Interrogating Crime and Punishment Systems in Akwa Ibom State, Nigeria: The Western and Historical Approaches

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Abstract
This study interrogates the approaches to crime and punishment systems in Nigeria with a focus on Akwa Ibom State. The purpose was to establish the extent to which it approximates the Western system. The study adopts the survey research design to randomly select ten Local Government Areas out of 31 and 15 youths from each of the Local Government Areas for the study. The Questionnaire (r=0.75) was used for data collected to establish the perception of the youths on Western and historical approaches to crime, punishment, and jungle justice. The data were analyzed using descriptive statistics of percentage, mean, standard deviation, and inferential statistics of t-test. The findings of the study reveal that the weighted mean of 2.63 out of the 4.00 maximum obtainable scores, which is higher than the standard mean of 2.50. Also, it revealed that there was no significant difference between male and female perceptions of Western and historical approaches to crime, punishment, and jungle justice (t = -.411; df=148; p>0.05). Based on the findings, the study recommends that Western and historical approaches should be adopted when discussing crime, punishment, and jungle justice. The government should improve on ways to reduce and end crime in the society. Jungle justice should be discouraged and orientation programmes should be organised for people not to take laws into their own hands.

Keywords: Crime, crime prevention, punishment, jungle justice,

Introduction
Nigerian society like most African societies is characterised by features such as collectivism, loyalty to authority and community, truthfulness, honesty, hardwork, tolerance, love for others, mutual harmony and peaceful co-existence, and identification of individuals with one another. Other distinctive features of the Nigerian traditional society are abhorrence for theft and high value for life. Stealing was considered extremely disgraceful and lives were also highly valued. Abdu-Raheem (2018) rated value as an important embodiment of good traits such as responsibility, reliability, honesty, obedience, faithfulness, truthfulness, decency, and discipline. Core values are basic foundations for sound character and positive human quality. The values individuals cherish and use are instrumental to their behavioural patterns and personal attributes. Core values that are positively oriented like honesty, dedication, loyalty,
patriotism, obedience, cooperation, and responsibility are highly essential viable values that a nation needs for social advancement and political stability. All of these values that made society secure and safe have gradually been thrown away and lost.

In an ideal Nigerian society, there is respect for elders and those in authority. There is mutual love and cooperation among the people. They share their wealth, happiness, and sorrow. People believe in hard work as the only means to success. There is peace and orderliness in the society. The children are obedient to their parents, elders, and the laws of the community. Before the advent of Western education, Nigeria had a very vibrant system of traditional education in which virtues of discipline, integrity, honesty, contentment, respect for elders, and transparency among others were held in very high esteem. Such virtues are considered as important aspects of the Nigerian culture that were entrenched in the traditional religions liturgy, dance and drama, folklore, art and craft (Ilesanmi, 2018). In recent times, the value system seems to be eroded by the infiltration of foreign culture and value, advanced technology, civilization and globalisation, social media, poverty, the introduction of Western education, and acceptance of foreign cultures and religions that are to serve as the conscience of the society is also a haven for showing immoral film and programmes that negates the value of the Nigerian society and the culture of immunity in the Nigeria politics which has eroded the democratic values in the students (Okwilagwe 2013 and Sofadekan 2016; Akintunde and Olatunji, 2019).

Crime has been a perplexing problem ever since the beginning of human civilization and man’s effort to struggle with this problem has only partially succeeded. There is hardly any society in this universe that is not oppressed by the problem of crime and criminality. As opposed to the individualistic approaches which focus on the biological, mental, and other physical characteristics of the offender to explain the cause of his criminal behavior there is a sociological approach to explaining criminal behaviour concerning a factor outside the personality of the criminal. The subject matter for the analysis of criminal behaviour also depends upon the society, community, and groups in which criminal lives shape criminal as well as non-criminal behaviour. Criminal behaviour is looked upon as resulting from social interactions. The act of crime is the result of a learning process in society. Apart from the personality of the criminal and the effect of biological, mental, and psychological factors on him, it is necessary to consider various social and environmental conditions within which crime is generated.

