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Western Criminology vis-à-vis Nigerian Criminology¹
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Abstract

In the study of crime and criminal behaviour, Nigerian criminologists always have recourse to Western criminological theories. Even when Western theories cannot provide full explanations of the phenomenon or phenomena under investigation, Nigerian scholars still use them because there are no available local options or alternatives. This paper is part of a study of convicted armed robbers in Kirikiri Maximum Security Prison, Lagos, Nigeria. It argues that Western theoretical perspectives are inadequate to fully explain crime and criminal behaviour in the Nigerian social structure. The paper suggests the development of Nigerian criminology that can fully explain crime and criminal behaviour in a Nigerian way.

Keywords: Western criminology, Nigerian criminology, subcultural theory, anomie-strain theory, control theory, armed robbery, corruption, crime.

Introduction

Whenever Nigerian criminologists and other social scientists study phenomena, they often use Western theoretical frameworks (see for example, Kunnuji, 2016; Umoh, 2015; Badiora et al., 2014; Alabi, 2014; Adebayo 2013, Chukwuma & Alemika, 2001; & Odumosu, 1999). Nevertheless, Western theoretical perspectives do air some degree of scepticism when used in any Nigerian study, recognising that the theories may or may not fit well into the Nigerian social environment. This paper is a product of research conducted at Kirikiri Maximum Security Prison Lagos, Nigeria. It employs several Western criminological theoretical perspectives that explain youth involvement in armed robbery. The paper illustrates that Western criminological theories are not always explicit in explaining crime and criminal behaviour in Nigeria. Importantly, it argues that Nigerian criminology should be adopted to explain such phenomenon or phenomena in Nigeria.

Background and nature of the study

Criminal activities such as armed robbery, kidnapping, homicide, religious violence, and terrorism, have shown that Nigerian society is insecure and vulnerable to crime (see Giles, 2019; Umoh, 2015, Badiora et al., 2014). In urban areas, the situation continues to increase (Giles, 2019; Ghani, 2017; Badiora et al., 2014). Moreover, there has been a spillover or "contagion" where crime once predominantly found in urban areas have now diffused to suburban (Kunnuji, 2016) and rural areas (Idemudia, 2005). The status quo is such that fear, and moral panic have intrinsically affected the day to day living of the citizenry who are unsure of what may happen to them next. More so, there is a total lack of trust on the security agencies, especially the police, who

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are always and publicly accused of colluding with, and aiding and abetting the criminal networks (Alapata, 2012).

Nigeria's crime problem has implications for its position in the global economic market. Previous studies (Jelilov et al., 2018; United Nations Office on Drugs & Crime [UNODC], 2005:79), reveal that the different types of crime occurring in Nigeria make the country insecure. Also, the crimes place Nigeria as one of the riskiest countries for business, not only in the West African Sub-region but also within the world community. It is unfortunate to note that insecurity has brought about the drastic decline in foreign direct investment in Nigeria (Jelilov et al., 2018) because businesses and their investors like to thrive on safe and crime-free environments. On the one hand, there is a causal link between security and economic development. On the other hand, there is a close connection between insecurity and weak economies in developing societies (see Otto et al., 2012; Jelilov et al., 2018).

Since the end of the Nigerian Civil War, in 1970, armed robbery is probably the only crime that has caused so much trepidation, apprehension, insecurity, public anger, shame and concern to successive governments in Nigeria (Igbo, 2001: 176). Before the war, robbery had a legal definition as "stealing with violence" (Igbo, 2001: 182). Pursuant to the Criminal Code of 1958, two types of robbery existed in Nigeria, namely: "ordinary robbery" and "aggravated robbery". The former refers to the actual use or threat of violence to rob, while the latter involves the use of dangerous weapons to rob, leading to physical injuries to victims (Igbo, 2001). Immediately after the war, and consequent upon the dramatic rise in armed robbery offences across the country, the then Federal Military Government abrogated the section of the Criminal Code of 1958 dealing with "aggravated robbery". It replaced it with the Armed Robbery and Firearms (Special Provisions) Decree 1970 no 47, as a general deterrent measure (Igbo, 2001). That Decree is the basis for the fluid definition and the consequent ramifications regarding armed robbery offences in Nigeria today.

