trade was carried out by profiteers and military leaders who wanted to make quick money. It was during this period that Nigeria was added to the illegal drug trade watch. From 1994 till date the illegal drug trade, more especially the trafficking aspect has continued to increase as a crime, more especially in the early and late 2000s with the culprits being local movie actors and musicians among others. The drugs are usually wrapped in polythene and ingested in Nigeria and then excreted at the destination. Many drug trafficking Nigerians caught in the western world for this crime have been incarcerated while those caught in Asia (Middle East or Far East) are summarily executed. Despite efforts to attenuate this crime, it still constitutes a nuisance because of its quick cash prospects.

SELF-ASSESSMENT EXERCISE 4

Trace the history of the illegal drug trade in Nigeria and justify why it is so difficult to curb.

4.0   CONCLUSION

The history of trafficking crime in the Nigerian state is not as straightforward as one would have expected. Pre colonial Nigeria had a very high level of child and human trafficking but a low level of arms and drug trafficking probably because of the peculiar religious and cultural laws governing the people. Colonial Nigeria had a similar trend to that represented in the pre-colonial era. After independence, trafficking crime rates skyrocketed because of the corruption of the governments that existed at the time. Despite the social control measures that were put in place to attenuate it, the problem still persists. (**See Appendix**)

5.0   SUMMARY

In this unit, we have been able to discuss the trend of trafficking crimes in Nigeria. In the next unit we shall critically examine the trend of government crime in Nigeria. Congratulations for the successful completion of this unit.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay regarding the history of arms trafficking in Nigeria from pre-colonial times till date.
2.   Child trafficking was invented in pre-colonial Nigeria. Justify.
3.   Human trafficking is not a strange phenomenon in Nigeria. Argue.
4.   Describe the trend of the illegal drug trade in Nigeria from pre-colonial times till date.

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MODULE 5   PATTERNS AND TREND OF DELINQUENCY IN NIGERIA II

Unit 1   Patterns of Government Political Crime in Nigeria
Unit 2   Patterns of Physical Body Crime in Nigeria
Unit 3   Patterns of School Oriented Delinquency in Nigeria
Unit 4   Patterns of Crime Oriented Delinquency in Nigeria
Unit 5   Patterns of Antisocial Delinquency in Nigeria

UNIT 1   PATTERNS OF GOVERNMENT POLITICAL CRIME IN NIGERIA

CONTENTS

1.0   Introduction
2.0   Objectives
3.0   Main Content
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        3.2   Trading in Influence/Patronage/Nepotism-Cronyism
        3.3   Electoral Fraud/Kickbacks/Embezzlement/Unholy
                Alliances
4.0   Conclusion
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6.0   Tutor-Marked Assignment
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1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms has its history from antiquity. In the Nigerian state government crimes have existed since humans inhabited the location and continue to exist. In this unit we will examine the trend and pattern of government political crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to explain the:

- trend of Political corruption/bribery/extortion in Nigeria
- pattern of Trading in influence/patronage/nepotism-cronyism in Nigeria
- trend of electoral fraud/kickbacks/embezzlement/unholy alliances in Nigeria.

3.0   MAIN CONTENT

3.1   Political Corruption/Bribery/Extortion

Political corruption is the use of legislated powers by government officials for illegitimate private gain. Misuse of government power for other purposes, such as repression of political opponents and general police brutality, is not considered political corruption. Neither are illegal acts by private persons or corporations not directly involved with the government. An illegal act by an officeholder constitutes political corruption only if the act is directly related to their official duties.

The activities that constitute illegal corruption differ depending on the country or jurisdiction. For instance, certain political funding practices that are legal in one place may be illegal in another. In some cases, government officials have broad or poorly defined powers, which make it difficult to distinguish between legal and illegal actions. Worldwide, bribery alone is estimated to involve over 1 trillion US dollars annually. A state of unrestrained political corruption is known as a kleptocracy, literally meaning "rule by thieves".

Bribery

A bribe is a payment given personally to a government official in exchange for his use of official powers. Bribery requires two participants: the one that gives the bribe and one that takes it. Either may initiate the corrupt offering; for example, a customs official may demand bribes to allowed (or disallowed) goods, or a smuggler might offer bribes to gain passage. In some countries, the culture of corruption extends to every aspect of public life, making it extremely difficult for individuals to stay in business without resorting to bribes. Bribes may be demanded in order for an official to do something he is already paid to do. They may also be demanded in order to bypass laws and regulations. In addition to using bribery for private financial gain, they are also used to intentionally and maliciously cause harm to another (i.e. no financial incentive). In some developing nations, up to half of the population has paid bribes during the past 12 months.

Extortion

The term extortion is often used metaphorically to refer to usury or price-gouging, though neither is legally considered extortion. It is also often used loosely to refer to everyday situations where one person feels indebted to another against his/her will, in order to receive an essential service or avoid legal consequences. For example, certain lawsuits, fees for services such as banking, automobile insurance, gasoline prices, and

even taxation, have all been labeled "legalised extortion" by people with various social or political beliefs.[citation needed]

Extortion does not require a threat of a criminal act, such as violence, merely a threat used to elicit actions, money, or property from the object of the extortion. Such threats include the filing of reports (true or not) of criminal behavior to the police, revelation of damaging facts (such as pictures of the object of the extortion in a compromising position), etc.

Pre-Colonial Nigeria

Political Corruption/Bribery/Extortion existed to some extent in pre-colonial Nigeria. This was usually common among a few witchdoctors and traditional priests who defrauded unsuspecting clients more especially women barren women who needed children and women who had given birth to an Ogbanje child. They requested a lot of sacrificial gifts from their clients without doing anything tangible to attenuate their problems. There were times when kingmakers were partial in selecting a kingship candidate for coronation for financial gains.

Colonial Nigeria

The incidence of political corruption / bribery/Extortion continued in colonial Nigeria as it did in pre-colonial times. It further increased in colonial Nigeria because the colonial masters participated in it by using cheap articles like mirrors and hot drinks to bribe village chiefs in order to have an uninterrupted supply of slaves from pre-colonial Nigerian communities. The slave recruiters who were agents of the colonialists also used deception like promises of greener pastures to villagers who volunteered to emigrate abroad as labourers but then sold them as slaves in markets in Europe. Furthermore, officials of the colonial government used their positions to commandeer a lot of resources in Nigeria at a cheap price, which they sent to Britain for processing and then shipped back in packaged form to Nigeria for sale at a high price. The local leaders who could have protested these activities were bribed to keep quiet.

Post-Colonial Nigeria

Political corruption/bribery/extortion existed in a major form in post-colonial Nigeria between 1960 and 1965 among members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and the issue of political corruption / bribery by members of the military government regarding the fictitious supply of food, weapons and relief materials escalated because of selfishness and greed. Bribes were given to foreign journalists to report false information about the

war. Bribes were given to mercenaries to destroy innocent civilians. From 1970 till the late 1970s political corruption / bribery was quite common, but it skyrocketed from the early 1980 till around 1987 because both government and private civilians during these period (civilian and military era) were very corrupt and used their positions and connections to enrich themselves at the expense of the people. Bribery increased from 1988 till 2007 because of an increase in corruption among government officials. From 2008 till date the spate of political corruption / bribery/extortion, although still high has leveled out because of the presence of social control actors like EFCC and ICPC and a stronger, more cooperative relationship with the INTERPOL.

SELF-ASSESSMENT EXERCISE 1

Trace the history of political corruption / bribery/extortion in Nigeria and justify why it is so difficult to curb.

3.2 Trading in Influence/Patronage/Nepotism and Cronyism

Trading in influence

Trading in influence, or influence peddling in certain countries, refers to the situation where a person is selling his/her influence over the decision process involving a third party (person or institution). The difference with bribery is that this is a tri-lateral relation. From a legal point of view, the role of the third party (who is the target of the influence) does not really matter although he/she can be an accessory in some instances. It can be difficult to make a distinction between this form of corruption and certain forms of extreme and poorly regulated lobbying where for instance law- or decision-makers can freely "sell" their vote, decision power or influence to those lobbyists who offer the highest retribution, including where for instance the latter act on behalf of powerful clients such as industrial groups who want to avoid the passing of certain environmental, social, or other regulations perceived as too stringent, etc.

Patronage

Patronage refers to favoring supporters, for example with government employment. This may be legitimate, as when a newly elected government changes the top officials in the administration in order to effectively implement its policy. It can be seen as corruption if this means that incompetent persons, as a payment for supporting the regime, are selected before more able ones. In nondemocracies, many government officials are often selected for loyalty rather than ability.

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They may be almost exclusively selected from particular groups (for example, Sunni Arabs in Saddam Hussein's Iraq, the nomenclatural in the Soviet Union, or the Junkers in Imperial Germany) that support the regime in return for such favors.

Nepotism and Cronyism

Favoring relatives (nepotism) or personal friends (cronyism) of an official is a form of illegitimate private gain. This may be combined with bribery, for example demanding that a business should employ a relative of an official controlling regulation affecting the business. The most extreme example is when the entire state is inherited, as in North Korea or Syria. A milder form of cronyism is an "old boy network", in which appointees to official positions are selected only from a closed and exclusive social network – such as the alumni of particular universities instead of appointing based on merit. In Nigeria, terms like IBB boys are used. Cases also occur in which the children of politicians also rise up to be politicians.

Seeking to harm enemies becomes corruption when official powers are illegitimately used as means to this end. For example, trumped-up charges are often brought up against journalists or writers who bring up politically sensitive issues, such as a politician's acceptance of bribes.

In the Indian political system, leadership of national and regional parties are passed from generation to generation creating a system in which a family holds the center of power, some examples are most of the Dravidian parties of south India and also the largest party in India - Congress.

Pre-Colonial Nigeria

Trading in influence, patronage and nepotism and cronyism existed to some extent in pre-colonial Nigeria. This was usually common when people were to be placed in positions of authority. Individuals who were in position of authority always exerted influence to make sure the members of their families or friends got the position or the advantage in a contest. It should be noted that in pre-colonial Nigeria titles were hereditary thus making nepotism a normal issue.

Colonial Nigeria

The incidence of trading in influence, patronage and nepotism and cronyism continued in colonial Nigeria as it did in pre-colonial times. It further increased in colonial Nigeria because the colonial masters participated in it by employing loyal citizens into the civil service. The

colonialists also sent their favourite natives for training in England. They eventually handed over power to northern candidates (who were more loyal and easily manipulated) at independence as compared to the southerners (who were more stubborn and antagonistic). Furthermore, officials of the colonial government used their positions to commandeer a lot of resources in Nigeria at a less than nothing. The local leaders who could have protested these activities were influenced to cooperate with gifts.

Post-Colonial Nigeria

Trading in influence, patronage and nepotism and cronyism existed in a major form in post-colonial Nigeria between 1960 and 1965 among members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and the issue of Trading in influence, patronage and nepotism and cronyism by members of the military government regarding the supply of food, weapons and relief materials to military and civilian personnel escalated because of selfishness and greed. Foreign journalists were influenced to report false information about the war. All lucrative contracts then were awarded to friends and relatives of mbers of government. From 1970 till the date trading in influence, patronage and nepotism and cronyism has skyrocketed because both government and private civilians during these periods (civilian and military era) were very corrupt and used their positions and connections to enrich themselves at the expense of the people. Trading in influence, patronage and nepotism and cronyism is believed to be one of the dividends of being in power (Government).

SELF-ASSESSMENT EXERCISE 2

Trading in influence, patronage and nepotism and cronyism is an inherent part of Nigerian culture. Do you agree?

3.3 Electoral Fraud / Embezzlement / Kickbacks / Unholy Alliances

Electoral fraud

Electoral fraud is illegal interference with the process of an election. Acts of fraud affect vote counts to bring about an election result, whether by increasing the vote share of the favored candidate, depressing the vote share of the rival candidates, or both. Also called voter fraud, the mechanisms involved include illegal voter registration, intimidation at polls, and improper vote counting.

Embezzlement

Embezzlement is outright theft of entrusted funds. It is a misappropriation of property. Another common type of embezzlement is that of entrusted government resources; for example, when a director of a public enterprise employs company workers to build or renovate his own house.

Embezzlement is a kind of financial fraud. For instance, a clerk or cashier handling large sums of money can embezzle cash from his or her employer, a lawyer can embezzle funds from clients' trust accounts, a financial advisor can embezzle funds from investors, or a spouse can embezzle funds from his or her partner. Embezzlement may range from the very minor in nature, involving only small amounts, to the immense, involving large sums and sophisticated schemes.

More often than not, embezzlement is performed in a manner that is premeditated, systematic and/or methodical, with the explicit intent to conceal the activities from other individuals, usually because it is being done without their knowledge or consent. Often it involves the trusted person embezzling only a small proportion or fraction of the funds received, in an attempt to minimise the risk of detection. If successful, embezzlements can continue for years (or even decades) without detection. It is often only when the funds are needed, or called upon for use, that the victims realize the funds or savings are missing and that they have been duped by the embezzler.

