

### NATIONAL OPEN UNIVERSITY OF NIGERIA

## SCHOOL OF ARTS AND SOCIAL SCIENCES

**COURSE CODE: POS 105** 

COURSE TITLE: INTRODUCTION TO POLICE SCIENCE, LAW ENFORCEMENT AND ADMINISTRATION

# COURSE GUIDE

# POS 105 INTRODUCTION TO POLICE SCIENCE, LAW ENFORCEMENT AND ADMINISTRATION

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Published by National Open University of Nigeria

Printed 2013

ISBN: 978-058-399-8

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Printed by

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### INTRODUCTION

This course is a one semester course. It is a core course as well. This course is suitable for students seeking to understand and obtain the required skills necessary for carrying out studies in police science, law enforcement and administration.

This course consists of 21 units; it examines in detail certain key terms and gives you necessary information required to understanding police science and why police science is needed; it also covers areas like law enforcement methods( both qualitative and quantitative) analysis and the use of the case study methods, etc.

There are compulsory prerequisite for this course. The course guide tells you briefly what the course is all about, what you are expected to know in each unit, what additional materials you need to use and how you can work your way through these materials. It also emphasises the necessity for tutor-marked assignments. There are also periodic tutorial classes that are linked to this course.

### WHAT YOU WILL LEARN IN THIS COURSE

The overall objective of POS 105- Introduction to police science, Law Enforcement and Administration is to acquaint you with the array of *modus operandi* of police science, law enforcement and administration. The ultimate objective is to sensitise and enhance your capacity to contribute to the various efforts at finding solutions to crimes within the communities. It will acquaint you with different and suitable methods for studying police *modus operandi* in solving crime problems of our society.

Your understanding of this course will serve to expose you to a very important part of police science, law enforcement and administration that has to do with the very important perspective of correcting criminal behaviour and consciously building peaceful co-existing societies where people and property are protected by preventing and controlling crimes.

### **COURSE AIMS**

The basic aim of this course is to expose you to the various *modus* operandi (methods) of preventing and controlling crimes (police science) through law enforcement and administration. The course will get you to appreciate the various efforts and methods of ensuring crime prevention and control to enable people live in protected and crime-free society.

### **COURSE OBJECTIVES**

Several objectives can be delineated from this course. In addition, each unit has specific objectives. The unit objectives can be found at the beginning of a unit. You may want to refer to them during your study of the particular unit to check on the progress you are making; you should always look at the unit objectives after completing a unit. In this way, you can be sure that you have covered what is required of you in that unit.

On successful completion of the course, you should be to:

- state present world-wide crime problems
- define crime and criminality
- explain why terrorism is a crime
- List covert and overt crimes
- state the functions of criminal justice system
- define social justice
- differentiate between criminal and social justice
- distinguish police *modus operandi* (i.e. science) in diverse systems
- enumerate the different methods of correcting criminals
- trace the origin of crimes
- explain capitalism and its aftermath
- explain global economic perspectives
- discuss the roles of *UNO* security council and international criminal court.

### WORKING THROUGH THIS COURSE

To complete this course, you are required to read the study units, read recommended books and read other materials provide by the National Open University of Nigeria (NOUN). Most of the units contain self-assessment exercises; you are required to submit assignments for assessment purposes. At the end of this course, there is a final examination. Stated below, are the components of the course and what you are expected to do.

### **COURSE MATERIALS**

The components of this course include the following.

- 1. Course Guide
- 2. Study unit
- 3. Textbooks and other reference sources
- 4. Assignment file

# 5. Presentation Schedule.

# **STUDY UNITS**

There are 21 units in this course as follows.