**Conceptual Issues**

Crime in a broad sense is an act that violates a political or moral law or violation of the criminal law (Zems, 2013). It is an act of omission which renders the person doing the act or making the omission liable to punishment. Tappan (1947) maintains that crime is an intentional act of omission or commission in violation of criminal law (statutory or case law), committed without defence or justification and sanctioned by the state as a Felony or misdemeanor (Reid, 2008). This means that an act of omission can only become a criminal act or criminal wrong if the act or omission is specifically prohibited by the criminal law. Omission to act refers to failure to carry out a legal (not moral) duty imposed on someone by law, which requires him to act in a particular case or manner. The term crime denotes an unlawful act punishable by a state. The study aims to reveal the nexus of Western and historical approaches to crime, punishment, and jungle justice and their significance.

Crime in terms of behaviour is an act of individuals acquiring resources from others by force, fraud, or stealing. Criminal acts do just the opposite of good. People who commit these acts intentionally harm others in other to satisfy their self-interests. Conventionally, crimes are acts forbidden by act that can be punishable by imprisonment. The rising wave of crime in Nigeria has been blamed on the increasing level of unemployment (Bolorunduro, 2019). Thus, idle youths tend to engage in illegal activities to meet up with contemporary
trends. Suffice it to say that the youths easily get enticed to riches as a result of the prevailing “get rich quick syndrome” that pervades the country. Hence, they tend to do whatever it takes to get rich quickly. Therefore, Nigeria’s high rate of unemployment, especially the increasing rate of youth unemployment is what majorly prompts the jobless youths in the country to resort to violent crime like banditry.

Prominent among these threats are the issues of organised crime (Okoli & Orinya, 2013). Organised crimes are high-profile crimes that are often perpetrated through transnational syndication and racketeering. Cases in point include terrorism, banditry, money laundering, and kidnapping. Globally, indications are rife to the effect that organised crimes are not only getting prevalent; indeed they are also getting sophisticated consolidated, and politicised. Inyang (2009) acknowledged that a graduate who is unable to secure a job is psychologically bereft of other means of survival. In such a situation the young person could develop a negative attitude towards society and attribute his failure to that society.

The three types of reactions to crimes can be observed in various societies. Firstly, a traditional reaction that is universal is termed a punitive approach. It treats criminals as bad and dangerous persons and the object of this approach is to inflict punishment upon offenders to protect society. Secondly, relatively recent origin in comparison to the punitive approach in which criminal can be considered as the victim of circumstances and various factors within the criminal and society. It sees the criminal as a sick person who needs treatment; this approach is termed a therapeutic approach. Finally, there is a preventive approach instead of focusing on criminals it seeks to eliminate those factors which are responsible for crime causation. These reactions do not overlap each other but sometimes they may coexist as a part of the overall system. The theories that reflect these approaches are not theories in the normal sense; they are not assertions but are like moral claims.

Punishment is one of the oldest methods of controlling crime and criminals in society. However, variations in the method of punishment, namely are noticeable because of variations in societal reactions in various societies to law-breaking. In some societies, punishments may be comparatively severe, swift, uniform, and definite while other societies may not be so. The use of specific methods of punishment varies from time to time. The different forms of punishment that were in practice in different societies reveal that punishments were based on deterrence and retribution which lost significance in the modern penology system. In primitive societies did not have any criminal administrative system, therefore settlement of private wrongs was entirely a personal matter and could be settled directly by the wrong-doer. Blood feud was one of the most common modes of punishment during early societies which were regulated by customary rules of procedure.

It is undoubtedly a method of revenge that works on the principle of an eye for an eye and tooth for a tooth. This method sometimes led to serious clashes between clans and made life worse. Sometime later, the damage for injury was substituted by payment of monetary compensation; however, it varies upon the nature of the crime, age, sex, and status of the victim. As time passed, primitive societies gradually transformed into civil societies and the involvement of kingship started which exercised his authority to settle the dispute. The private settlement or punishment fell into disuse and gave rise to the public disposition of wrong-doers. The common modes of punishment in different parts of the world are flogging, mutilation, branding, stoning, pillory, fines, and forfeiture of property. Capital punishment, imprisonment for life, and solitary confinement are also recognized as modes of punishment.