Kickbacks

A kickback is an official's share of misappropriated funds allocated from his or her organisation to an organisation involved in corrupt bidding. For example, suppose that a politician is in charge of choosing how to spend some public funds. He can give a contract to a company that is not the highest bidder, or allocate more than they deserve. In this case, the company benefits, and in exchange for betraying the public, the official receives a kickback payment, which is a portion of the sum the company received. This sum itself may be all or a portion of the difference between the actual (inflated) payment to the company and the (lower) market-based price that would have been paid had the bidding been competitive. Kickbacks are not limited to government officials; any situations in which people are entrusted to spend funds that do not belong to them are susceptible to this kind of corruption. Kickbacks are also common in the pharmaceutical industry, as many doctors and

physicians receive pay in return for added promotion and prescription of the drug these pharmaceutical companies are marketing.

Unholy alliances

An unholy alliance is a coalition among seemingly antagonistic groups, especially if one is religious,[7] for ad hoc or hidden gain. Like patronage, unholy alliances are not necessarily illegal, but unlike patronage, by its deceptive nature and often great financial resources, an unholy alliance can be much more dangerous to the public interest. An early, well-known use of the term was by Theodore Roosevelt, a former president of the United States of America.

Pre-Colonial Nigeria

Electoral Fraud / Embezzlement / Kickbacks / Unholy Alliances existed in a primitive form in pre-colonial Nigeria. These behaviours were usually exhibited when people then struggled over chieftaincy positions and landed property. Individuals who were in positions of authority in certain cases engaged in the aforesaid behaviours to make sure that they or their candidates had the advantage in contests over position or property. These criminal behaviours were however very rare because of the strict cultural cum spiritual laws that guaranteed honesty among the people at that point in time.

Colonial Nigeria

The incidence of electoral fraud / embezzlement / kickbacks / unholy alliances continued in colonial Nigeria as it did in pre-colonial times. These behaviours increased drastically in colonial Nigeria because the colonial masters institutionalised them formally. They formed unholy alliance with some local politicians, community chiefs and kings who could further their colonial activities. They sought kickbacks from their counterparts and local cronies that they awarded contracts to. The colonialists directly embezzled public funds and other natural resources available in Nigeria at that time. The local leaders who could have protested these activities were paid off. Furthermore, the colonialists also engaged in electoral fraud to put their favourite natives into positions of authority. They eventually handed over power to a northern candidate (who was more loyal and easily malleable) at independence as compared to the southerner (who were more stubborn and antagonistic). Engaging in electoral fraud by the colonial administrators was necessary to ensure the success of the succession plan they had made.

Post-Colonial Nigeria

Electoral fraud / embezzlement / kickbacks / unholy alliances existed in a major form in post-colonial Nigeria between 1960 and 1965 among members of the civilian government. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and the issue of embezzlement / kickbacks / unholy alliances by members of the military government regarding the oil wealth, supply of food, weapons allocation and relief materials to military and civilian personnel escalated because of selfishness and greed. Foreign journalists were influenced to report false information about the war. Every contract had kickbacks attached to it. All lucrative contracts then were awarded to friends and relatives of members of government and some were not carried out but were paid for. From 1970 till date embezzlement / kickbacks / unholy alliances has skyrocketed because both government and private civilians during these period (civilian and military era) were very corrupt and used their positions and connections to enrich themselves at the expense of the people. The regimes from the mid were very corrupt and a lot of embezzlement, kickbacks and unholy alliances took place during these administration. Electoral fraud had always been present during all civilian era in the Nigerian state. The 1999 election was allegedly considered the most fraudulent election ever held in Nigeria. A similar phenomenon occurred in 2007. Only the 1993 election of Abiola was adjudged free and fair but it was annulled by the military government of General Babangida. Despite the introduction of anti corruption bodies like EFCC, ICPC and electoral tribunals, the aforementioned crimes still continues unabated.

SELF-ASSESSMENT EXERCISE 3

Electoral fraud / embezzlement / kickbacks / unholy alliances are part of Nigerian culture. Do you agree?

4.0   CONCLUSION

The history of government political crime in the Nigerian state is not as straightforward as one would have expected. Pre-colonial Nigeria had a low level of political crime because the peculiar religious and cultural laws governing the people had a strong hold over the leaders. Colonial Nigeria had a very high level of political crimes since they founded it officially. The ostentation of the colonial masters made it an attractive option for the natives. After independence, political crime rates skyrocketed because the governments that existed at the time had learnt the rudiments of corruption from the colonialists and had taken it to greater heights. Despite the social control measures that were put in place to attenuate it, the problem still persists. (**See Appendix**).

5.0   SUMMARY

In this unit, we have been able to discuss the trend of political government crimes in Nigeria. In the next unit we shall critically examine the trend of physical body crime in Nigeria.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay on the history of political corruption/bribery in Nigeria from pre-colonial times till date.
2.   Trading in influence, patronage and nepotism and cronyism is an inherent part of the culture in pre-colonial Nigeria. Discuss.
3.   Electoral fraud is not a strange phenomenon in Nigeria. Discuss.
4.   Describe the trend of embezzlement, kickbacks and unholy alliances in Nigeria from pre-colonial times till date.

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UNIT 2   PATTERNS OF PHYSICAL BODY CRIME IN NIGERIA

CONTENTS

1.0   INTRODUCTION

Crime and delinquency has existed in some form in the entity called Nigeria before it bore that name and after. Crime and delinquency in its various forms has its history from antiquity. In the Nigerian state government crimes have existed since humans inhabited the location and continue to exist. In this unit we will examine the trend and pattern of government political crimes within the Nigerian society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the trend of Grievous Bodily Harm as a crime in Nigeria
- discuss the pattern of assault and aggravated assault in Nigeria
- explain the trend of assault and battery in Nigeria.

3.0   MAIN CONTENT

3.1   Grievous Bodily Harm

Grievous bodily harm

Grievous bodily harm (often abbreviated to GBH) is a term of art used in English criminal law which has become synonymous with the offences that are created by sections 18 and 20 of the Offences against the Person Act 1861. This law was adopted by Nigeria and states that "Whosoever shall unlawfully and maliciously by any means whatsoever wound or cause any grievous bodily harm to any person, with intent to resist or prevent the lawful apprehension or

detainment of any person, shall be guilty of an offence and, being convicted thereof, shall be liable to imprisonment for life." This is amended to "whosoever shall unlawfully and maliciously wound or inflict any grievous bodily harm upon any other person, either with or without any weapon or instrument, shall be guilty of an offence and, being convicted therefore, shall be liable to a term of imprisonment not exceeding five years".

Pre-Colonial Nigeria

Grievous Bodily Harm existed in pre-colonial Nigeria. It was usually a crime committed during war periods or by marauding warlords against members of targeted communities in pre-colonial Nigeria. In some cases grievous bodily harm was willfully committed by private citizens when fighting over landed property or some slight or insult. The low incidence of grievous bodily harm during this period can be traced to the strict laws that were put in place to discourage it. Injuring a kinsman was regarded as a taboo then because of the moral sanctity that existed at that time.

Colonial Nigeria

The incidence of grievous bodily harm was very prevalent in colonial Nigeria because it was usually perpetrated by slave traders against slaves. Also the colonial masters used their agents of social control like the police force to cause grievous bodily harm against their opponents and antagonists in the Nigerian state.

Post-Colonial Nigeria

Grievous bodily harm existed in a minor form in post-colonial Nigeria between 1960 and 1964 because the instruments of social control in Nigeria like the police force at that time were competent. The few cases of it that existed at that time were limited to political violence before, during and after elections and it was targeted at political actors by their opponents. Between 1965 and 1966, some members of the civilian government were murdered by a military cabal and they were also murdered by another military cabal. After this episode, grievous bodily harm became institutionalised in the northern part of Nigeria when the northerners started injuring and slaughtering the Igbos as a fallout of the coup and counter-coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such grievous bodily harm as a crime in Nigeria escalated because of the need by frustrated civilians and soldiers to satisfy their urges to inflict harm on others with impunity. During this period, grievous bodily harm was not a crime but a common happenstance. From 1970 till the early 1980s the incidence of grievous

bodily harm went down because the economy was favourable, the cost of living was low, standard of living was high and marital life was interesting. It should however be noted that during the second republic, the incidence of grievous bodily harm exploded before, during and after the election of that period. Grievous bodily harm increased from the early 1990s till date because the economy became unfavourable, cultism boomed and people became more aggressive because of their frustration.

3.2   Assault/Aggravated Assault

Assault is a crime of violence against another person. In some jurisdictions, including Australia and New Zealand, assault refers to an act that causes another to apprehend immediate and personal violence, while in other jurisdictions, such as the United States, assault may refer only to the threat of violence caused by an immediate show of force. In Nigeria, Chapter 29 of Part V of the Criminal Code Act (sections 351 to 365) creates a number of offences of assault. Assault is defined by section 252 of that Act.

Assault is often defined to include not only violence, but any intentional physical contact with another person without their consent. In common law jurisdictions, including England and Wales and the United States, battery is the crime that represents the unlawful physical contact, though this distinction does not exist in all jurisdictions. Exceptions exist to cover unsolicited physical contact which amount to normal social behavior known as "de minimis" harm.

At common law criminal assault was an attempted battery. The elements of battery are (1) a volitional act (2) done for the purpose of causing an harmful or offensive contact with another person or under circumstances that make such contact substantially certain to occur and (3) which causes such contact. Thus throwing a rock at someone for the purpose of hitting him is a battery if the rock in fact strikes the person and is an assault if the rock misses. The fact that the person may have been unaware that the rock had been thrown at him is irrelevant under this definition of assault. Some jurisdictions have incorporated the definition of civil assault into the definition of the crime making it a criminal assault to intentionally place another person in "fear" of a harmful or offensive contact. "Fear" means merely apprehension - awareness rather than any emotional state.

Aggravated Assault

Aggravated assault is, in some jurisdictions, a stronger form of assault, usually using a deadly weapon. A person has committed an aggravated assault when that person attempt to:

- cause serious bodily injury to another person such as in the case of Kidnapping
- have sexual activity with another person under the age of 14
- causes bodily injury to another person with a deadly weapon.

There are two offences: common assault and battery. A person commits the offence strictly known as assault or common assault if he intentionally or recklessly causes another person to apprehend immediate and unlawful personal violence. (It is submitted that "violence" in this context means any unlawful touching, though there is some debate over whether the touching must also be hostile).
Assault and battery is the combination of two violent crimes: assault (the threat of violence) and battery (physical violence). This legal distinction exists only in jurisdictions that distinguish assault as threatened violence rather than actual violence.

Pre-Colonial Nigeria

Assault and Aggravated assault existed in pre-colonial Nigeria. It was usually a crime committed during war periods or by marauding warlords against members of targeted communities in pre-colonial Nigeria. In some cases, assault and aggravated assault was willfully committed by private citizens when fighting over landed property or some slight or insult. This also ensued when masquerades flogged and injured people during traditional festivals. The low incidence of assault and aggravated assault during this period can be traced to the strict laws that were put in place to discourage it Assaulting a kinsman or visitors was regarded as a taboo then because of the moral sanctity that existed at that time.

Colonial Nigeria

The incidence of assault and aggravated assault was very prevalent in colonial Nigeria because it was usually perpetrated by slave traders against slaves. Also the colonial masters used their agents of social control like the police force to assault their opponents and antagonists in the Nigerian state.

Post-Colonial Nigeria

Assault and aggravated assault existed in a minor form in post-colonial Nigeria between 1960 and 1964 because the instruments of social control in Nigeria like the police force at that time were competent in discouraging it. The few cases of it that existed at that time were limited to political violence before, during and after elections and it was targeted at political actors by their opponents. Between 1965 and 1966, as a result of a series of coups by the military cabal assault and aggravated assault became institutionalised in the northern part of Nigeria when the northerners started aggravated assaults against the igbos as a fallout of the coup and counter-coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such assault and aggravated assault as a crime in Nigeria escalated because of the need by frustrated civilians and soldiers to satisfy their urges to inflict harm on others and vent their frustrations thereby. During this period, assault and aggravated assault was not a crime but a natural order of behaviour. From 1970 till the early 1980s the incidence of assault and aggravated assault went down because the economy was favourable, the cost of living was low, standard of living was high and marital life was enjoyable. It should however be noted that during the second republic, the incidence of assault and aggravated assault exploded before, during and after the election of that period. Assault and aggravated assault increased from the early 1990s till date because the economy became unfavourable, cultism boomed and people became more aggressive because of their frustration and were more willing to cause injury to opponents when provoked.

SELF-ASSESSMENT EXERCISE 2

What is the history of assault and aggravated assault in Nigeria?

3.3   Battery

Battery is a criminal offense involving unlawful physical contact, distinct from assault in that the contact is not necessarily violent.

In the United States, Criminal battery, or simply battery, is the use of force against another, resulting in harmful or offensive contact. It is a specific common law misdemeanor, although the term is used more generally to refer to any unlawful offensive physical contact with another person, and may be a misdemeanor or a felony, depending on the circumstances. Battery was defined at common law as "any unlawful touching of the person of another by the aggressor himself, or by a substance put in motion by him."