Armed robbery occurs, if the offender arms oneself with any firearms, or any offensive weapon, or any offensive or chemical materials, or is in company with any person so armed; or at or immediately before or immediately after the time of the robbery, and if the said offender wounds any person, the offender shall upon conviction receive the death sentence (Criminal Code Act [CCA] 1990, S. 402, 2 a-b). Secondly, if any offender who commits the offence of robbery is armed with any firearms or any offensive weapon or is in company with any other person so armed; or at or immediately before or immediately after the time of the offence, the said offender wounds or uses any other personal violence to any person, the offender shall upon conviction be sentenced to imprisonment for life with or without weeping (CCA, 1990, S. 403, 2a-b).

Thirdly, if any person is found in any public place in possession of any firearms whether real or imitation and in circumstances reasonably indicating that the possession of the firearms is with intent to the immediate or eventual commission by that person or any other person of any offence under Section 402 (CCA, 1990, S.403, 3). Fourthly, any person who conspires with any person to commit the offence whether or not he is present when the offence is committed or attempted to be committed shall be deemed guilty of the offence as a principal offender and shall be punished accordingly (CCA, 1990, S. 403a).

Indeed, the underlying principle in Nigeria is that armed robbery must involve the use of firearms or any offensive weapons at the disposal of the motivated offender, that is, any person who aids, counsels, abets, procures or conspires with any person to commit the offence (see Okonkwo, 2002). As Ekpenyong (1989) argues, the fluidity of the definition has meant that many property offenders stand accused of armed robbery in circumstances that ought to be theft, burglary or ordinary robbery. What amounts to a reasonable intent to commit an armed robbery depends on police interpretation, which creates an opportunity for the police to manipulate the situation to their utter advantage (Ekpenyong, 1989). Unfortunately, the label of "armed robbers" tends to justify the undue imprisonment of innocent Nigerians who have come to the attention of the police for reasons ranging from their refusal to give bribes to escape punishment for some minor offences (Alston, 2005) to being used as a pretext for the administration of "jungle justice;" this refers to the public dispensing justice apart from the normal process of law. In most cases, it involves extra-judicial killing through neck-tying.

Comparatively, the UK Theft Act, 1968, maintains that "a person is guilty of robbery if he or she steals and immediately before or at any time so doing, and in order to do, uses force, or puts or seeks to put any person in fear of being then and there subjected to force" (see Smith, 1997: 87). The definition makes no direct reference to armed robbery, or the use of any weapon to rob but emphasises the use of "force" to rob or in order to rob. It is more than five decades of its enactment, but it has stood the test of time, and remained the current legal definition in Britain to refer to armed robbery, street robbery, and any other form of robbery. It has also influenced many definitions of robbery across the world, including Nigeria. Moreover, whenever there is a reference to robbery of business or commercial property in Britain, it invariably points to armed robbery (see for example Gill, 2000; Matthews, 1996, 2002).

The conceptualisation of armed robbery in Nigeria is different. It is a spatiotemporal crime (Adeboyejo & Abodunri, 2007) that can be enacted at home, in a commercial setting, in the work environment, on the motorway (highway) (see for example Ekpenyong, 1989; Ginifer & Ismail, 2005; Onuminya & Ohwohiagbese, 2005) or wherever the offenders may choose to operate. Once a weapon is involved, the tendency is for the criminal justice system, particularly the police, generally to interpret everything as armed robbery without proper categorisation into residential robbery, commercial robbery, car robbery, street robbery and others. Undoubtedly, this development continues to create ambiguities in official statistics and sentencing procedures in the country.

Armed robbery bridges the conventional divide between violent crime and property crime (Wright & Decker, 1997; Matthews, 2002). For instance, the British Crime Survey calls it property crime while the Annual Criminal Statistics of Britain refers to it as a form of violent crime (Matthews, 2002). In essence, robbery is both a property crime as well as a crime of violence (Carroll & Jackson, 1983; Cook, 1987). Perhaps the most severe harm caused by robbery is that it violates two firmly held values, which are: the right to personal safety and the right to property (Conklin, 1972). At times, robbery leads to the sudden death of either the victims or offenders. If death occurs, it is a different offence, usually murder or manslaughter. When violence and theft are combined, robbery becomes the most serious of the common offences of dishonesty (Gilyeat, 1993: 13).