Module 1	International Events in Crime Prevention and Control		
Unit 1 Unit 2	Crime Problems Historical Overview of International Events in Crime		
	Control and Prevention		
Unit 3	An Overview of Present Global Crime Problems		
Unit 4	Correction of Crimes in Diverse Systems		
Module 2	International Terrorism		
Unit 1	Terrorism: Concepts and Meaning		
Unit 2	Overt and Covert Terrorist Organisations		
Unit 3	Strategies of Terrorists Groups		
Unit 4	The Response of the Police		
Module 3	International Narcotic Trade and Efforts at		
	International Level		
Unit 1	Overview of International Narcotic Trade		
Unit 2	The Police in Diverse Systems		
Unit 3	The Courts in Diverse Systems		
Unit 4	Correction Service in Diverse Systems		
Module 4	<b>Criminal Justice in Diverse Systems</b>		
Unit 1	The Concept of Criminal Justice		
Unit 2	Criminal Justice in Developing Countries		
Unit 3	The Global Criminal Economy		
Unit 4	Inequality and Crime		
Module 5	Police Science and Some Crime Related Theories		
Unit 1	Overview of Police Investigation (Modus Operandi)		
Unit 2	Durkheim's Theory and Police in Social System		
Unit 3	Understanding the Social Class System		
Unit 4	The Place of Police Science		
Unit 5	The Relationship between Low Income Class, Prestige and Power		

### **ASSIGNMENT FILE**

There are two aspects to the assignment of this course. In this file, you will find all the details of the work you must submit to your course facilitator for marking. The marks you obtain for these assignments will count towards the final mark you obtain for this course. There are many assignments for this course, with each unit having at least one assignment. These assignments are basically meant to assist you to understand the course.

### **TUTOR-MARKED ASSIGNMENT (TMA)**

In doing the tutor-marked assignment, you are to apply your knowledge of what you have learnt in the contents of the study units. These assignments, which are many in number, are expected to be turned in to your tutor for grading. They constitute 30% of the total score for the course.

### FINAL EXAMINATION AND GRADING

At the end of the course, you will write the final examination. It will attract the remaining 70%. This makes the total final score to be 100%.

### **COURSE MARKING SCHEME**

Assessment	Marks	
Assignments	Best three marks of the assignments @	
	10% each (on the average) = 30% of	
	course marks	
Final examination	70% of overall course marks.	
Total	100% of course marks	

### HOW TO GET THE MOST FROM THIS COURSE

In distance learning, the study units replace the lecturer. There is the advantage of reading and working through the course material at the pace that suits the learner best. You are advised to think of it as reading the lecture as against listening to the lecturer. The study units provide exercises for you to do at appropriate periods instead of receiving exercises in the class.

Each unit has common features which are designed, purposely, to facilitate your reading. The first feature being an introduction to the unit,

the manner in which each unit is integrated with other units and the entire course. The second feature is a set of learning objectives. These objectives should guide your study. After completing the unit, you should go back and check whether you have achieved the objectives or not. The next feature is self- assessment exercises, study questions which are found throughout each unit. The exercises are designed basically to help you recall what you have studied and to assess your learning by yourself. You should do each self assessment exercise and the study question as you come to each in the study unit. The next features are conclusion and summary at the end of each unit. These help you to recall all the main topics discussed in the main content of each unit. There are also tutor-marked assignments at the end of appropriate units. Working on these questions will help you to achieve the objectives of the unit and to prepare for the assignments which you will submit and the final examination.

It should take you above one hour-thereabouts, to complete a study unit, including the exercises and assignments. Upon completion of the first unit, you are advised to note the length of time it took you, then use this information to draw up a timetable to guide your study of the remaining units. The margins on either sides of each page are meant for you to make notes on main ideas or key points for your usage when revising the course. These features are for your usage to significantly increase your chances of passing the course.

### **TUTORS AND TUTORIALS**

There are many ways of learning as an open distant learner. You learn when you interact with the content in your course material just as a student interacts with the teacher in a conventional institution. You also learn when you are guided through the course. Though you are not taught the course, your course material is however your teacher; and as such, you will not be able to get answers to any questions which may arise from your study of the material. For this reason, apart from the course material which you have received, the delivery of this course is aided by tutorial, facilitation and counselling support services. These services are not compulsory but you are encouraged to, maximally, take advantage of them.

A number of hours have been scheduled for this course, and they form a part of your learning process; you also have an opportunity to receive face-to-face interaction with your informal facilitator and to receive answers to questions or classifications which you may have. Also, you may contact your tutorial facilitator by telephone or e-mail. As an open and distant learner, you are expected to prepare ahead of time by studying relevant study units, write your questions so as to gain

maximum benefit from tutorial sessions. Information about the location and time schedule for facilitation will be available at your study centre.