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Battery is typically classified as either simple or aggravated. Although battery typically occurs in the context of physical altercations, battery also applies in other instances, such as medical cases where the doctor performs a non-consented medical procedure. At common law, simple battery is a misdemeanor. The prosecutor must prove all three elements beyond a reasonable doubt. It must:

- be an unlawful application of force
- be the person of another
- result in either bodily injury or an offensive touching.

Under modern statutory schemes, battery is often divided into grades that determine the severity of punishment. For example:

Simple battery may include any form of non-consensual harmful or insulting contact, regardless of the injury caused. Criminal battery requires an intent to inflict an injury on another, as distinguished from a tortuous battery.

Sexual battery may be defined as non-consensual touching of the intimate parts of another. At least in Florida, "Sexual battery means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object".

Family-violence battery may be limited in its scope between persons within a certain degree of relationship: statutes for this offense have been enacted in response to increasing awareness of the problem of domestic violence.

Aggravated battery generally is seen as a serious offense of felony grade, involving the loss of the victim's limb or some other type of permanent disfigurement. As successor to the common-law crime of mayhem, this is sometimes subsumed in the definition of aggravated assault.

In some jurisdictions, battery recently has been constructed to include directing bodily secretions at another person without his or her permission. In some jurisdictions this automatically is considered aggravated battery.

In some jurisdictions, the charge of criminal battery also requires evidence of a mental state (mens rea).

Distinction between battery and assault

The overt behavior of an assault might be person A advancing upon person B by chasing after him and swinging a fist toward his head. The overt behavior of battery might be A actually striking B.

Battery requires (1) a volitional act that (2) results in a harmful or offensive contact with another person and (3) is committed for the purpose of causing a harmful or offensive contact or under circumstances that render such contact substantially certain to occur or with a reckless disregard as to whether such contact will result. Assault is an attempted battery or the act of intentionally placing a person in apprehension of a harmful or offensive contact with his or her person.

In some places, assault is the threat of violence against another while aggravated assault is the threat with the clear and present ability and willingness to carry it out. Likewise, battery is undesired touching of another, while aggravated battery is touching of another with or without a tool or weapon with attempt to harm or restrain.

Pre-Colonial Nigeria

Battery existed in pre-colonial Nigeria. It was usually a crime committed during war periods by marauding warlords against members of targeted communities in pre-colonial Nigeria. In some cases, battery was willfully committed by private citizens when fighting over landed property or some slight or insult. This also ensued when masquerades flogged and injured people during traditional festivals. Furthermore, domestic battery occurred when husbands brutalised their wives and children when angry or drunk. The low incidence of battery during this period can be traced to the strict laws that were put in place to discourage it Battering a kinsman or visitors was regarded as a taboo then because of the moral sanctity that existed at that time. The punishment attached to battery was usually embarrassing.

Colonial Nigeria

The incidence of battery was very prevalent in colonial Nigeria because it was usually perpetrated by slave traders against slaves. Also the colonial masters used their agents of social control like the police force to batter their opponents and antagonists in the Nigerian state. As a result of the rising frustration during this period, domestic assault also increased drastically.

Post-Colonial Nigeria

Battery existed in a minor form in post-colonial Nigeria between 1960 and 1964 because the instruments of social control in Nigeria like the police force at that time were competent in discouraging it. The few cases of it that existed at that time were limited to political violence before, during and after elections and it was targeted at political actors by their opponents. Between 1965 and 1966, as a result of a series of coups by the military cabal, battery became institutionalised in the northern part of Nigeria when the northerners started to batter the igbos as a fallout of the coup and counter-coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such battery as a crime in Nigeria escalated because of the need by frustrated civilians and soldiers to satisfy their urges to inflict harm on others and vent their frustrations thereby. During this period, battery was not a crime but a natural order of behaviour. From 1970 till the early 1980s the incidence of battery went down because the economy was favourable, the cost of living was low, standard of living was high and marital life was okay. It should however be noted that during the second republic, the incidence of battery exploded before, during and after the election of that period. Battery increased from the early 1990s till date because the economy became unfavourable, cultism boomed and people became more aggressive because of their frustration and were more willing to cause injury to opponents, spouses or children when provoked.

SELF-ASSESSMENT EXERCISE 3

Battery is a necessary part of Nigerian culture. Do you agree?

4.0   CONCLUSION

The history of physical body crime in the Nigerian state is not as straightforward as one would have expected. Pre colonial Nigeria had a moderate level of physical body crime because although the peculiar religious and cultural laws governing the people had a strong hold over the leaders, nevertheless, the series of wars and the slavery that ensued thereby made battery a necessity. Colonial Nigeria had a very high level of physical body crime since they founded it officially. This was usually tied to the slave trade at that time. After independence, physical body crime rates skyrocketed because the governments that existed at the time had become more violent prone and the war at that point escalated it. The cost of living became higher and the standard of living went down making battery popular. Furthermore, the military regimes encouraged the battery of civilians while the civilian administration was violent prone. Despite the social control measures that were put in place to attenuate it, the problem still persists. (**See Appendix**).

5.0   SUMMARY

In this unit, we have been able to discuss the trend of physical body crime in Nigeria. In the next unit we shall critically examine the trend of school oriented delinquency in Nigeria.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay regarding the history of grievous bodily harm in Nigeria from pre-colonial times till date.
2.   Assault and aggravated assault has a history from pre-colonial till date in Nigeria. Discuss.
3.   Describe the trend of battery in Nigeria from pre-colonial times till date.

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UNIT 3   PATTERNS OF SCHOOL ORIENTED DELINQUENCY IN NIGERIA

CONTENTS

1.0   INTRODUCTION

Delinquency occurs in various forms and can be exhibited in a variety of ways. According to the law, delinquency is meant to be corrected although the weight of different delinquent acts varies considerably. We will examine the trend of school delinquency in the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the trend of truancy in Nigeria
- discuss the pattern of school refusal and school dropout in Nigeria
- explain the trend of bullying in Nigeria.

3.0   MAIN CONTENT

3.1   Truancy/School Refusal

Truancy

When a child stays off school without the knowledge and agreement of parents, it is called 'truancy'. Truancy is any intentional unauthorised absence from compulsory schooling. The term typically describes absences caused by students of their own free will, and usually does not refer to legitimate "excused" absences, such as ones related to medical conditions. The term's exact meaning differs from school to school, and is usually explicitly defined in the school's handbook of policies and

procedures. It may also refer to students who attend school but do not go to classes.

In some schools, truancy may result in an ineligibility to graduate or to receive credit for class attended, until the time lost to truancy is made up through a combination of detention, fines, or summer school. Sometimes, parents don't seem to mind that their child is not going to school, and even approve or encourage them (e.g. by sending them to hawk products like pure water). Many children who are truants also have behavioral problems such as stealing, lying, fighting and destructiveness and there may be problems at home, or not enough supervision (Carr, 2000).

School Refusal

School refusal refers to a phenomenon in which a child is too fearful or anxious or afraid to go to school. Worrying about going to school can make such children feel vaguely unwell, with sickness, headaches, tummy aches, poor appetite and frequent visits to the toilet, although usually, no physical cause can be found for these symptoms. The symptoms are usually worse on weekday mornings and tend to disappear later in the day. This is sometimes called "school phobia".

However, the problem does not always lie with school. A child may seem to be worried about going to school, when they are actually afraid of leaving the safety of their home and parents or are afraid of being bullied or being victimised by teachers. They can be rather clingy and lacking in confidence. Scott, Shaw, & Joughin, (2001).

Pre-Colonial Nigeria

Truancy and school refusal existed in pre-colonial Nigeria. Although formal education as we know it today did not exist in southern Nigeria, it did exist in a form in northern Nigeria. Education in southern Nigeria was semi-formal and had to do with the means of livelihood like farming, fishing, weaving, soldiering, wrestling etc. In northern Nigeria, education then was a bit formal as designed along Islamic lines and it entailed training in reading, writing, reciting and other issues that necessitated attendance. In pre-colonial Nigeria some students were known to be truants or refused to go to school in both northern and southern Nigeria and were flogged seriously for it. The low incidence of truancy and school refusal during this period can be traced to the strict monitoring of young people at that time by members of the extended family, kinsmen and neighbours. No one existed as an island during this period and all actions were visible to significant others.

Colonial Nigeria

The incidence of truancy and school refusal increased drastically in colonial Nigeria because of the introduction of formal education. The strangeness of this uniform technique of education made truancy a necessity. Most youths at that time were not used to sitting in one place for a long time to learn. Many of these youths then went to such schools seldom or not at all. Also the colonial masters enforced formal education and used their agents of social control to ensure attendance. This strictness pushed some youths to resist such regimentation. The incidence of truancy and school refusal in northern Nigeria was phenomenal as majority of northerners refused to send their children to school while the children who attended formal schools then were usually truants.

Post-Colonial Nigeria

Truancy and school refusal existed in a major form in post-colonial Nigeria between 1960 and 1967 because formal education was being forced down peoples' throats which made it unpalatable for many who became truants, while some outrightly refused to go to school. This was more prevalent in northern Nigeria. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such truancy and school refusal in eastern and mid-western Nigeria escalated because that region was in a state of war. Other regions in Nigeria also experienced such to a lesser extent. From 1970 till the early 1980s the incidence of truancy and school refusal went down because the government forced people to go to school. Truancy and school refusal increased from the early 1990s till date because the economy became unfavourable, cultism boomed and people discovered that education does not necessarily guarantee success in life and believed that education was a waste of time.

SELF-ASSESSMENT EXERCISE 1

Write short notes about the trend of truancy and school refusal as a delinquent behaviour in Nigeria.

3.2 Adolescent School Drop Outs

Adolescent School Drop Outs

The common sense conception of drop out is straightforward: A dropout is a student who leaves school before graduating. The social science conception of dropouts is more complicated, however, because it is influenced by differences in schools' calculation procedures. Schools may differ in what they count as *an absence,* the procedures they use for

adding students to the rolls, the time frame during which a dropout is counted, the range of grade levels selected to represent a pool of possible dropouts, and the method of student accounting. Depending upon the time frame, the range of grade levels and the method for calculating the pool of students served, the dropout rate will vary from school to school, district to district, state to state (Natriello, 1995; Rumberger, 1987). This local variation in accounting procedures is a contemporary example of the problem that has long plagued social scientists who must rely on statistics produced by bureaucracies in order to conduct their analysis (Kitsuse & Cicourel, 1963).

Nigeria seriously faces the problem of school drop outs today as compared to the 1970s and 80s were school completion was 90% and above. Economists and policy makers maintain that completion of high school is the absolute minimal educational level necessary to prepare youngsters for the vast majority of jobs in the modern economy. Most of the state reform efforts and the national reports on education generated in the 1980s and 1990s were predicated on the belief that the increased use of new technologies and structural changes in the composition of jobs in the economy would require more sophisticated educational skills than before. Although these visions of the future may be erroneous--in that the majority of new jobs will be in the service sector and not high - end technology areas (Drucker, 1993; Levin & Rumberger, 1987) these visions do suggest that students who do not complete high school will be even more disadvantaged in the future job market than they have been in the past.

Unevenness in educational attainment across ethnic groups is another often cited reason for the current concern for dropouts. Although the overall high school completion rate has increased, it has not improved for the Hausas and the Fulanis in Nigeria. Students who drop out of high school face a more difficult road to success than their peers who finish high school or college. The relative earnings of high school dropouts are lower than those for students who complete high school or college. Similarly, high school dropouts experience more unemployment during their work careers. Young women who drop out of high school are more likely to become single parents at young ages. As a result of these factors, high school dropouts are more likely to have recourse to crime and end up in jail or prison.

Pre-Colonial Nigeria

School drop outs existed in pre-colonial Nigeria. Although formal education as we know it today did not exist in southern Nigeria, it did exist in a form in northern Nigeria. Education in southern Nigeria was semi-formal and had to do with the means of livelihood like farming,

fishing, weaving, soldiering, wrestling etc. In northern Nigeria, education then was a bit formal as designed along Islamic lines and it entailed training in reading, writing, reciting and other issues that necessitated attendance. In pre-colonial Nigeria some students were known to drop out of school in both northern and southern Nigeria because they were bored or felt it was not their destiny to acquire such knowledge. Youths were known to drop out from learning farming to learning fishing or wrestling. Youths were known to drop out of the Islamic schools in the north to learn other things. The low incidence of school drop outs during this period can be traced to the strict monitoring of young people at that time by members of the extended family, kinsmen and neighbours. No one existed as an island during this period and all actions were visible to significant others and influenced thereby.

Colonial Nigeria

The incidence of school drop outs increased drastically in colonial Nigeria because of the introduction of formal education. The strangeness of this uniform technique of education made dropping out of school a necessity. Most youths at that time were not used to sitting in one place for a long time to learn. Many of these youths then left the schools for farming or hustling. Although the colonial masters enforced formal education and used their agents of social control to ensure attendance, the strictness pushed some youths to resist such regimentation by dropping out. The incidence of school drop outs in northern Nigeria was phenomenal as majority of northerners refused to send their children to school while many of the children who attended formal schools then dropped out.