Dambazzau (2011) asserted that crime undermines the social fabric of society, crime influences the society in a variety of ways depending on the nature and or weight of crime committed. Therefore, the influence is measured in terms of cost and consequences. Society is considered peaceful only when there is a holistic approach to crime detection, investigation, and management. Justice is important to be served to criminals to reduce or put
an end to criminal acts in society. The judicial system in Nigeria has always been recognised to be the last hope of the common man.

The term ‘justice’ is as old as man. The minds of the masses, the oppressed, the downtrodden and the slaves are yearning for justice. Justice is a legal, ethical term with a common concept. Russell Kirk in Mantu (2006) sees justice as a “principle and the process by which each man has assured the things that belong to him”. He includes fair treatment in all situations, respect for each individual’s personal and democratic space as well as each community’s territory and space; respect for an individual and community right to keep personal values, the right to refuse intimidation, blackmail, and discrimination of any form. Justice is pivotal in that it is a prerequisite for peace and harmony in the society, it connotes fairness, a just attitude, correctness, and fair dealing. It gives citizens a voice, the power, and the right to stand for what is right and the rule of law protected. Aristotle mentioned that justice has twofold functions. He tagged the first as “distributive” and the other as “corrective” justice. Distributive justice is to give equal rights and goods to the society. When the equal distribution of benefits and burdens takes place, then the task of corrective is to project, assure, and preserve these goods from the attack of enemies.

Also, Rawls (2011) identified two principles and two priorities of justice. These principles embrace the attainment of the well-being of the citizens and the protection of their rights and lives. Such principles include that each person is to have an equal right to the most extensive total system of equal basic liberties, compatible with a similar system of liberty for all. And social-economic inequalities are to be arranged to the greatest benefit of the least advantaged, and attached to offices and positions open to all under conditions of fair equality of opportunity. Justice is power; justice has a major role to play in other to enhance the continuity of growth and development.

Iwarimie-Jaja (2003) viewed the Criminal Justice System as a process, in which the different components coordinate their independent functions by processing the criminal suspects from one stage to the other. The administration of the criminal justice system is a set of agencies and processes established by governments to control crime and impose penalties on those who violate laws. The Criminal Justice System involves arrest, booking trial, and confinement. It is a system or a process. As a system, it is the set of agencies and processes established by the state to manage crime and impose penalties on violators of criminal law. The criminal justice process which subsumed under the criminal justice system involves the procedure for arrest, charging, trial, and conferment of a suspect. Policies on the criminal justice system are built on five components and these are the law enforcement component, the court system, the prosecution, the corrections system, and the community.

Governance determines how the criminal justice system as an institution of social control in a country is defined and utilised. Furthermore, how well a country manages its criminal justice system affects its overall performance on the governance index. An effective criminal justice system is one of the key pillars upon which the concept of the rule of law is built because it serves as a functional mechanism to redress grievances and bring violators of social norms to justice. The administration of justice is the process by which the legal system of a government is executed. The presumed goal of such an administration is to provide justice for all those accessing the legal system. A country that gets its criminal justice system right has effectively addressed a great part of its governance concerns because of the centrality of the criminal system to order and stability. Once a crime is reported by the police, an investigation starts, and witnesses are interviewed or interrogated. Sufficient information obtained may lead to the arrest of a suspect, who may be detained or put in police custody or even released on bail where there seems to be no threat. Police discretion can be exercised at this stage, either to charge or discharge the suspect. Sometimes, offenders are diverted out of
the said process when there is a lack of evidence with which to continue the matter (Desmond, 2019).

According to Moses (2011), the system comprises crime-regulating techniques, which symbolize the range of government agencies that function as the instrument of the state to enforce its set rules essential for the maintenance of peace, order, and tranquility. The Criminal Justice System performs its duty by detecting, apprehending, prosecuting, adjudicating, and sanctioning members of the society who violate rules (Ugwuoke, 2010). The administration of the Criminal Justice System (CJS) is the set of agencies and processes established by the government to control crime and impose penalties on those who violate laws (Desmond, 2019). The criminal justice administration in Nigeria has over the years been the subject of various complaints of injustice and poor administration. Nigeria's system of justice administration is one in which people’s human rights are being systematically violated (Desmond, 2019). Amnesty International described the Nigerian system of criminal justice administration as appalling and one in which people’s human rights was being systematically violated. Nigeria's criminal justice system was described as a conveyor belt of injustice, which has utterly failed the Nigerian people.