Note that tutorial sessions are flexible arrangements between you and your tutorial facilitator. You will need to contact your study centre to arrange the time schedule for the sessions. You will also need to obtain your tutorial facilitator's phone number and e-mail address. Tutorial sessions are optional, however; participating in them provides tremendous benefits because they provide a forum for interaction and group discussions which will maximise the isolation you may experience as an open and distant learner. Your tutorial facilitator guides you by doing the following things.

- i. Providing answers to your questions during tutorial sessions on phone or by e-mail
- ii. Coordinating group discussions
- iii. Providing feedback on your assignments
- iv. Posing questions to confirm learning outcomes
- v. Coordinating, marking and recording your assignments/examination score(s)
- vi. Monitoring your progress.

English language is the language of instruction for this course. The course material is available both in print and on CD. It is also on the National Open University if Nigeria website. However, on your part, you are to prepare ahead of time by studying and writing your questions so as to maximally benefit from facilitation.

Information about the location and time of facilitation will be available at your study course. This is a flexible arrangement between you and your tutorial facilitator. You should contact your tutorial facilitator whenever:

- i. you do not understand any part of the study unit
- ii. you have difficulty with the self assessment exercises
- iii. you have a question or a problem with an assignment, or your tutorial facilitator's comments on an assignment or with the grading of an assignment.

### **SUMMARY**

All the features of this course guide have been designed to facilitate your learning, so as to ensure the achievement of the aims and objectives of this course. These features include the aims, objectives, course summary, course overview, self assessment exercises and study questions. You should endeavour to make maximum use of them in your study to achieve maximum results. We wish you success in your studies.

# MAIN COURSE

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# MODULE 1 INTERNATIONAL EVENTS IN CRIME PREVENTION AND CONTROL

Unit 1	Crime Problems		
Unit 2	Historical Overview of International Events in Crime		
	Prevention and Control		
Unit 3	An Overview of Present Global Crime Problems		
Unit 4	Correction of Crimes in Diverse Systems		

### UNIT 1 CRIME PROBLEMS

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- 2.0 Objectives
- 3.0 Main Content
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  - 3.2 Crime Problems around the World
  - 3.3 Approaches to Prevention and Control
  - 3.4 Preventive and Control Agencies
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  - 3.6 Methodology of Prevention and Control
  - 3.7 The Tasks of the International Community
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

### 1.0 INTRODUCTION

There are a good number of problems facing the international community. These include prevention and control of crimes. This unit will introduce you to international events in crime prevention and control, as well as the historical overview of international events in crime prevention and control; approaches to prevention and control of crime; preventive and control agencies, administration of criminal justice system; methods of prevention and control; and the task of the international community.

### 2.0 OBJECTIVES

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

- define crime
- deduce the two levels of problem prevention and control

- state various approaches to crime prevention and control
- describe the role of administration in the prevention and control processes

### 3.0 MAIN CONTENT

### 3.1 Definition of Crime

Crime is an action against the law (Carver, Wallace and Cameron, 2004). Crimes are offences against persons, property, lawful authority, state, nation, and international community (Dambazau, 2009). Sociologists categorise crimes based on how they are committed and how society views the offences. The four categories are - conventional (street) crime, occupational (white collar) and corporate crime, organised crime and political crime.

(1) Conventional or street crime is all violent crime, targeted at certain property and certain persons. Peter Marzuk, in Dambazau (2009) - notes that mental disorder is a major factor in violent crime. Research has shown that there is a causal connection between mental disorder and crime. According to Marzuk, psychological factors manifest in disturbances in thought and emotion and social factors from patients' social and cultural environment.

### **Characteristics of Mental Disorders**

1.	Psychopath	Emotionally unstable, inability to control		
		impulse, lacks capacity to feel with others		
		devoid of affection, prone to alcoholism, drug		
		abuse, sexual perversions, theft, assault and		
		homicide.		
2.	Schizophrenic	Withdrawal from reality, apathetic and		
		inaccessible, incoherent in thinking,		
		incongruous mood, solitary and suspicious,		
		strong feeling of guilt, paranoid; violent crimes;		
		sexual perversions.		
3.	Neurotic	Anxiety, obsessive thinking, hysteria and		
		property crimes.		
4.	Epileptic	Disturbed behaviour, frequent blackout and loss		
		of memory' hallucinations and paranoid,		
		aggressive and violent crimes.		
So	Source: Dambazau, A. B. (1994) Law and Criminality in Nigeria			