Post-Colonial Nigeria

School drop outs existed in a major form in post-colonial Nigeria between 1960 and 1967 because formal education was being forced down peoples' throats which made it unpalatable for many who became left midway to completing school. This was more prevalent in northern Nigeria. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such a lot of youths dropped out of school in eastern and mid-western Nigeria because that region was in a state of war and a lot of youths were being drafted into the army. Other regions in Nigeria also experienced such to a lesser extent. From 1970 till the early 1980s the incidence of school drop outs went down because the government forced people to go to school and punished parents who did not allow their children to go to school and finish up. School drop outs increased from the early 1990s till date because the economy became unfavourable, people discovered that education does not necessarily

guarantee success in life and believed that education was a waste of time.

SELF-ASSESSMENT EXERCISE 2

Describe the trend of school drop outs as a delinquent behaviour from pre-colonial times till date in Nigeria.

3.3   Bullying

Bullying refers to the brutalisation of weaker individuals because one has the power to do so. Bullying is a problem among young people more especially in primary and secondary school. The bully beats up other students and collects their property for personal use. The bully usually has followers who provides social support and who are also groomed to become bullies. Bullies usually have a strong physique and are very aggressive. They are known to have low self esteem and an inferiority complex. It is a rampant problem in Nigerian schools, more especially the public schools where poverty makes bullying a rewarding pastime for students who are inclined towards it.

Pre-Colonial Nigeria

Bullying existed in pre-colonial Nigeria. It was usually committed by the youth age grade in pre-colonial Nigeria against weak members. In some cases, bullying was willfully committed by private citizens when heckling each other over some slight or insult. This also ensued when masquerades intimated people during traditional festivals. Furthermore, bullying occurred when bigger children beat others up on the playground. The low incidence of bullying during this period can be traced to the strict laws that were put in place to discourage unnecessary aggression. Bullying a kinsman or visitors was frowned on but not discouraged. It was one behaviour that was considered natural.

Colonial Nigeria

The incidence of bullying was very prevalent in colonial Nigeria because it was usually perpetrated by slave traders against slaves. Also, youths bullied each other for fun. As a result of the rising frustration during this period, bullying among youths also increased drastically. Bullying also drastically increased because formal education was instituted placing a lot of children in one place for a long period of time on a daily basis.

Post-Colonial Nigeria

Bullying existed in a minor form in post-colonial Nigeria between 1960 and 1964 because the instruments of social control in Nigerian schools were competent in discouraging it among their students. Between 1965 and 1966, as a result of a series of coups by the military cabal, bullying became institutionalised in the northern part of Nigeria when the northern youths bullied the Igbos as a fallout of the coup and counter-coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and at that time in Nigeria bullying escalated because of the need by frustrated youths to express their aggression by beating up their peers and their frustrations thereby. During this period, bullying was not a crime but a natural order of behaviour. From 1970 till the early 1980s the incidence of bullying went down because the economy was favourable, the cost of living was low, standard of living was high and life was comfortable. Bullying increased from the early 1990s till date because the economy became unfavourable, cultism boomed and youths became more aggressive because of their frustration and were more willing to cause injury to weaker children whether provoked or not.

SELF-ASSESSMENT EXERCISE 3

Briefly discussion the trend of bullying as a delinquent behaviour in Nigeria.

4.0   CONCLUSION

The history of school oriented delinquency in the Nigerian state is quite hilarious and contrary to expectations. Pre colonial Nigeria had a moderate level of school oriented delinquency because schooling at that time was not formalised. Furthermore, what is known as bullying now was simply a process of socialisation at that time. Colonial Nigeria had a very high level of school oriented delinquency since the colonial masters founded schools officially and forced the natives to attend. Many children at this time preferred the freedom of life given by informal education and as such engaged in school oriented delinquent behaviours. After independence, school oriented delinquency rates skyrocketed because the governments that existed at the time tried to enforce education while the war caused its increase in some regions. Between the 1970s and 1980s, school oriented delinquency reduced because the government was more supportive of students and tried to control their behaviours. From the Late 1980s till date school oriented delinquency is still a problem because the cost of living became higher and the standard of living went down making school oriented delinquency an option to cope with frustration.

5.0   SUMMARY

In this unit, we have been able to discuss the trend of school oriented delinquency in Nigeria. In the next unit we shall critically examine the trend of crime oriented delinquency in Nigeria.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay regarding the history of truancy and school refusal in Nigeria from pre-colonial times till date.
2.   Discuss the history of school dropouts from pre-colonial time till date in Nigeria.
3.   Describe the trend of bullying in Nigeria from pre-colonial times till date.

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UNIT 4   PATTERNS OF CRIME ORIENTED DELINQUENCY IN NIGERIA

CONTENTS

1.0   INTRODUCTION

Delinquency occurs in various forms and can be exhibited in a variety of ways. According to the law, delinquency is meant to be corrected although the weight of different delinquent acts varies considerably. We will examine the trend of crime oriented delinquency in the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the trend of stealing in Nigeria
- discuss the pattern of rape and sexual assault in Nigeria
- identify the trend of fighting in Nigeria.

3.0   MAIN CONTENT

3.1   Stealing

Stealing

It is normal for a very young child to take something, which excites his or her interest. This should not be regarded as stealing until the youngster is old enough, usually three to five years old; to understand that taking something which belongs to another person is wrong. When an adolescent takes someone else's property without permission it is stealing and constitutes a delinquent behaviour. Most children are not actively taught by their parents about property rights and the consideration of others. Parents are role models and are found to at times

encourage their children to steal. Some parents come home with stationary or pens from the office or brag about a financial mistake at the market. When this occurs, the lessons about honesty will be a lot harder for the child to understand.

Although children have learned that theft is wrong, older children or teenagers steal for various reasons. A youngster may steal to make things equal if a brother or sister seems to be favored with affection or gifts. Sometimes, a child may steal as a show of bravery to friends, or to give presents to family or friends or to be more accepted by peers. Children may also steal out of a fear of dependency; they don't want to depend on anyone, so they take what they need.

If stealing is persistent or accompanied by other problem behaviors or symptoms, the stealing may be a sign of more serious problems in the child's emotional development or problems in the family. Children who repeatedly steal may also have difficulty trusting others and forming close relationships. Rather than feeling guilty, they may blame the behavior on others, arguing that, "Since they refuse to give me what I need, I will take it."

Pre-Colonial Nigeria

Stealing among children was not very prevalent in pre-colonial Nigeria because of the strict laws, rigorous socializations regarding the virtue of honesty and subsequent punishment that discouraged it. Stealing when it occurred among children when it occurred was not out of greed and it was limited to foodstuff like eggs from their homes and fruits from other peoples farms. Stealing then was when you took something without permission. The punishment for stealing was very dire and embarrassing. In the southern part of Nigeria, children who stole were flogged publicly while in the north their hands were amputated.

Colonial Nigeria

Stealing among children was not very prevalent in colonial Nigeria because the pre colonial laws operated to some extent to place restraints on the children. Furthermore, teachers in schools discouraged it with floggings. Although stealing existed, it was similar to what existed in pre-colonial days coupled with the pranks of some members' kids who were acting under the influence of a dare (you can't take that thing-yes I can, watch me) by their classmates or friends.

Post-Colonial Nigeria

Stealing among children was not very prevalent in post-colonial Nigeria between 1960 and 1966 because the social structures left by the colonial masters ensured economic security for the people and citizens socialized their children to be honest. Stealing existed as isolated incidents just as it did in colonial days.

From 1967 to 1970 there was a civil war in Nigeria which led to a marked increase in stealing among children of eastern and mid-western Nigeria. During this period, children in the region had to steal in order to eat either as a result of personal conviction or as a result of directives given by their parents or other adults who had power over them.

From 1970, stealing among children in eastern Nigeria continued because of the poor economy, a high rate of unemployment and lack of opportunities for betterment left over from the war. Stealing among children was so rampant between this period and 1975 because the social and economic structures within the society were not sufficient to cater to the need of the populace. Around the late 1970s and early 1980s, the spate of stealing among children was reduced because of the improvement in the economy. From the late 1980s till date, stealing among children seems to be on the increase again because the government does not seem to care, poverty has escalated out of control and no serious measures have been taken to address this issue.

SELF-ASSESSMENT EXERCISE 1

Describe the trend of stealing among children as a delinquent behaviour from pre-colonial times till date in Nigeria.

3.2   Rape/Sexual Assault

Rape

Rape is the crime of forcibly engaging in sexual intercourse with a person who has not consented. When individuals think about rape or sexual assault, many imagine a situation in which an evil and unknown perpetrator jumps out of the bushes and attacks an unsuspecting victim. Although this kind of "stranger rape" does occur, a much greater percentage of rapes are committed by individuals who know their victims, and is referred to as "acquaintance rape" or "date rape". Acquaintance rape is forced and unwanted sexual intercourse with a person you know. It is a violent "power trip" on the part of the perpetrator, and a violation of your body and trust. It is wrong, and it is illegal.

Sexual Assault

Sexual Assault is any unwanted sexual contact or attention made through force, threats, bribes, manipulation, pressure, tricks or violence. It may be physical or non-physical and includes rape and attempted rape, child molestation and incest, and sexual harassment. All forms of sexual assault are crimes.

Pre-Colonial Nigeria

Rape and sexual assault among children was very rare in pre-colonial Nigeria. The extremely low incidence of rape and sexual assault among children during this period can be traced to the socialisation of children (children at this time knew next to nothing about sex except what their bodies and parents told them) and strict laws that were put in place to discourage it. Rape and sexual assault was regarded as a taboo then because of the moral sanctity attached to virginity in unmarried females and sole ownership of married females by their lawful husbands. For this to happen among children was considered impossibility but was linked to a curse when it occurred.

Colonial Nigeria

The incidence of rape and sexual assault among children was not very prevalent early in colonial Nigeria because the pre colonial traditional laws and strict sexual socialization still held sway at the beginning of this period. Later on rape and sexual assault among children increased because the colonial masters encouraged the slave trade and they used youths as their recruiting army. This exposed some of these youths to sexual experience which was usually perpetrated against slaves who were captured to be sold in the name of examination. In some cases, these youths had sex with the slaves forcefully after caressing them carelessly and roughly. Furthermore, the advent of Christianity seemed to weaken the control of traditional laws over sexual propriety among the youth and made male youths bolder in sexually assaulting their female counterparts.

Post-Colonial Nigeria

Rape and sexual assault among children existed in post-colonial Nigeria between 1960 and 1966 because Christianity had made sexual license among children/youths possible. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such rape and sexual assault among children in Nigeria escalated because of the need by frustrated civilians and military youths to satisfy their sexual urges at all cost. During this period, rape and sexual assault among children was not

considered delinquent behaviour but a necessary evil. From 1970 till the early 1980s the incidence of rape and sexual assault among children went down because the economy was favourable, the cost of living was low, standard of living was high and teachers and other significant caregivers were more vigilant. Rape and sexual assault among children increased from the early 1990s till date because the economy became unfavourable, females began to dress provocatively, the mass media glorified sex, cultism boomed and sexual experience was considered a must to belong in the comity of youths.

SELF-ASSESSMENT EXERCISE 2

Describe the trend of rape and sexual assault among children as a delinquent behaviour from pre-colonial times till date in Nigeria.

3.3   Adolescent Fighting

Adolescent Fighting

Fighting refers to physical exchange of blows between people for reasons that are personal to them. Swahn (2001) examined demographic characteristics and psychosocial factors to determine the correlates of physical fighting and alcohol-related physical fighting among adolescent drinkers. Although research shows that alcohol use and fighting are associated in adolescence, most drinkers do not fight. Little is known about adolescent drinkers who fight or who fight due to drinking alcohol (alcohol-related fighting).

Pre-Colonial Nigeria

Fighting existed in pre-colonial Nigeria. It was usually engaged in by the youth age grade in pre-colonial Nigeria against each other over some slight or insult. In some cases, fighting was willfully committed by private citizens or the whole community in the form of wrestling competitions. Furthermore, fighting occurred when bigger children beat others up on the playground. The low incidence of fighting to injure one's opponent out of malice during this period can be traced to the strict laws that were put in place to discourage unnecessary aggression. Fighting a kinsman as an act of revenge was discouraged. Fighting as a competitive sport among adolescent was encouraged. It was one behaviour that was considered natural and entertaining.

Colonial Nigeria

The incidence of fighting was not prevalent in colonial Nigeria because it existed at a similar level with what occurred in pre-colonial Nigeria.

Also, youths fought each other for fun. Later on as a result of the the rising frustration during this period, fighting among youths also increased drastically. Fighting also drastically increased because formal education was instituted placing a lot of children in one place for a long period of time on a daily basis. Fighting among these children increased as a result of different backgrounds and socio economic status of the children.