Because the criminal justice system of Nigeria has failed Nigerians, most people now adopt jungle justice also known as Mob justice is a justice that respects no law. It perpetually connotes the infringement upon citizens’ constitutional rights. Also, Enadeche (2015) stated that "almost daily, there are cases of killings and abuse of alleged criminals. People who may have been accused wrongly, end up getting lynched by angry mobs before the police arrival". It is observed that some of the alleged criminals are not even caught in the act of committing a crime before being accused falsely and then instantly killed, tortured to death, or even burned alive. There is however no rationale in this to murder these alleged criminals in such a way; this is because crimes cannot be fought against by acting like a criminal. It is also known as vigilante justice has been opined to be part of the problems militating against the development of countries especially less developed and developing ones like Nigeria. It is a situation where people are treated very unfairly, brutally, and deprived of their rights.

Jungle justice is a form of crime and punishment when considering the mobsters and alleged criminals respectively. It is usually carried out by an angry mob whose judgments are passed on to an offender regarding codes of conduct, moral standards of behaviour, and ethical systems of beliefs. Onyebuchi (2014), simply put it as a form of extra-judicial killing where the victim is deprived of the rule of law and justice is meted out in a barbaric and appalling fashion usually through stoning or burning the individual in the full glare of the public, making it to synonymous to injustice. ThisDayNewspaper (2014) submits that it is a situation in which ‘an irate mob’, takes into their hands the right to execute punishment on alleged offenders of a heinous crime” Meanwhile, the constitution of Nigeria confirms that it is only the state that can punish a criminal which is done only if a proper trial is undergone and the alleged criminal is proven guilty. However, the situation in Lagos state in various instance seems alarming, as citizens are observed to place laws into their own hands and identify and persecutes alleged kidnappers, ritualists, robbers, and cultists amongst many others. Unfortunately, some of the victims are not found guilty of the crimes by a competent court of law. However, jungle justice is a major problem in most states in Nigeria, especially Akwa Ibom state. This is a result of the slow dispensation of justice and is opined to be one of the reasons for jungle justice and extra-judicial killings in Akwa Ibom state. Though the law of the federation specifies that law enforcement agencies are to maintain laws and orders in Nigeria as it is worldwide, it seems the law enforcement agencies in Nigeria, particularly Lagos state do not seem to be fulfilling this vital responsibility. It has therefore been argued that mob justice prevalence has continually disrupted societal peace and order in Akwa Ibom state.
Previous studies have focused on the criminal justice system in Nigeria, crime and criminology, effects of jungle justice on society. All these studies came up with useful insights into solving the problem of crime in society but with less research focus on Western and historical approaches to crime, punishment, and jungle justice. Therefore, this study investigated Western and historical approaches to crime, punishment, and jungle justice.

Statement of the Problem

Crime in a broad sense is an act that violates a political or moral law or violation of the criminal law. It is an act of omission which renders the person doing the act or making the omission liable to punishment. Punishment is one of the oldest methods of controlling crime and criminals in society. The criminal justice administration in Nigeria has over the years been the subject of various complaints of injustice and poor administration. Nigeria's system of justice administration is one in which people's human rights are being systematically violated. As a result of the fact that the criminal justice system of Nigeria has failed Nigerians, most people now adopt jungle justice also known as Mob justice which is a justice that has no respect for law. As a way of solving the problem of crimes in society, numerous studies have been carried out, especially on the criminal justice system and jungle justice. All these studies came up with useful insights but with less research attention on Western and historical approaches to crime, punishment, and jungle justice. Therefore, this study investigated Western and historical approaches to crime, punishment, and jungle justice.

Research Question

What is the perception of youths to Western and historical approaches to crime, punishment, and jungle justice?

Hypothesis

H01: There is no significant difference between the male and female perception of Western and historical approaches to crime, punishment, and jungle justice.