(2) Occupational crime (White collar) comprises illegal activities committed by people, in the course of their employment or financial affairs. Occupational crime can be motivated by poverty and inequality. For a given income for example, the more unequal the income distribution, the larger will be the percentage of the population living in income-related poverty. According to United Nations Development Programme (UNDP, 2004) report on human development based on the global income enjoyed by the richest 20% to the poorest 20%, the gap in Nigeria is more than 10 times as much. The theory of inequality-crime nexus suggests that where the individual perceives the distribution of income to be inequitable, he may either resort to property crime, as a method of addressing his or her grievances of financial deficit. In like manner, the situation may generate the feeling of frustration and anger, which in extreme cases could manifest in the form of violent criminal behaviour. According to the World Bank (1999/2000) relatively, deprivation:

".....breeds social tensions as the less well-off dispossessed when compared to wealthier people... the poor seek compensation and satisfaction by all means, including committing occupation crime against both rich and poor".

From a theoretical perspective therefore, the relationship between inequality and occupational crime is generally thought to operate through an individual assessment of the equity of a particular distribution of economic resources. The common denominator of much of the occupational crime activity is the positive relationship postulated between economic inequality and crime. An important causal mechanism underlying this relationship is relative deprivation in terms of how an individual or group perceives the inequality in the distribution of income in an occupation (Wilson, 1968).

(3) Corporate crime constitutes illegal acts committed by corporate employees on behalf of the corporation and with its support; an example is found in Tell Magazine where Adekeye (2009) reports that the:

United States' Securities and Exchange Commission, USSEC, investigated Siemens, a global telecommunications giant and it was indicted for using huge bribes to win multibillion dollars contracts in Nigeria and over 15 other countries. Between year 2000 and 2004, USSEC alleged that the company

bribed the wife of Nigeria's former vice president, former ministers of communications and former senior aids in the presidency with over 12.7 million dollars to secure award of four juicy contracts (p. 30).

There are four different ways in which individuals or groups may adjust to suit the whims and caprices of their desires. For instance, they must conform to the corporate order. They may apply ritual process to consolidate their law of secrecy in order to achieve their dubious ambition. The corporate body may apply innovation processes such as cyber and swindling methods in order to defraud, embezzle, blackmail and steal.

(4) Organised crime encompasses a business operation that supplies illegal goods and services for profit. These criminal organisations include cyber crime syndicates operating throughout the world. They defraud, and swindle throughout the world. Those who engage in human trafficking and narcotics, as well as money laundering fall within these groups (organised crime).

### SELF-ASSESSMENT EXERCISE

Define crime and state its four classifications.

### 3.2 Crime Problems around the World

There are some acts people commit around the world and are regarded as criminal. For example, some people are involved in human trafficking, plane hijacking, narcotic trade, money laundering, kidnapping, cyber crimes and production of weapons of mass destruction, among others. These types of businesses or trades are regarded, throughout the world, as illegitimate. Another serious problem confronting the world is terrorism. For instance, in 1995, there were bomb explosions at the Alfred P. Murray Federal Building in Oklahoma and the pipe bomb explosions around the Centennial Olympic park during the 1996 summer Olympic Games.

A brief chronology of terrorism shows that terrorism dates back to, at least, the first century when the Zealots, a Jewish sect, fought against Roman occupation of what is now Israel. Furthermore, in the 12<sup>th</sup> century in present day Iran, a group of Shiite Moslems committed terrorist acts against religious and political leaders of Sunni Muslims. However, the world's first terrorism appeared during the French Revolution of 1789 when revolutionaries seized power in France. In 19<sup>th</sup> and 20<sup>th</sup> Century, terrorist movements continued to be politically based. For example, in the 1930s, Germany's Adolf Hitler, Italy's Benito

Mussuloni and the Soviet Union's Joseph Stalin all used terrorism to discourage opposition to their governments. In 1945 conflict between Arab nations and Israel resulted in waves of terrorism throughout the Middle East.

### SELF-ASSESSMENT EXERCISE

Why are some businesses or trades illegitimate?