Post-Colonial Nigeria

Fighting existed in a minor form in post-colonial Nigeria between 1960 and 1964 because the instruments of social control in Nigerian schools were competent in discouraging it among their students. Between 1965 and 1966, as a result of a series of coups by the military cabal, fighting became institutionalised in the northern part of Nigeria when the northern youths fought and killed igbo youths as a fallout of the coup and counter-coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and at that time in Nigeria fighting escalated because of the need by frustrated youths to express their aggression by beating up and killing their peers under the guise of soldiering. During this period, fighting was not a crime but a natural order of behaviour. From 1970 till the early 1980s the incidence of fighting went down because the economy was favourable, the cost of living was low, standard of living was high and agents of social control were more effective in carrying out their duties. Fighting increased from the early 1990s till date because the economy became unfavourable, cultism boomed and youths became more aggressive because of their frustration and were more willing to cause injury to others when provoked or otherwise.

SELF-ASSESSMENT EXERCISE 3

What do you know about fighting as a delinquent behaviour in Nigerian history?

4.0   CONCLUSION

The history of crime oriented delinquency in the Nigerian state is funny and contrary to expectations. Pre colonial Nigeria had a low level of crime oriented delinquency because crime level among children was exceptionally low at that time. Furthermore, what is known as fighting now was simply a process of socialization at that time and was competitive at the community level. Colonial Nigeria had a moderate level of crime oriented delinquency since the colonial masters founded churches which eroded the sense of responsibility of youths. Some children at this time under the guise of the cheap freedom acquired

through Christianity engaged in crime oriented delinquent behaviours. After independence, crime oriented delinquency rates skyrocketed because the governments that existed at the time did not really care while the war caused its increase in some regions. Between the 1970s and 1980s, crime oriented delinquency reduced because the government was more supportive of youths and tried to control their behaviours. From the Late 1980s till date crime oriented delinquency is still a problem because the cost of living became higher and the standard of living went down making crime oriented delinquency an option to cope with frustration.

5.0   SUMMARY

In this unit, we have been able to discuss the trends of crime oriented delinquency in Nigeria. In the next unit we shall critically examine the trend of anti social delinquency in Nigeria. Congratulations for the successful completion of this unit.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay regarding the history of stealing among children in Nigeria from precolonial times till date.
2.   Rape and sexual assault among children has a history from precolonial times till date in Nigeria. Discuss.
3.   Describe the trend of fighting in Nigeria from pre-colonial times till date.

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UNIT 5   PATTERNS OF ANTISOCIAL DELINQUENCY IN NIGERIA

CONTENTS

1.0   INTRODUCTION

Delinquency occurs in various forms and can be exhibited in a variety of ways. According to the law, delinquency is meant to be corrected although the weight of different delinquent acts varies considerably. We will examine the trend of antisocial delinquency in the society.

2.0   OBJECTIVES

At the end of this unit, you should be able to:

- explain the trend of youth gangs in Nigeria
- discuss the pattern of adolescent drug use in Nigeria
- explain the trend of runaway/street children in Nigeria
- describe the incidence of pre-marital sex in Nigeria.

3.0   MAIN CONTENT

3.1   Youth Gangs

Youth gangs are a conglomeration of youths who come together for mutual protection and who are willing to fight against other individuals and groups for dominance.

Decker and Van Winkle (1996) view joining youth gangs a consisting of both pulls and pushes. Pulls pertain to the attractiveness of the gang. Gang membership can enhance prestige or status among friends (Baccaglini, 1993), especially girls (for boys) (Decker and Van Wankle,

1996), and provide opportunities to be with them (Slayton, Stephens, and MacKenna, 1993). Gangs provide other attractive opportunities such as the chance for excitement by selling drugs and making money (Decker and Van Winkle, 1996). Thus, many youth see themselves as making a rational choice in deciding to join a gang: they see personal advantages to gang membership (Sanchez Jankowski, 1991).

Social, economic, and cultural forces push many adolescents in the direction of gangs. Protection from other gangs and perceived general well-being are key factors (Baccaglini, 1993; Decker and Van Winkle, 1996). As noted above, some researchers contend that the "underclass" (Wilson, 1987) status of minority youth serves to push them into gangs (Hagedorn, 1988). Feeling marginal, adolescents join gangs for social relationships that give them a sense of identity. For some youth, gangs provide a way of solving social adjustment problems, particularly the trials and tribulations of adolescence (Short and Strodtbeck, 1965). In some communities, youth are intensively recruited or coerced into gangs (Johnstone, 1983). They seemingly have no choice. A few are virtually born into gangs as a result of neighborhood traditions and their parents' earlier (and perhaps continuing) gang participation or involvement in criminal activity (Moore, 1978).

Pre-Colonial Nigeria

Youth gangs did not exist in pre-colonial Nigeria. What existed was the youth age grades and youth initiation groups and youth workforces which engaged in constructive activities on behalf of the communities.

Colonial Nigeria

The incidence of youth gangs was rare in colonial Nigeria because it existed at a similar level with what occurred in pre-colonial Nigeria. Also, youths hardly formed gangs then except as wings of political parties or church or mosque groups or traditional masquerade groups.

Post-Colonial Nigeria

Youth gangs exist in post-colonial Nigeria between 1960 and 1964 because the political parties at that time encouraged it among students. During this period also cultism arose in tertiary institutions. Between 1965 and 1966, as a result of a series of coups by the military cabal, youth gangs became institutionalised in the northern part of Nigeria when the northern youth's gangs fought and killed igbo youths as a fallout of the coup and counter-coup. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and at that time in Nigeria youth gangs increased because of the need by frustrated youths to protect each

other during that terrible period. These groups expressed their aggressive solidarity by beating up and killing people under the guise of soldiering. During this period, youth gangs were not delinquents but military units in a war situation. From 1970 till the early 1980s the incidence of youth gangs reduced but picked up between the late 1980s till date because the economy became unfavourable, the cost of living was high, standard of living was low, agents of social control were less effective in carrying out their duties, cultism increased, unemployed youths formed groups called "area boys" and the foreign films encouraged youth gangsters. Efforts were made to outlaw cultism but with little results.

3.2   Adolescent Drug Use

Adolescent Drug Use

Drug abuse has to do with the use of illicit drugs. Most of these drugs are addictive. Such drugs include alcohol based products like beer, palm wine, whisky, gin, brandy, marijuana, LSD, cocaine, heroin etc.

Substance abuse is a major public health problem that puts millions of adolescents at increased risk for alcohol-related and drug-related traffic accidents, risky sexual practices, poor academic performance, juvenile delinquency, and developmental problems. Although several national surveys indicate that teen use of most illicit drugs has held steady during the past few years, adolescent drug abuse remains alarmingly high. Moreover, use of alcohol and nicotine (cigarettes) is common among young teenagers while the use of marijuana appears to be increasing among older teens.

Pre-Colonial Nigeria

Adolescent drug use did not exist in pre-colonial Nigeria. What existed was that youths at times got drunk on the local wines or alcoholic beverages in the communities and sniffed ground tobacco for relaxation. There were a few youths who became addicted however.

Colonial Nigeria

The incidence of adolescent drug use was rare in colonial Nigeria because it existed at a similar level with what occurred in pre-colonial Nigeria. Also, youths hardly used drugs except alcohol and snuff (ground tobacco). Some youths, more especially in the north preferred to sniff shoe gum or paint at this period.

Post-Colonial Nigeria

Adolescent drug use increased in post-colonial Nigeria between 1960 and 1966 because the government at that time encouraged the use of alcohol and cigarettes among youths. During this period also Indian hemp (Igbo) was introduced as a social drug. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and at that time in Nigeria, adolescent drug use increased because of the need by frustrated youths to cope with the stress during that terrible period. These groups coped by smoking cigarettes, Indian hemp, taking snuff and getting drunk to alter their states of consciousness. During this period, adolescent drug use was normal just have we have it in military units in the Nigerian context. From 1970 till the early 1980s the incidence of adolescent drug use reduced more especially under the Buhari/Idiagbon administration who outlawed drug abuse, more especially Indian hemp. Adolescent drug use picked up between the late 1980s till date because the economy became unfavourable, the cost of living was high, standard of living was low, agents of social control were less effective in carrying out their duties, more dangerous hard drugs like cocaine, heroin, LSD etc were introduced and foreign films encouraged drug abuse. Efforts were made to outlaw adolescent drug use but with little results.

SELF-ASSESSMENT EXERCISE 1

Critically discuss the pattern of adolescent drug use in Nigerian history.

Runaway/Street Children

A runaway is a minor or a person under an arbitrary age, depending upon the local jurisdiction, who has left the home of his or her parent or legal guardian without permission, or has been thrown out by his or her parent and is considered by the local authorities to lack the capacity to live under his or her own accord.

"Street children" is a term used to refer to children who live on the streets of a city. They are basically deprived of family care and protection. Most children on the streets are between the ages of about 5 and 17 years old, and their population vary between different cities.

Street children live in abandoned buildings, cardboard boxes, parks or on the street itself. A great deal has been written defining street children, but the primary difficulty is that there are no precise categories, but rather a continuum, ranging from children who spend some time in the streets and sleep in a house with ill-prepared adults, to those who live entirely on the streets and have no adult supervision or care.

A widely accepted set of definitions, commonly attributed to UNICEF, divides street children into two main categories:

- Children on the street are those engaged in some kind of economic activity ranging from begging to vending. Most go home at the end of the day and contribute their earnings to their family. They may be attending school and retain a sense of belonging to a family. Because of the economic fragility of the family, these children may eventually opt for a permanent life on the streets.
- Children of the street actually live on the street (or outside of a normal family environment). Family ties may exist but are tenuous and are maintained only casually or occasionally.

Pre-Colonial Nigeria

Runaway/street children did not exist in pre-colonial Nigeria. Children then usually had no reason to run away from home and there were no streets to live on. The society was too closely knit at that time for this phenomenon to exist.

Colonial Nigeria

The phenomenon of runaway/street children was rare in colonial Nigeria because at that the principles of traditional religion and the extended family system were still in place early during this period. Latter on the colonial government encouraged the slave trade and in some cases some young slaves escaped from their agents and had to live as scavengers in jungles and the outskirts of various communities when they could not retrace their way home.

Post-Colonial Nigeria

The incidence of runaway/street children was low in post colonial Nigeria between independence and 1966 simply because the economy was good and the family system held. Between 1967 and 1970 (the civil war years in Nigeria), the high incidence of lawlessness caused runaway/street children to escalate. The war breed many orphans and some children ran away from home because of hunger and maltreatment by their parents. From 1971 till date incidence of runaway/street children has continued to increase and much more especially from the mid 1980s, because of the poor economy, the high incidence of poverty and the maltreatment of children or wards by their parents and guardians. The spate of runaway/street children was high in the north since it was part of their religion. The issue of *almajiri* (children who survived by begging alms) was a part of Islamic practices in Nigeria.

The incidence of runaway/street children was also high in places like Cross River, Akwa Ibom, Edo, Delta, Bayelsa, Ebonyi and other eastern states where children were labeled as witches, wizards, water babies (marine entities), bush babies (Ogbanjes) and other spiritual appellations. Such children were tortured and punished unnecessarily. They were subjected to physical and sexual abuse and many of them ran away from home to live on the streets as beggars, touts or adolescent prostitutes. The incidences in other states were lower and usually caused by poverty. Such children slept under bridges, in shacks in motor garages and in market places. Despite the strong measures taken by the government to combat it, the number of runaway/street children continues to grow in Nigeria today.

SELF-ASSESSMENT EXERCISE 2

Discuss the issue of runaway/street children in Nigeria.

Pre-Marital Sex

Premarital sex refers to sexual relationships between underage persons. Farrow and Shapiro (1999) asserted that teenagers who feel incomplete, inadequate and unappreciated are more likely to seek comfort in a sexual relationship. But those with a life rich in relationships, family traditions, activities, interests and - most of all- consistent love and affirmation are less likely to embark on a desperate search for fulfillment that could lead to unwise sexual decisions. Those who have a healthy, productive faith in God are more likely to have deeply rooted reasons to respect and preserve the gift of sex and to respect rather than exploit others.