Armed robbery inspires fear (Macdonald, 1975; Cook, 1987), because of the use of force against the victim and the theft of his property (Conklin, 1972). Another pertinent reason for fear of robbery is that it is an offence usually committed by a stranger who attacks a victim or victims violently and unexpectedly (Conklin, 1972; Cook, 1987; Felson et al., 2000). This fear keeps people off the streets, makes them avoid strangers, and leads them to lock their doors (Conklin, 1972: 4). Arguably, locking of the doors makes little or no difference if armed robbers have both the men's *rea* and *actus reus* to rob any person or property. In opening the interaction, the perpetrators will employ at least one of three procedures to intimidate their victims: first, a command for compliance supported by a threat of force; second, the utilisation of prodding force; third, the exercise of incapacitating force (Desroches, 2002; Luckenbill, 1980).

Despite the standard view that robbery is a crime perpetrated by strangers (Desroches, 2002), it is also an acquaintance crime (Felson et al., 2000). More than five decades ago, Normandeau (1968b) revealed that 85 per cent of all robberies in the United States of America acted against strangers. However, another study shows that in more than one-third of robberies committed in the US, the criminal must have known the victim previously (Felson et al., 2000). Whether or not a stranger or an acquaintance commits robbery, it tends to generate moral panic in the cultural milieu.

Recognising that armed robbery is a problem in Nigeria, we conducted a study of those convicted of armed robbery in Kirikiri Maximum Security Prison Lagos. Twenty participants were involved in the project using semi-structured face to face oral interviews that lasted one hour on average. The confidentiality of the respondents was strictly adhered to, such that they had pseudonyms. In the end, we collected, transcribed and analysed a massive data set using Nvivo 8 software for qualitative data analysis, while preparing for the employment of foreign theories of crime, which may or may not entirely help in the explanation of crime in Nigeria.

Can Western theories fully explain crime in Nigeria?

Before commencing the study, the theory that captured the researcher's imagination and interest more than any other was the subcultural theory, which is an Anglo-American theoretical perspective that focuses on deviant behaviour of working-class young male adolescents. At the beginning of the semi-structured interviews, respondents seemed to be young men robbing people. However, the researcher thought the study had resonance around the subcultural form. This theoretical tradition laid much emphasis on the cultural identities of subcultures such as music, dress, language, tattoos, etcetera. Nevertheless, the primary data indicated that different theoretical frameworks are needed to be employed to understand the findings.

Findings from the study reveal that youth involvement in armed robbery in Nigeria arises from the injustices of the Nigerian state - when youths come together as "bad friends" to carry out an armed robbery, they are motivated by a desire to get money due to the poverty and endemic corruption in the country. These reasons are the major kinds of indicators that explain what they do. Their intentions are either appropriate or not. To say that youths are fighting against the state appears to be a romanticisation of crime, given that it would be open to them to do so by peaceful protest or non-violent demonstration. This data indicated some evidence that anomie-strain theory and a measure of control theory may better explain the phenomenon.

Anomie occurs when society emphasises achievement or culturally prescribed goals without addressing the approved norms that regulate the means to achieve those goals (Zembroski, 2011: 246). Merton (1968a) identified anomie as a feature of American society in general and experienced by those in the lower socio-demographic classes because their access to legitimate opportunities is often blocked (see also Akers & Sellers, 2008). Nigerian social structure is unequal and unjust (Arhedo et al., 2011), and such inequality can result in anomie. The rich-poor divide pressures people, especially youths from lower backgrounds, to get involved in crimes such as armed robbery as a way out of poverty. The reason being that social systems hold the same goals for all people, but they do not give the same people the equal means to achieve them. When that happens, standards of right and wrong are no longer applicable, and it is necessary to determine "which of the available procedures is most efficient in netting the culturally approved value?" (Merton, 1968a: 189). The state of anomie results in "a literal demoralisation, i.e., a de-institutionalisation of the means" (Merton, 1968a: 190; see also Zembroski, 2011: 245). For example, corruption in the higher echelons of Nigerian society appears to result in the fracturing of moral standards, and this causes problems in justifying the observance of the rule of law. That is because social structures exert enormous pressures on people to deviate (Merton, 1968a). Hence, the anomie-strain theory seems to offer an explanation of criminal behaviour found among Nigerian youths who got involved in an armed robbery.