## 3.3 Approaches to Prevention and Control of Crimes

There are different ways to prevent and control crimes so that it serves as a deterrent to others. Among the agencies of social control and prevention in contemporary societies include the criminal justice system, the police and the courts. The criminal justice system has the power to control crime and punish those who are convicted of criminal conduct. The international criminal justice system refers to a conglomerate of crime prevention and control agencies around the world. The system includes the police, courts and correction facilities. These approaches or integrated system is made up of many bureaucracies that have considerable discretion on how decisions are taken.

### SELF-ASSESSMENT EXERCISE

State two approaches necessary for control of crimes

### 3.4 Preventive and Control Agencies

The preventive and control measures or agencies of crime include the criminal justice system that enforces law, adjudicates on crime and rehabilitate criminals. The police- in the system, performs prosecution duties, and coordinates patrols for prevention of criminal activities. However, prevention as the basis of policing was first formulated in England with the passage of Metropolitan Police Act of 1829. Crime prevention was the ultimate goal of the organised police force, before it was later overshadowed by emphasis on investigation, arrest and punishment. The idea of crime prevention assumed importance again in the early 1790s. The Virginia Crime Prevention Association identified three types of prevention and control of crimes as indicated in table 1.1 below.

However crime prevention and control approaches have developed out of different traditions across the world. In the United States of America (USA) for example, criminologists have drawn, largely, from public health models of disease prevention typology.

Table 1.1: Types of Crime Prevention and Control

	Description	Remarks
Type	Bescription	Kemarks
Punitive/	An attempt by law	The critique of the
preventive	enforcement to forestall crime	
provenerve	through the threat of	* *
	apprehension and punishment.	
	It is manifested by the	
	enactment of tougher and	
		will be caught
	preventive patrol. The fear of	C
	getting caught has a deterrent	
	effect, especially among the	
	population that has the	
	tendency to be law-abiding.	
Corrective	A basic premise of corrective	A critique of this
	crime prevention and control	theory points to the fact
	is that criminal behaviour is	that there is no
	caused by various conditions	
	such as poor housing, poverty,	
	lack of education, family	
	problems and drug or alcohol	
	addiction. Those who	
	<u> </u>	excuses for the lowly.
	believe that crime can be	
	reduced by reforming	
34 1 1	offenders.	0 ' 1 '
Mechanical (Organizad)	The mechanical type involves	=
(Organised)	the need for law enforcement,	_
	other government agencies,	
	and the community, to initiate an organised process for	_
	reducing, or removing the	_
	opportunity for crime through	
	data collection and analysis.	
	The accurate identification of	_
	problems by a number of	
	crime control objectives and	
	strategies and implementation	
	of the strategies	problems is beyond the
		capability of law
		enforcement alone.

**Source:** Virginia Crime Prevention Association.

### SELF-ASSESSMENT EXERCISE

State three police approaches to prevention and control of crimes.

### 3.5 The Administration of Criminal Justice System

The function of administration in the system include classification of power to control and punish offenders who are convicted, crimes, employing the services of law enforcement officers to arrest criminals or suspects, adjudicating on crimes, treatment and rehabilitation of Criminals are those who commit different crimes. Some criminals. offenses are minor, while others are serious. The law enforcement department is manned by different law enforcement officers popularly called police. In countries like USA, Britain, Canada and Poland there are different police officers performing different duties. circumstance, they display their expertise. For instance, they are responsible for maintaining law and order throughout their areas of jurisdictions. The police patrol streets, roads and are assigned to communities or the countryside in order to check criminals.

That is, they carry out surveillance for the purpose of arresting the law breakers. For instance, police patrol streets in larger cities and arrest those who commit crimes such as street crime, age crime, social crime, traffic offenses and smuggling. Carroll Versus United States of America (USA) was a case of transporting contraband goods into the states contrary to the Federal law against trading in alcohol or liquor; Carroll was arrested and tried. His conviction was the process of administration of justice on a criminal. Still on police patrol- in accordance with the law known as Patriot Act signed by President Bush (2001) empowering the police to obstruct, search, detain and track down a terrorist, for example, Zacharias Moussaoui, during the September 11, 2001 terrorist attack on the U.S. was arrested to face trial. Apart from terrorism, there are other crimes being chased out of U.S.