Methodology

The study adopted the survey research design. Ten Local Government Areas were randomly selected from 31 Local Government Areas in Akwa Ibom State. A simple random sampling technique was used to select 15 youths from each of the Local Government Areas. In all, a total number of 150 youths participated in the study. One research instrument was used for data collection: Youth Perception of Western and Historical Approaches to Crime, Punishment and Jungle Justice Questionnaire (r=0.75). Data collected were analysed using descriptive statistics of percentage, mean, standard deviation, and inferential statistics of t-test.

Data Analysis, Results and Discussion

Research Question 1: What is the perception of youths on Western and historical approaches to crime, punishment, and jungle justice?

Table 1: Mean responses on the perception of youths on Western and historical approach to crime, punishment, and jungle justice

<table>
<thead>
<tr>
<th>S/N</th>
<th>Items</th>
<th>SA (%)</th>
<th>A (%)</th>
<th>D (%)</th>
<th>SD (%)</th>
<th>M</th>
<th>Sd</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Western and historical approaches have no good effect on crime, punishment, and jungle justice</td>
<td>18</td>
<td>56</td>
<td>60</td>
<td>16</td>
<td>2.51</td>
<td>.841</td>
</tr>
<tr>
<td></td>
<td></td>
<td>12.0</td>
<td>37.3</td>
<td>40</td>
<td>10.7</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td>Western and historical approaches are not relevant in</td>
<td>22</td>
<td>60</td>
<td>55</td>
<td>13</td>
<td>2.61</td>
<td>.843</td>
</tr>
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<td></td>
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</tr>
</tbody>
</table>
crime, punishment, and jungle justice & 14.7 & 40 & 36.7 & 8.7 & \\
3 & Western and historical approaches make crime, punishment, and jungle justice not to be effective & 16 & 10.7 & 54 & 36.0 & 69 & 46.0 & 11 & 7.3 & 2.50 & .784 & \\
4 & Western and historical approaches are the best approaches to crime, punishment, and criminal justice. & 18 & 12.0 & 50 & 33.3 & 70 & 46.7 & 12 & 8.0 & 2.49 & .809 & \\
5 & Western and historical approaches are useful when discussing crime, punishment, and jungle justice. & 16 & 10.7 & 59 & 39.3 & 60 & 40 & 15 & 10.0 & 2.51 & .817 & \\
6 & Western and historical approaches are not to be adopted in crime, punishment, and jungle justice. & 24 & 16 & 53 & 35.3 & 56 & 37.3 & 17 & 11.3 & 2.56 & .894 & \\
7 & Western and historical approaches changed my perception of crime, punishment, and jungle justice. & 16 & 10.7 & 70 & 46.7 & 51 & 34.0 & 13 & 8.7 & 2.59 & .795 & \\
8 & Western and historical approaches are to be adopted in reducing crime and jungle justice. & 33 & 22 & 71 & 47.3 & 33 & 22.0 & 13 & 8.7 & 2.83 & .873 & \\
9 & Western and historical approaches promote jungle justice. & 24 & 16.0 & 71 & 47.3 & 45 & 30 & 10 & 6.7 & 2.73 & .810 & \\
10 & Western and historical approaches do not make youth engage in jungle justice. & 16 & 10.7 & 42 & 28.0 & 75 & 50 & 17 & 11.3 & 2.38 & .825 & \\
11 & Western and historical approaches make youth have negative attitudes towards crime and jungle justice. & 22 & 14.7 & 44 & 29.3 & 66 & 44 & 18 & 12.0 & 2.47 & .887 & \\
12 & Western and historical approaches enhance my understanding of crime, punishment, and jungle justice. & 17 & 11.3 & 47 & 31.3 & 65 & 43.3 & 21 & 14.0 & 2.40 & .867 & \\
13 & Western and historical approaches give me have wrong impression about crime and jungle justice. & 13 & 8.7 & 43 & 28.7 & 75 & 50.0 & 19 & 12.7 & 2.33 & .808 & \\
14 & Western and historical approaches make me reflect on what crime and jungle justice & 21 & 14 & 61 & 40.7 & 53 & 35.3 & 15 & 10.0 & 2.59 & .853 & \\
15 & Western and historical approaches disallow me from engaging in crime and jungle justice. & 27 & 18 & 54 & 36.7 & 56 & 37.3 & 13 & 8.7 & 2.63 & .878 & \\
16 & Western and historical approaches encourage youths to be law-abiding & 38 & 25.3 & 83 & 55.3 & 21 & 14.0 & 8 & 5.3 & 3.01 & .781 & \\
17 & Western and historical approaches make youth to be discouraged from pertaining in crime & 38 & 25.3 & 90 & 60 & 17 & 11.3 & 5 & 3.3 & 3.07 & .706 & \\
18 & Western and historical approaches make youth claim their rights & 40 & 26.7 & 83 & 55.3 & 21 & 14.0 & 6 & 4.0 & 3.05 & .754 & \\
19 & Western and historical approaches make youth not take laws into their own hands. & 18 & 12.0 & 33 & 22 & 87 & 58 & 12 & 8.0 & 2.38 & .800 & \\
20 & Western and historical approaches make the society to be lawless & 42 & 28.0 & 66 & 44.0 & 28 & 18.7 & 14 & 9.3 & 2.91 & .915 & \\