The choice of anomie-strain theory is to explain criminal behaviour in an anomic society like Nigeria because it has a more fluid flexible fit into the Nigerian context and explains criminal behaviour mainly from an economic position. Anomic crimes like armed robbery (Messner & Rosenfeld, 2001b) seem to flourish in Nigeria because some segments of the youth population are disenfranchised, disaffected, and alienated by society and governments. Legitimate opportunities to achieve the desired cultural goals are lacking. The twenty youth respondents for the study is a typical example, hence the employment of anomie-strain theory to explain their criminal behaviour. Again, they see themselves as "bad friends", who are looking for money and blaming the government for poverty and deep-rooted corruption in the country. Considering the criminogenic factors, it is arguable that Nigeria is in a state of normlessness or social disorganisation. Society's attitudes toward corruption - cheating on one's income tax, embezzling, fraud, and interfering with the right to privacy help set the stage for acts that may be considered criminal. In Nigeria, there is a tendency to exalt the rich without bothering about the source of their wealth (Odumosu, 1999: 72). The end justifies the means syndrome becomes the norm in the country. When a group of people or society or community become more disorganised or anomic, there is the tendency that a higher rate of crime could exist among them (Akers & Sellers, 2008).

Another reason for using anomie-strain theory in the study is because it provides an insight into the crime problem in Nigeria, which has some connection with the unbridled quest for money.

According to Alemika and Chukwuma (2001: 20), Nigerian society lays more emphasis on being "successful" in the sense of acquisition of wealth, engagement in ostentatious lifestyle and conspicuous consumption (possess expensive cars, extensive and costly buildings, make huge donations at public fund-raising), to be highly educated and to wield political power. Those who fail to meet these aspirations and goals prescribed by society experience tremendous pressure or strain.

The main emphasis of Merton's anomie-strain theory is "monetary success", which is one criminogenic aspect of the content of the American Dream. As far as monetary success is inherently open-ended and elusive, the adequacy of the legitimate means for achieving this cultural goal is suspect. Irrespective of the amount of money someone can make by staying within legal boundaries, illegal means will always offer further advantages in pursuit of the ultimate goal (Messner and Rosenfeld, 2001). Those who may have no access to legitimate opportunities are most likely to suffer the most incredible strain (Merton, 1968a) in Nigeria.

While anomie-strain theory could explain some aspects of the primary data, it remained incomplete. Instead, it was essential to turn to control theory to see if and how this may explain responses by offenders who have committed armed robbery. Social control theory deals with social bonds, and it helps to explain some potential factors that led the respondents to get involved in armed robbery. Hirschi (2002, [1969]) argues that when there is a strong social bond with conventional others and institutions, crime is likely not to be committed. Logically, youths who have nothing to lose socially, morally, or instrumentally are likely to become lawbreakers, as compared to those with strong social bonds to conventional others, institutions and belief systems (Jensen, 2000: 140). The rule of law in Nigeria is very fragile, and people are sceptical of societal laws and norms. It appears that some can break the law with impunity, and this may explain why corruption is a national disease, and a way of life.

These are two different American theories that offer to explain criminal behaviour in different approaches. Anomie-strain theory seems to have particular difficulty in explaining the relation between attachment to parents and delinquency, but control theory tradition is compatible with such an explanation (Hirschi, 2002, [1969]; see also Agnew et al., 2000). While the anomie-strain theory is concerned with the pressures produced by the disequilibrium between culturally-induced goals and socially-structured opportunities (Merton, 1968a); social control theory supposes that delinquency results from the lack of positive relationships with conventional others and institutions (see Agnew, 2000). Besides, both theories did not originate from Nigeria; but were formulations of Merton and Hirschi, respectively, without bearing Nigerian society and culture in mind. That is why they could not do much to explain criminal behaviour in Nigeria fully, hence the clarion call for Nigerian criminological perspectives.