Be aware of these specific risk factors for teen sex:

i.   **Alcohol and drug use:** Aside from reflecting problem attitudes (rebellion, poor self-concept, invulnerability) that make sex more likely, intoxication also clouds judgment and weakens resistance to sexual overtures.

ii.   **A steady boy/girl friend:** Strong attachments and feelings of exclusivity invite nature to take its course, especially when physical expressions of affection begin early in the relationship. This is a particular risk in a situation where the boy is more than two or three years older than the girl is. If a teen romance appears to be getting hot and heavy and a lot of physical contact is already displayed, you will need to speak with both boy and girl diplomatically but candidly about the physical process they are setting in motion.

iii. **Little parental monitoring:** Leaving adolescents alone for hours at a time or not requiring accountability is a setup for sex.

iv. **A parental belief that adolescent sex is appropriate:** If you think premarital sex is okay, your adolescent will too and will act on that belief.

v. **A parental belief that adolescent sex is inevitable:** Many parents who disapprove of teen sex have also concluded that it is as certain as death and taxes. Their approach to the subject will thus be double-edged: "Don't do it, but in case you do, use this condom." Adolescents will get the message loud and clear and are likely to act accordingly.

vi. **Low grade-point average/low attachment to school:** While school performance is affected by a variety of factors, a basic desire to do well in school reflects a more hopeful outlook on the future and a willingness to put off immediate gratification for long-term goals. Teen sex, on the contrary, usually reflects ignorance of or little regard for consequences. This doesn't mean, of course, that every scholar is a bulwark of morality or that all who are not academically oriented are destined to be promiscuous. What ultimately matters is a person's commitment to basic values such as responsibility, respect for self and others and concern about the effect of today's decisions on the future.

vii. **A history of physical or sexual abuse:** These acts against children and adolescents violate their bodies, minds and hearts. Sexual abuse creates a grossly distorted view of sexual behavior, destroys boundaries, and drives a deep sense of worthlessness into the emotions. Whether the abuse occurred in the distant or recent past, adolescents with this history need ongoing support, counseling and prayer to help them develop healthy attitudes about sex and about themselves.

viii. **Frequent family relocations:** Moving generally stresses both parents and adolescents (especially if the kids resent the decision). This can erode parental authority and distract parents from involvement with their children. Bonds to social supports such as church groups that help prevent sexual activity are severed by multiple moves. Loneliness and loss of friendships may lead some teenagers to use sexual activity to gain social acceptance. These issues should be considered by parents who are thinking about a possible relocation.

ix. **Single parenting:** Parenting was meant to be a team effort, and some risks will naturally increase when one parent is left to do all the protecting and monitoring alone. Some studies do indicate that adolescents living with a single parent are more likely to become sexually active than those living with both parents. Work and household demands can prevent single parents from being as involved and attentive as they need and want to be. And the divorce and desertion that sometimes lead to a one-parent home can make teens uncertain about the value of marriage as the setting for sexual activity and about the role of sexuality in parental relationships.

Pre-Colonial Nigeria

Premarital sex among children was very rare in pre-colonial Nigeria. The extremely low incidence of premarital sex during this period can be traced to the socialization of children (children at this time knew next to nothing about sex except what their bodies and parents told them) and strict laws that were put in place to discourage it. Premarital sex was regarded as a taboo then because of the moral sanctity attached to virginity in unmarried females and sole ownership of married females by their lawful husbands. For premarital sex to happen among children was considered impossibility but was linked to a curse when it occurred. The safeguards against premarital sex were very strict while the punishment for premarital sex was very harsh and involved the death of one or both participants and some members of their families in some communities.

Colonial Nigeria

The incidence of premarital sex among children was not very prevalent early in colonial Nigeria because the pre colonial traditional laws and strict sexual socialization still held sway at the beginning of this period. Later on premarital sex among children increased because the colonial masters encouraged the slave trade and they used youths as their recruiting army. This exposed some of these youths to sexual experience which was usually perpetrated against female slaves who were captured to be sold. In some cases, these youths had sex with the female slaves forcefully after caressing them carelessly and roughly. Furthermore, the advent of Christianity seemed to weaken the moral control of traditional laws over sexual propriety among the youth and made male youths bolder in demanding sex from their female counterparts.

Post-Colonial Nigeria

Premarital sex existed in post-colonial Nigeria between 1960 and 1966 because Christianity had made sexual license among children/youths possible. At that time a lot of youths saw little or nothing wrong with engaging in sex before marriage. From 1967 to 1970, the civil war in Nigeria led to a state of lawlessness and as such premarital sex as represented by rape and sexual assault of women by youths in Nigeria escalated because of the need by frustrated civilians and military youths to satisfy their sexual urges at all cost. During this period, premarital sex was not considered delinquent behaviour but a necessary evil. From 1970 till the early 1980s the incidence of premarital sex among children went down because the economy was favourable, the cost of living was low, standard of living was high, teachers and other significant caregivers were more vigilant and the government did a lot to discourage it. Premarital sex increased from the early 1990s till date because the economy became unfavourable, females began to dress provocatively and were looser in their morals, the mass media glorified all types of sex, cultism boomed and sexual experience was considered a must to belong in the comity of youths. Furthermore, the license given by modern day Christianity made premarital sex a commonplace phenomenon. There were no laws that discouraged it.

SELF-ASSESSMENT EXERCISE 3

The history of premarital sex in Nigeria has been seriously affected by religious transmutation. Explain.

4.0   CONCLUSION

The history of antisocial delinquency in the Nigerian state is quite an interesting one. Pre colonial Nigeria had a very low level of antisocial delinquency because delinquency among children was exceptionally low at that time because of their rigorous socialization to be morally sound and to act in ways that benefit the society. Furthermore, the strong family ties at that time made anti social delinquency at the community level impracticable. Colonial Nigeria had a low level of antisocial delinquency more especially because the colonial masters encouraged slave trade which encouraged anti-social crime among the youths who worked for them and among some slaves who were their victims. Furthermore, the colonial masters entrenched poverty which eroded the sense of responsibility of youths and made them engage in antisocial delinquent behaviours. After independence, antisocial delinquency rates were moderate because the governments that existed at the time cared to an extent about the people. During the war, antisocial delinquency skyrocketed in some of the northern, eastern and mid western regions.

Between the 1970s and 1980s, antisocial delinquency reduced because the government was more supportive of youths and tried to control their behaviours. From the Late 1980s till date anti social delinquency increased drastically and continued to constitute a problem because the cost of living became higher, the standard of living went down and poverty pervaded the lives of majority of the people thereby weakening family ties and making antisocial delinquency an option to cope with poverty and frustration.

5.0   SUMMARY

In this unit, we have been able to discuss the trend of antisocial delinquency in Nigeria. In the appendix we shall critically peruse the crime statistic in Nigeria as drawn up by CLEEN.

6.0   TUTOR-MARKED ASSIGNMENT

1.   Write a short essay on the history of youth gangs in Nigeria from pre-colonial times till date.
2.   Adolescent drug abuse has its history from pre-colonial times till date in Nigeria. Discuss.
3.   Critically explain the trend of runaway/street children in Nigeria from pre-colonial times till date.
4.   Trace the incidence of premarital sex in Nigeria.