Weighted Mean: 2.63  
Threshold: 2.50

Source: Author’s Compilation, 2023.

Table 1 reveals the responses of the perception of youths on Western and historical approaches to crime, punishment, and jungle justice. It reveals the weighted mean of 2.63 out of the 4.00 maximum obtainable scores, which is higher than the standard mean of 2.50. This means that youths have a good perception of Western and historical approaches to crime, punishment, and jungle justice.
H₀₁: There is no significant difference between male and female perceptions of Western and historical approaches to crime, punishment, and jungle justice

Table 2: Difference between male and female perceptions of Western and historical approach to crime, punishment, and jungle justice

<table>
<thead>
<tr>
<th>Group</th>
<th>N</th>
<th>Mean</th>
<th>Standard Deviation</th>
<th>Mean Difference</th>
<th>T</th>
<th>df</th>
<th>p-value</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Male</td>
<td>46</td>
<td>53.3696</td>
<td>2.49763</td>
<td>-.19774</td>
<td>-.411</td>
<td>148</td>
<td>.668</td>
<td>Not sig.</td>
</tr>
<tr>
<td>Female</td>
<td>104</td>
<td>53.5673</td>
<td>2.80348</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Source: Author’s Compilation, 2023.

Table 2 shows the difference between male and female perceptions of Western and historical approaches to crime, punishment, and jungle justice using the independent samples t-test analysis. The result indicates that there is no significant difference between male and female perceptions about Western and historical approaches to crime, punishment, and jungle justice (t = -.411; df=148; p>0.05). This implies that gender did not cause a variance in the perception of youths on Western and historical approaches to crime, punishment, and jungle justice.

Table 1 revealed that youths have a good perception of Western and historical approaches to crime, punishment, and jungle justice. This is in line with Sabharwal (2007) who reported that crime, punishment, and jungle justice should be addressed using a good approach. He asserted that an effective justice system can curb jungle justice in Nigeria. This finding is against the study of Olugbenro (2013) who revealed that approaches had nothing to do with crime, punishment, and jungle justice. He noted that if those meant to enforce a law are adequately involved in breaking it, sanity cannot be restored to the society, the security agents should be alive to their billing in maintaining order, as it will most times reduce chances of jungle justice. Table 2 revealed that gender did not cause a variance in the perception of youths on Western and historical approaches to crime, punishment, and jungle justice. This is in line with the study of Ikhariale (2012) who reported that gender did not cause a variance in the perception of youths on Western and historical approaches to crime, punishment, and jungle justice. Contrary to this finding, Iyang (2014) revealed that gender had nothing to do with crime, punishment, and jungle justice.

Conclusion and Recommendations

The study has shown that youths have a good perception of Western and historical approaches to crime, punishment, and jungle justice. The findings of this study have provided a better understanding of Western and historical approaches to crime, punishment, and jungle justice. Based on the findings of this study, it was recommended that Western and historical approaches are good and should be adopted when discussing crime, punishment, and jungle justice. The government should improve on ways to reduce or put an end to crime in society. Jungle justice should be discouraged in society. Orientation programmes should be organized for people on why they should not take laws into their own hands.

References