Proposing a Nigerian Criminology

As Western criminological perspectives are inadequate to account fully for the Nigerian experience of crime and criminal behaviour, it has become necessary to call for the development of a Nigerian theoretical framework. Proposed Nigerian criminology will fully consider an understanding of the management of crime and criminal justice in the country. It will aim at linking crime with specific issues such as tribal differences that have formed part of the people's lifestyle. For example, the respondents mentioned the use of "juju" power and belief in "God" in the enactment of an armed robbery. These responses will require further and detailed exploration of the influence of such supernatural powers to see how criminals can utilise them as aids to their criminal behaviours.

The new criminology will aim at bringing about a Nigerian Crime Survey (NCS) database, independent of the police. The agency must be a transparent and credible organisation which will keep track of perceptions of crime in states, cities, and regions. When measuring crime rates among the states, it will become evident that some have high levels of crime than others (Oguntunde et al., 2018). Reasons for the disparity and differences in rates of crime can be subject to further analysis to produce cogent socio-cultural and economic reasons or more.

The proposed criminology must fully explore the rural-urban migration of people, especially youths, in search of jobs (Kakwagh, 2019). In 2018, unemployment in Nigeria went up to 23 per cent (Nwalozie, 2020; The World Bank, 2019; National Bureau of Statistics, 2018). Given that a high

proportion of these people are migrants from the rural areas, urban areas in Nigeria show a more than average concentration of the young and economically active group both male and female in its population (Oluwasola, 2007).

Nigerian criminology will consider how crime develops in the polity. The issue of corruption, pervasive in Nigerian society, is an important place to start in assessing crime, comparative to the United States and other Western countries. There is a need for an in-depth understanding of the dynamics of corruption within the powerful elite in Nigeria and how they deal with it concerning the entire social strata. It calls for an exploration of the impact of corruption on the socio-political economy of Nigeria, starting from the pre-colonial era, then the colonial era, and lastly the post-colonial period. The *raison d'être* for such exploration is that the socio-political and economic development of a country has a causal link with its historical past and existential present (Otusanya & Lauwo, 2019). That inter-link would provide ample opportunity for knowing what had gone wrong in the past and present, and what will be the best approach moving forward.

As Olaleye-Oruene (2007: 233) argues, the transplantation of corruption into the Nigerian ethos follows the outcome of the Berlin Conference of 1884-85, in which the European powers engaged in the "Balkanisation" of Africa, with Britain gaining the majority share of the territories, including Northern and Southern Nigeria, which unified in 1914 as one Nigeria. After that, the British transplanted their laws and systems, educational and socio-political as well as economic, into Nigeria. Given that the colonialists exhibited their lack of transparency and accountability to the people they came to colonise, the colonised saw their colonialists as oppressive and alien to them (Uzoh, 2007). Since then, corruption has been entrenched into the Nigerian polity as a "cancer bedevilling the nation". What all these translate to is that dealing with Nigeria's crime problem requires a Nigerian approach.

Essentially, what Nigeria needs is evidence-based criminology that is academic-oriented and research-driven, with full government and criminal justice support. It implies the development of an empirical research base that takes into account an understanding of the problem of managing crime and criminal justice in Nigeria. Such criminology will be asking questions about crime - what do the offenders think; what is the plight of the victim; how can the criminal justice system (CJS) respond to high volume crimes; what is the opinion of prison officers; what do the police think; and what is the sentencers' (judges and magistrates) position in dealing with offenders and their offences? Also, Nigerian criminology will ensure a cohesive partnership between the criminal justice agencies and the National Bureau of Statistics (NBS), so that official crime statistics can become a reliable and credible tool, for use by of both academic and government researchers.

By talking about armed robbers in Nigeria, and the significant factors they mentioned as their motivations to commit the crime, we seem to be highlighting the shortcomings in understanding them by using Western criminological theories. Arguably, no matter how generalised some Western approaches may seem to be, they cannot fully explain crime and criminal behaviour in Nigeria. Criminology should look towards the developmental and environmental studies in the development of Nigerian criminology.