Different police functionaries perform their duties to enforce the laws for peaceful co-existence. Britain, Canada and Germany have their own law enforcement officers who perform similar duties. The police in Nigeria, Ghana, South Africa, Liberia and Kenya perform similar duties. They carryout surveillance, arrest, detain, and get criminals prosecuted. For serious offenses such as plane-hijack, human trafficking and illegal possession of arms, culprits may suffer life imprisonment or death sentence; while convicts of minor crimes may suffer light sentences for the purpose of rehabilitation. All these are forms of administration of criminal justice.

### SELF-ASSESSMENT EXERCISE

What is the relationship between the police and the administration of criminal justice system?

### 3.6 Methodology of Prevention and Control of Crimes

The methods of crime prevention and control include the following.

- (i) The use of police to enforce law and order.
- (ii) Use of courts to dispense justice.
- (iii) Corrective measures such as imprisonment.
- (iv) Prohibiting the criminal from having possession of unlawful articles such as weapons of mass destruction, narcotics etc.

### **SELF-ASSESSMENT EXERCISE**

State and discuss two methods used to prevent and control crimes under criminal justice system.

## 3.7 The Tasks of the International Community

The tasks of the international community are enormous and are complex because of the peculiarity of the political machineries of individual nations. Through the United Nations' General Assembly, the Security Council was established to supervise, control and prevent crimes throughout the world. The Security Council liaises with different countries to take action to prevent and control crimes. Interpol forces are also used in matters of interdiction and transfer or exchange of criminals. This council also conducts conferences and training of personnel to enable them handle investigations, appropriately.

### SELF-ASSESSMENT EXERCISE

What is the greatest task of the international community?

### 4.0 CONCLUSION

In this unit, it has been made clear to you that there are a number of criminal problems confronting the international community. It was further explained that some of these problems are caused by criminals-all over the world, and these criminal problems include human trafficking, narcotic trade, and amassing weapons of mass destruction, money laundering, kidnapping and cyber crimes.

### 5.0 SUMMARY

In this unit, you have been exposed to the meaning and scope of crime prevention and control-in relation to the global community. Crime has been defined as an action against persons, property, lawful authority, state, nation and international community. Types of crimes, approaches for prevention and control, administration of criminal justice system and the tasks of the international community have all been considered in this unit.

### 6.0 TUTOR-MARKED ASSIGNMENT

- i. What is crime?
- ii. List and explain four types of crimes.
- iii. What do you understand by crime prevention and control?
- iv. State and explain three methods of preventing and controlling crimes.

### 7.0 REFERENCES/FURTHER READING

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# UNIT 2 HISTORICAL OVERVIEW OF INTERNATIONAL EVENTS IN CRIME PREVENTION AND CONTROL

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  - 3.2 Historical Facts about the Origin of Crimes
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  - 3.6 Methodology for the Prevention and Control of Crime
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- 7.0 References/Further Reading

### 1.0 INTRODUCTION

Crime is defined as an action against the law (Caver, Wallace and Cameron: 2004). They are offences against persons, property, lawful authority, state, nation and international community (Dambazau, 2009). Crimes are caused by the different objectives or misdemeanor of the class; they are also classified along these different lines too. For example, class distinction during Marxist philosophy- as explained by Westergard and Resler (1975) showed that the wealth of the state was in the hands of the ruling class. In other words, the distribution of wealth was in the hands of the ruling class. The poor masses, usually, express their grouse (to the ruling class or authority) for the misuse of their property.

### 2.0 OBJECTIVES

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

- define class system in relation to crime
- describe historical facts about the origin of crimes
- list the agencies used for crime prevention and control
- highlight the different methods of crime prevention and control.

### 3.0 MAIN CONTENT

### 3.1 Overview of International Events which Caused Crime

### The Class System

Class system is a type of stratification based on the ownership and control of resources, and on the type of work people do (Rothman, 2001). In class system, people may become members of a class other than that of their parents through both intergenerational and intragenerational mobility, either upward or downward. Karl Marx sees class system as class position- in terms of income and wealth, determined by work situation or the relationship to the means of production.

He further states that capitalist societies consist of two classes – the capitalists and the workers. The capitalists are those who own the means of production i.e. the land and capital necessary, for factories and mines, while the working class (proletariat) consists of those who must sell their labour to the owners in order to earn enough money to survive. Crimes are caused by dissatisfaction and discontentment of the proletariats.