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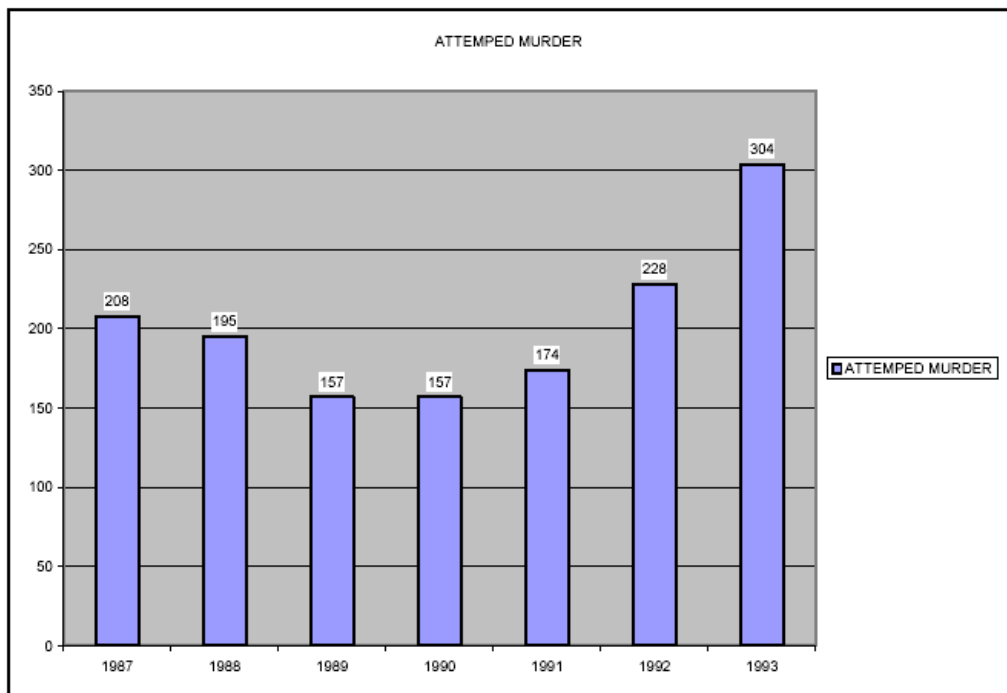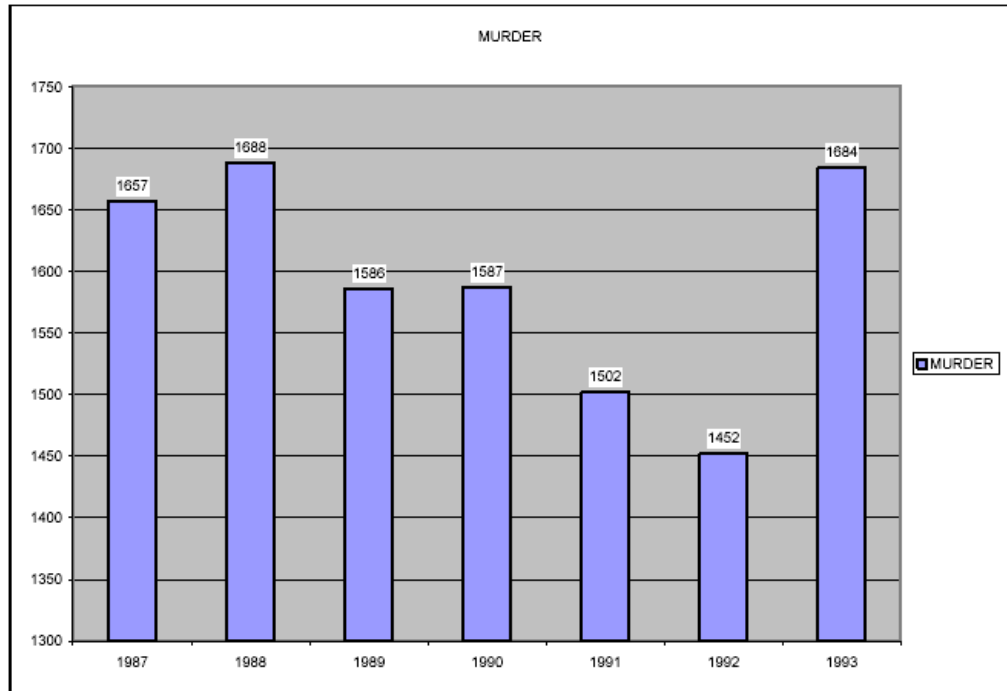
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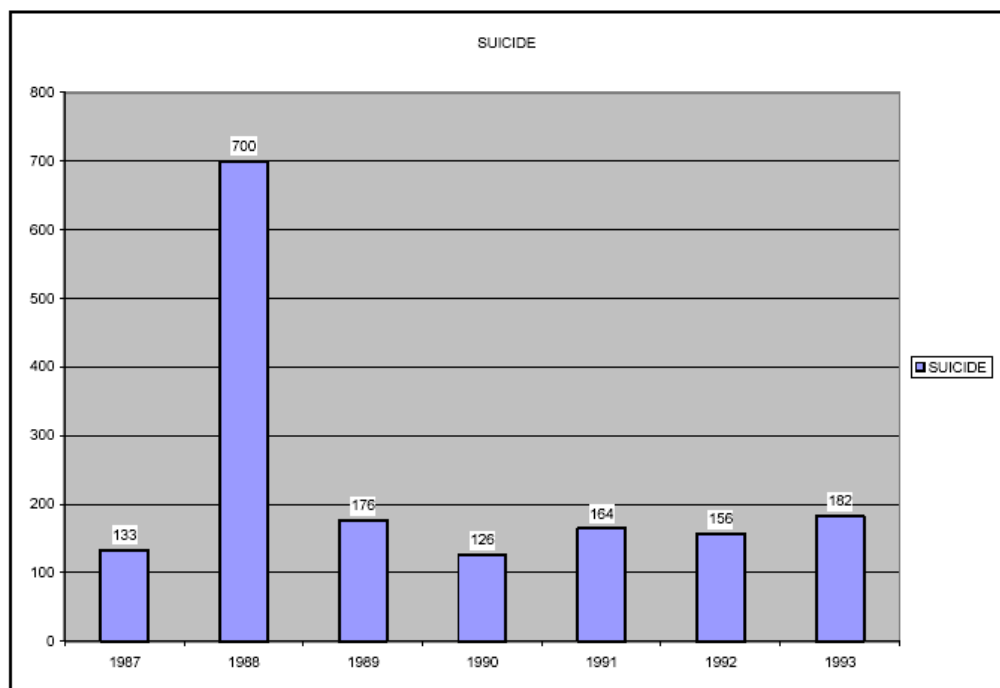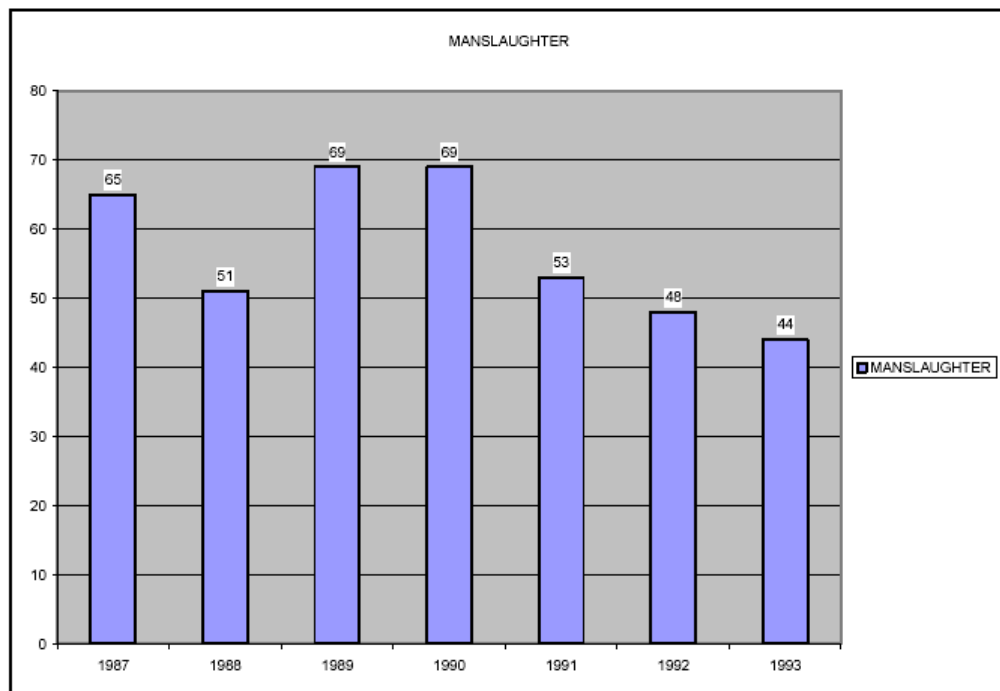
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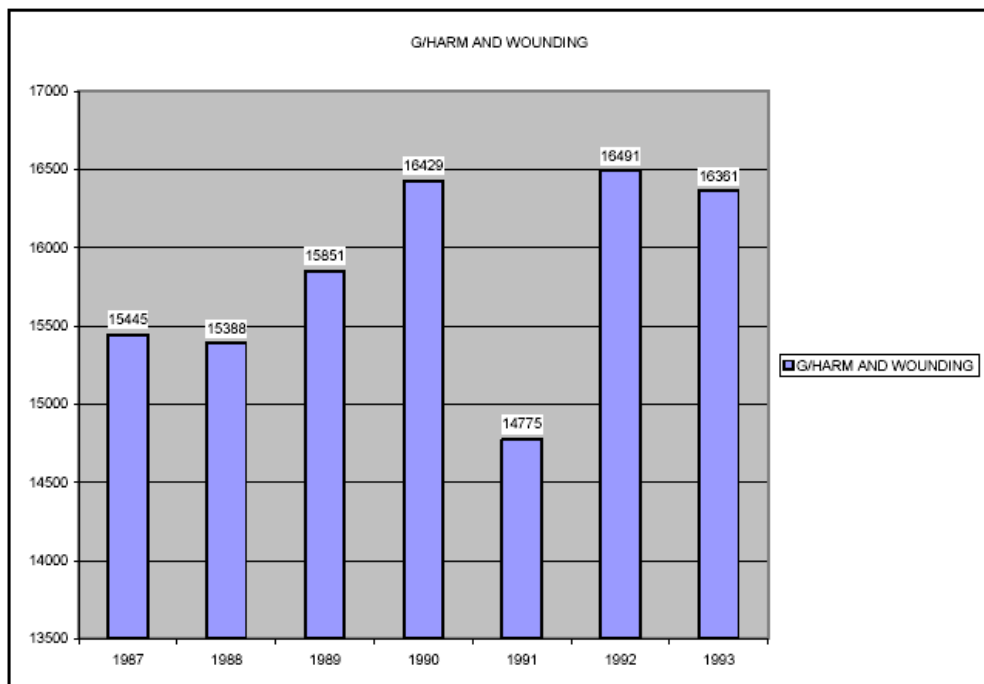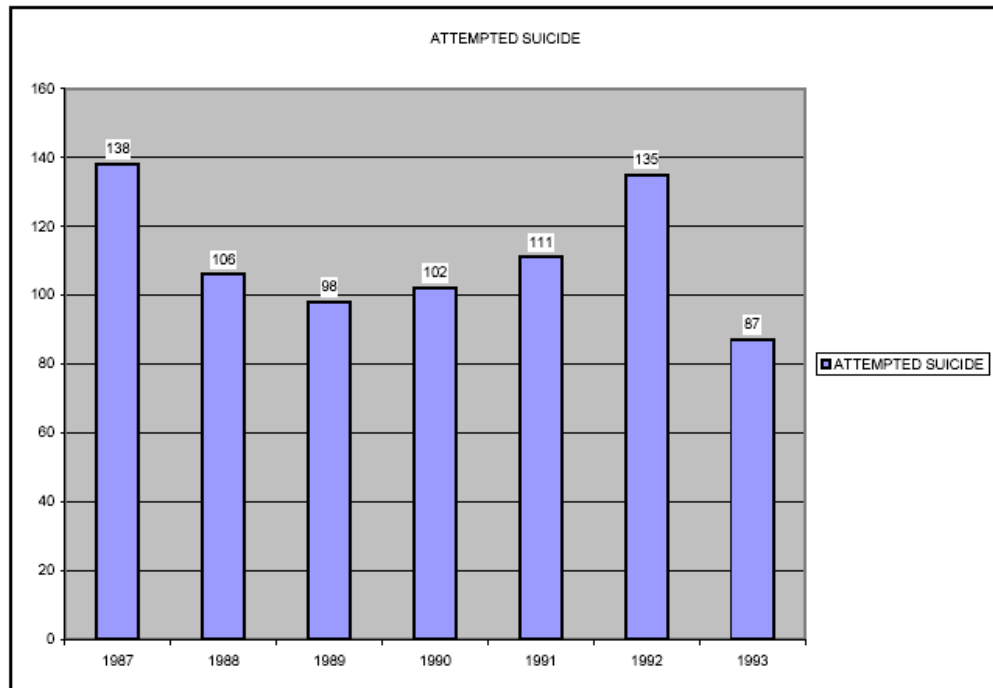
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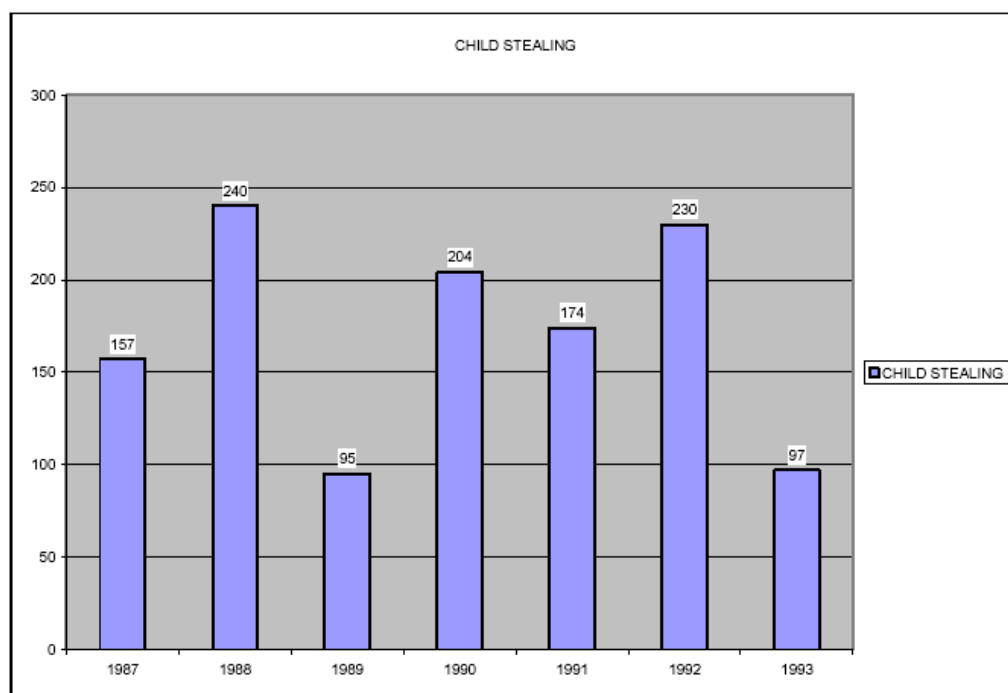
APPENDIX
SUMMARY OF CRIME STATISTICS IN NIGERIA FROM 1987 TO 1993
Complied by the Research Department of Cleen Foundation

MURDER

Year	Murder
1987	1657
1988	1688
1989	1586
1990	1587
1991	1502
1992	1452
1993	1684

ATTEMPED MURDER

Year	Attemped Murder
1987	208
1988	195
1989	157
1990	157
1991	174
1992	228
1993	304

MANSLAUGHTER

Year	MANSLAUGHTER
1987	65
1988	51
1989	69
1990	69
1991	53
1992	48
1993	44

SUICIDE

Year	SUICIDE
1987	133
1988	700
1989	176
1990	126
1991	164
1992	156
1993	182

ASSAULT

CHILD STEALING

SLAVE DEALING

RAPE/INDICENT ASSAULT

KIDNAPING

UNNATURAL OFFENCE

ARMED ROBBERY

Year	Armed Robbery
1987	1241
1988	1338
1989	1316
1990	1937
1991	1056
1992	1568
1993	1975

DEMAND / MENACE

Year	Demand / Menace
1987	95
1988	669
1989	70
1990	136
1991	175
1992	148
1993	286

HOUSE BREAKING

Year	House Breaking
1987	10665
1988	12074
1989	1064
1990	11658
1991	10173
1992	12262
1993	11265

STORE BREAKING

Year	Store Breaking
1987	6272
1988	6551
1989	7219
1990	6111
1991	5318
1992	6526
1993	7399

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FALSE PRETENCE CHEATING/FRAUD

Year	False Pretence Cheating/Fraud
1987	12367
1988	12378
1989	14278
1990	12885
1991	11936
1992	13421
1993	13855

FORGERY

Year	Forgery
1987	1280
1988	122
1989	1027
1990	1237
1991	1320
1992	1235
1993	906

RECEIVING STOLEN PROPERTY

Year	Receiving Stolen Property
1987	984
1988	1200
1989	1440
1990	1344
1991	1277
1992	1712
1993	1692

UNLAWFUL POSSESSION

Year	Unlawful Possession
1987	13808
1988	16089
1989	14103
1990	12371
1991	9790
1992	9520
1993	8829

ARSON

A bar chart titled "ARSON" showing values by year:
- 1987: 1189
- 1988: 1413
- 1989: 1523
- 1990: 1298
- 1991: 1156
- 1992: 1529
- 1993: 1661

Legend: ARSON

FORGERY OF CURRENCY NOTE

A bar chart titled "FORGERY OF CURRENCY NOTE" showing values by year:
- 1987: 0
- 1988: 0
- 1989: 159
- 1990: 67
- 1991: 96
- 1992: 75
- 1993: 118

Legend: FORGERY OF CURRENCY NOTE

COINING OFFENCE

Year	Value
1987	120
1988	48
1989	19
1990	29
1991	8
1992	6
1993	28

□ COINING OFFENCE

GAMBLING

Year	Value
1987	813
1988	639
1989	637
1990	315
1991	374
1992	279
1993	467

□ GAMBLING

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BREACH OF PUBLIC PEACE

PERJURY

BRIBERY AND CORRUPTION

Year	Value
1987	424
1988	329
1989	268
1990	297
1991	314
1992	136
1993	139

□ BRIBERY AND CORRUPTION

ESCAPE FROM LAWFUL CUSTODY

Year	Value
1987	1274
1988	1445
1989	1317
1990	963
1991	808
1992	843
1993	748

□ ESCAPE FROM LAWFUL CUSTODY

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SUMMARY OF CRIME STATISTICS IN NIGERIA FROM 1994 TO 2003
Complied by the Research Department of CLEEN FOUNDATION

MURDER

Year	Value
1994	1629
1995	1585
1996	1561
1997	1730
1998	1670
1999	1645
2000	1255
2001	2120
2002	2117
2003	2136

□ MURDER

Attempted Murder

Year	Value
1994	259
1995	321
1996	307
1997	250
1998	248
1999	220
2000	76
2001	253
2002	267
2003	233

□ ATTEMPTED ■ MURDER

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MANSLAUGHTER

Year	MANSLAUGHTER
1994	20
1995	25
1996	21
1997	18
1998	27
1999	14
2000	101
2001	14
2002	13
2003	6

SUICIDE

Year	SUICIDE
1994	200
1995	229
1996	238
1997	272
1998	313
1999	323
2000	146
2001	241
2002	152
2003	191