It would be preferable to develop indigenous theoretical frameworks relevant to Nigerian society rather than import criminological theories from foreign countries. For instance, American criminological theories, on the whole, have been developed in America, and are practically applicable within the unique political, cultural and social context of the American experience (Willis et al., 1999: 230, see Arthur, 1994). In the prevailing circumstances, what we usually do is to "invoke" Western theories to bear on the political, cultural and socio-economic conditions in Nigeria. Put another way; we apply these Western theories to what we think to be similar situations found elsewhere, even though such theories may not fully answer the questions regarding the phenomena under investigation. Candidly, no two cross-cultural situations can be identical. Even if they are, historical and socio-political and economic contexts are divergent. For example, the failure to achieve the American dream, which is the basis for Merton's anomie-strain theory, has long dominated American culture and history, but that "American Dream" is *per se* alien to Nigeria.

A somewhat similar pattern found in Nigeria could be the "unbridled appetite for money" as the only thing that counts, irrespective of the means of acquiring it.

A somewhat plausible reason for employing Western criminological theories, mainly American, is because they dominate worldwide thinking about crime (Willis et al., 1999; Birkbeck, 1993; Encinoza & Del Olmo, 1981; Midgley, 1977). Arguably, American criminologists are pathfinders in the development of many criminological theories. Those theories necessarily mirror American society alone. As mentioned before, when studying crime in countries like Nigeria, we cannot help but invoke Western theoretical perspectives since we do not have indigenous alternatives at our disposal.

However, the dominance and ethnocentric bias of American criminology remain a problem. Nevertheless, the criminological enterprise, - the causes of crime and criminality is a global venture. For that reason, criminology, as an eclectic discipline, is flourishing in many countries across the world (Willis et al., 1999). Still, it is not fully answering the salient questions regarding crime and criminal behaviour in some, if not most of those countries like Nigeria.

The development of criminology as an academic discipline in Nigeria started in 1969 under British theoretical influence (see Willis et al., 1999). Currently, there appear to be far fewer departments of criminology that award graduate degrees on the subject, - perhaps this process started in the early part of the third millennium. Criminology lecturers and scholars across Nigerian Universities should develop and exhibit an extraordinary passion for the discipline. It can be possible through good student experience via teaching/learning and pastoral support. The interest in the subject can also manifest through organising open days and other ways of marketing their academic products to prospective students. Criminology can become famous in Nigerian Universities if prior to the successful completion of their studies, students receive appropriate signposts to career opportunities in the labour market.

The Nigerian Society of Criminology (NSC) was formed at the beginning of this third millennium but has only established an academic journal of criminology in October 2018. While starting point, there should be a determination and commitment to organising annual conferences, publishing papers, that offering academic colleagues the opportunity to showcase their research potentials to benefit others nationally and internationally. Perhaps, such aspirations will garner funding support from charities, civil society organisations, government ministries and agencies. So far, there is no political will and government interest in investing and supporting criminological and criminal justice research in Nigeria. In developed societies like Britain, for example, the government invests heavily on academic research in crime and the causes of crime to provide evidence-based solutions (see for example, Smith and Wynne-McHardy, 2019). Financial constraint, and the paucity and unreliability of official crime data, hinder the efforts of some Nigerian-based criminologists at researching on a large scale to develop indigenous criminological theories. By identifying these issues, what comes next is the beginning of a critical debate on the development of Nigerian criminological perspectives.

Conclusion

This paper has revealed the problems of using Western criminological theories to study crime and criminal behaviour in Nigeria. Initially, the study employed the subcultural approach, which did not work due to the lack of Anglo-American cultural identities on the research data set. Later, by using anomie-strain theory and social control theory, they could not fully explain the youth involvement in armed robbery in Nigeria. The reason is that Western theories are bespoke to their indigenous cultures, which are oppositional to Nigerian culture and social structure. Nigerian academic criminologists should be more passionate in promoting teaching and learning excellence in their universities, - such can bring about the excellent student experience and marketing strategy.

By contributing to evidence-based research, annual conferences and publications, there will be the currency in the disciplinary area of criminology that can spur academic colleagues to the discovery of Nigerian criminological perspectives, which will fully explain crime and criminal behaviour in the Nigerian way. However, government funding and support from other funding organisations will be critical for this to happen.

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