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ATTEMPTED SUICICE

Year	ATTEMPTED SUICIDE
1994	291
1995	120
1996	77
1997	58
1998	43
1999	30
2000	41
2001	27
2002	29
2003	38

G/HARM AND WOUNDING

Year	G/HARM AND WOUNDING
1994	17167
1995	16300
1996	17605
1997	14720
1998	14362
1999	15931
2000	9756
2001	15241
2002	17580
2003	17666

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ASSAULT

Year	Value
1994	46924
1995	46543
1996	52747
1997	42815
1998	40764
1999	33881
2000	17909
2001	37531
2002	29329
2003	29125

CHILD STEALING

Year	Value
1994	131
1995	175
1996	146
1997	303
1998	107
1999	147
2000	101
2001	116
2002	55
2003	39

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SLAVE DEALING

Year	Slave Dealing
1994	33
1995	16
1996	7
1997	17
1998	11
1999	21
2000	11
2001	45
2002	17
2003	18

RAPE/INDICENT

Year	Rape/Indicent
1994	2364
1995	2364
1996	2198
1997	2585
1998	2249
1999	2241
2000	1529
2001	2284
2002	2084
2003	2253

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KIDNAPING

Year	Value
1994	461
1995	415
1996	373
1997	377
1998	282
1999	342
2000	243
2001	349
2002	337
2003	410

KIDNAPING

Unnatural Offence

Year	Value
1994	685
1995	462
1996	419
1997	435
1998	516
1999	456
2000	376
2001	434
2002	277
2003	306

UNNATURAL OFFENCE

ARMED ROBBERY

Year	Armed Robbery
1994	2044
1995	2109
1996	2419
1997	2181
1998	2286
1999	2291
2000	1877
2001	2809
2002	3889
2003	3497

DEMAND/MENACE

Year	Demand/Menace
1994	777
1995	243
1996	88
1997	128
1998	112
1999	63
2000	133
2001	112
2002	88
2003	80

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THEFT AND OTHER STEALING

BURGLARY

HOUSE BREAKING

Year	House Breaking
1994	10532
1995	10568
1996	9237
1997	8562
1998	7847
1999	5979
2000	3636
2001	6059
2002	5448
2003	4706

STORE BREAKING

Year	Store Breaking
1994	6137
1995	5646
1996	4235
1997	4729
1998	4036
1999	3643
2000	2446
2001	3089
2002	2973
2003	2790

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FALSE PRETENCE

Year	Value
1994	13546
1995	13524
1996	13057
1997	11950
1998	12037
1999	9996
2000	7927
2001	10234
2002	9134
2003	9508

FALSE PRETENCE

FORGERY OF CURRENCY NOTE

Year	Value
1994	712
1995	682
1996	753
1997	1245
1998	718
1999	483
2000	489
2001	573
2002	528
2003	576

FORGERY OF   CURRENCY NOTE

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COINING OFFENCE

Year	Value
1994	100
1995	8
1996	10
1997	14
1998	14
1999	7
2000	4
2001	32
2002	6
2003	16

GAMBLING

Year	Value
1994	1308
1995	319
1996	250
1997	203
1998	158
1999	264
2000	189
2001	263
2002	228
2003	148

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BREACH OF PUBLIC PEACE

PERJURY

BRIBERY AND CORRUPTION

Year	Bribery and Corruption
1994	224
1995	390
1996	579
1997	100
1998	138
1999	75
2000	48
2001	57
2002	43
2003	36

ESCAPE FROM LAWFUL CUSTODY

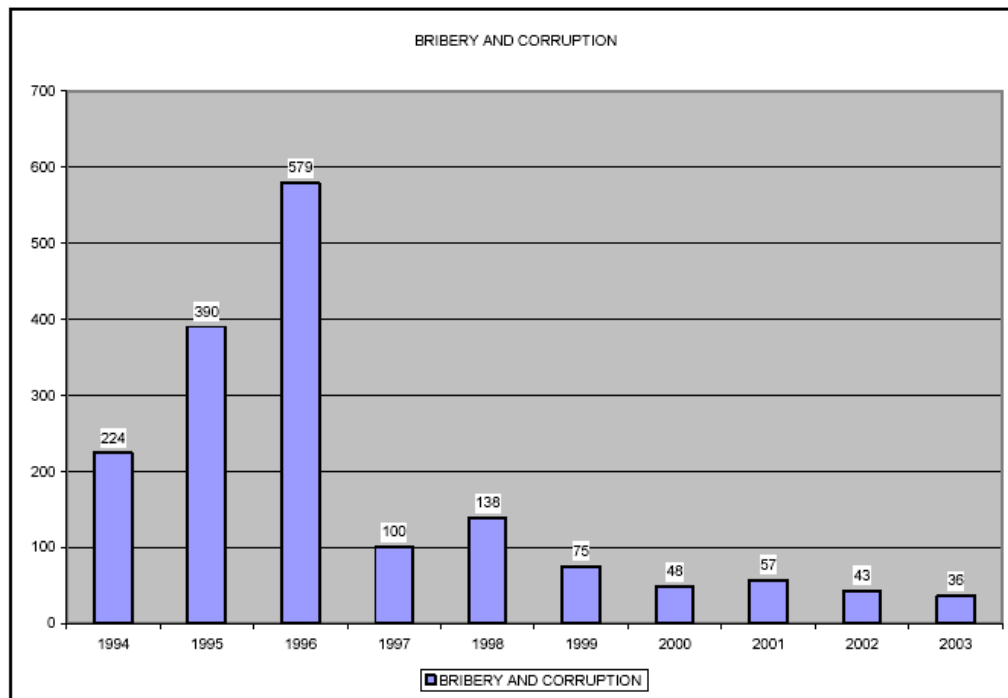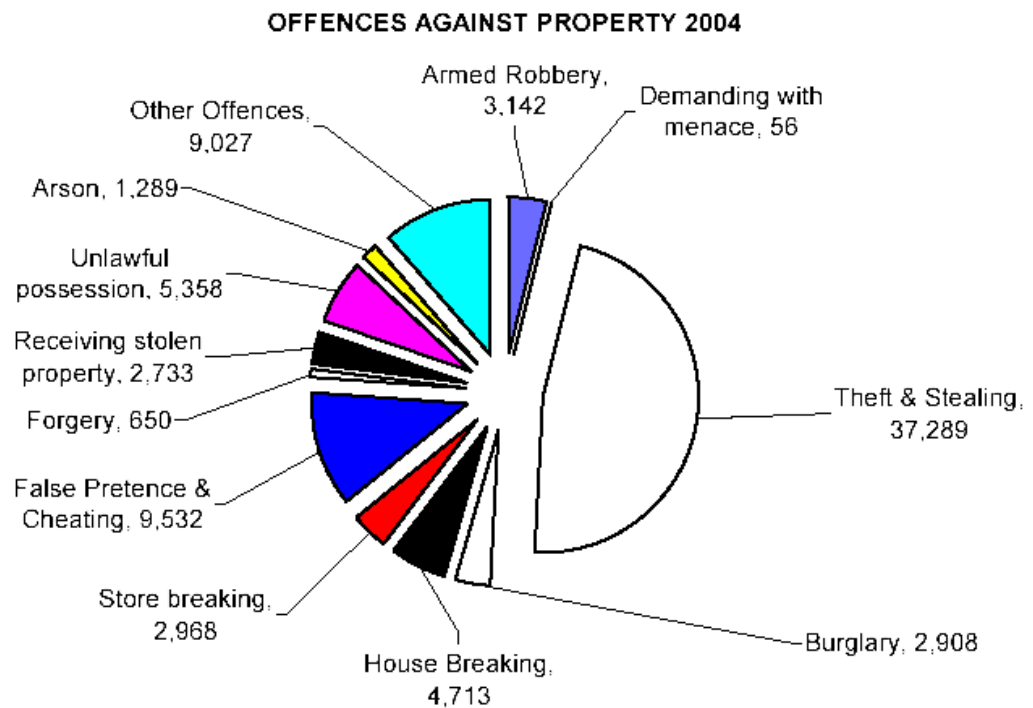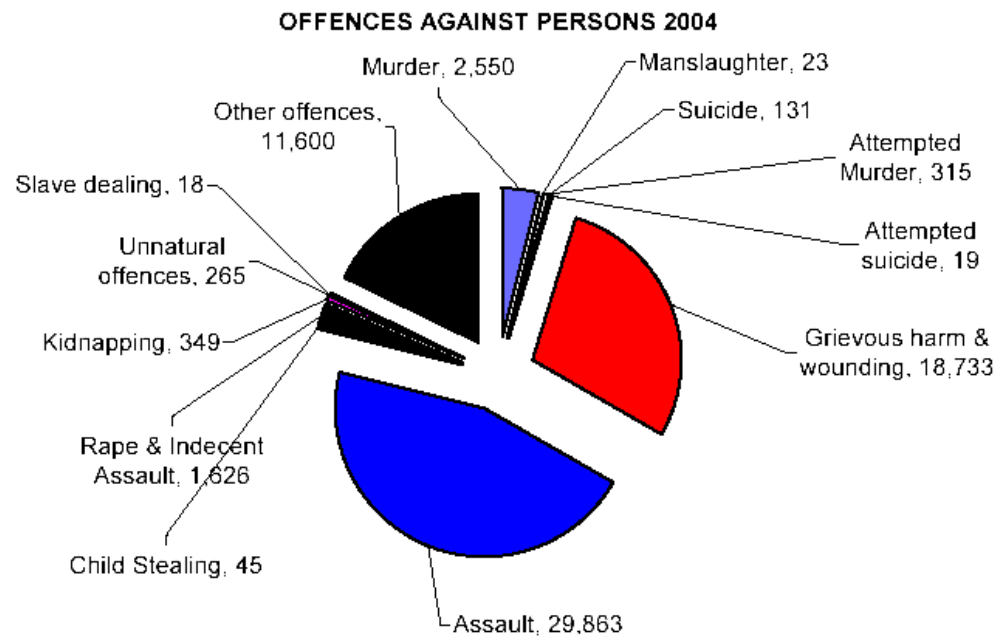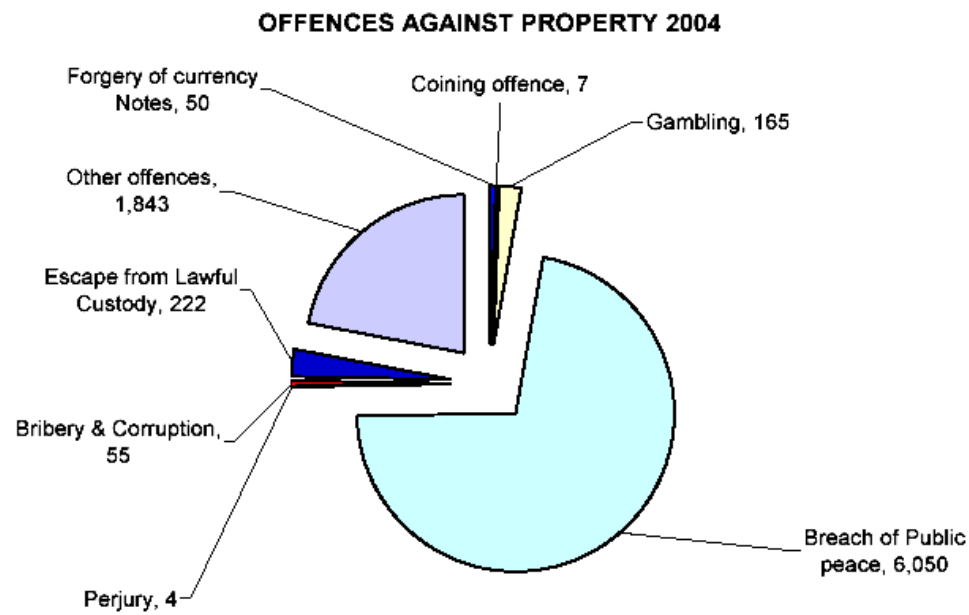| Year	Escape from Lawful Custody
1994	672
1995	629
1996	712
1997	543
1998	484
1999	552
2000	294
2001	312
2002	229
2003	272

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SUMMARY OF CRIME STATISTICS IN NIGERIA FOR 2004
Complied by the Research Department of CLEEN FOUNDATION

OFFENCES AGAINST PERSONS 2004

- Murder, 2,550
- Manslaughter, 23
- Suicide, 131
- Attempted Murder, 315
- Attempted suicide, 19
- Grievous harm & wounding, 18,733
- Other offences, 11,600
- Slave dealing, 18
- Unnatural offences, 265
- Kidnapping, 349
- Rape & Indecent Assault, 1,626
- Child Stealing, 45
- Assault, 29,863

OFFENCES AGAINST PROPERTY 2004

- Armed Robbery, 3,142
- Demanding with menace, 56
- Other Offences, 9,027
- Arson, 1,289
- Unlawful possession, 5,358
- Receiving stolen property, 2,733
- Forgery, 650
- False Pretence & Cheating, 9,532
- Store breaking, 2,968
- House Breaking, 4,713
- Theft & Stealing, 37,289
- Burglary, 2,908

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OFFENCES AGAINST PROPERTY 2004

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