### SELF-ASSESSMENT EXERCISE

Define class system and mention two of its characteristics.

### 3.2 Historical Facts about the Origin of Crime

Slave trade cannot be forgotten, as long as the origin of crime is concerned. This is why the trade is seen as inhuman to humanity. The dislodgement of people is a crime. The creation of capitalist nations and poor nations in the world stems or originates from racial discrimination, selfishness or greed of rich nations. Within these rich nations, wealth is in the hands of capitalists or bourgeois, while the masses sell their labour in order to survive. The proletariat class maintains the largest population in the world. Africa, Latin America, the middle east and far eastern countries fall within this realm or sphere. Discontentment and dissatisfaction seem to propel crime in the people because in the face of the harsh and economic meltdown, people resent constituted authority and violate orders or law.

Gangs, or groups and organisations are formed to express their grievances in terms of deviance and disloyalty to constituted authority. Crimes like human trafficking, narcotic trade, hijacking of planes, money laundering are associated with discontentment and

dissatisfaction. Globalisation which featured along with political, economic and social interdependence, improved communications and information technology, such as the internet, greater mobility of people, goods and services and the opening of borders, free trade, and international relationship among nations. All these brought about what may be referred to as "crime without borders". Basically, these are generally known as transnational, organised crimes. Post-cold war situation has made international borders to mean less and economic issues to mean more, a condition which made transnational crimes to flourish. The post-cold war global environment has also brought about change in the nature of organised crime, mainly because:

- (a) organised crime has expanded across borders
- (b) it has changed the nature of its operations
- (c) state boundaries no longer inhibit the growth of criminal networks
- (d) the collapse or weakening of some states and the emergence of new ones has created an environment in which criminal organisations can operate parallel to existing business and government institutions.

Organised crimes are not limited to certain countries or regions, nor are they only the result of specific historical circumstances. Comparative evidence suggests that organised crime grows, quickly, in periods of political transition and violence, when state resources are concentrated in certain areas only and gaps emerge in which crime syndicates may operate. The most notable example is the former Soviet Union; the collapse of communist rule allowed the emergence of literally thousands of criminal organisations involving current and former members of the establishment. According to Naylor (1997), a crime group is organised if it specialises in enterprise as opposed to predatory crime; if it has a durable hierarchical structure; if it employs systemic violence and/or corruption, and if it obtains, abnormally, high rates of returns relative to other criminal organisations, and extends its activities into the legal economy.

The United Nations (UN) ad hoc Committee on Transnational Organised Crime (TOC) convention defines an organised crime group as a 'structured group of persons existing for a period of time, and acting in concert for the purpose of committing serious crimes or offences in order to obtain, direct or indirectly, a financial or other material benefits'. Organised crime groups function like business; that is, their motivation is profit and they operate on business principles like taking up market opportunities, except that in this case, the crime, essentially, refers to criminal activity that crosses national borders. The concept was introduced in the 1990s, and specifically, in 1995. The UN convention on transnational crime identified four categories of transnational

offences which their inception, perpetration and or direct or indirect effects involve more than one country. These offences are (i) participation in an organised criminal group; (ii) laundering of proceeds from crime; (iii) corruption; and (iv) obstruction of justice. An offence (crime) is transnational if:

- (a) it is committed in more than one state and if a substantial part of its preparation, planning, direction or control takes place in another State
- (b) it is committed in one State, but involves an organised group that engages in criminal activities in more than one State
- (c) it is committed in one State but has substantial effects in another State.

In a pilot survey of forty selected organised criminal groups in sixteen countries conducted by the UN Office on Drugs and Crime (2002), five typologies of transnational organised crime groups were identified. The typologies are based on the structure of the groups as the key, organised principle.

- (a) Standard hierarchy- single hierarchical group with strong internal systems of discipline (examples are found in China)
- (b) Regional hierarchy- hierarchically structured groups, with strong internal lines of control and discipline, but with relative autonomy for regional components (examples are found in Australia, Japan and United States of America (USA).
- (c) Cluster hierarchy- this is a set of criminal groups which have established a system of coordination/control (ranging from weak to strong) over all their various activities (examples are in South Africa, Russia, Italy and Germany).
- (d) Core group- relatively, tightly organised- in some cases, by a network of individuals, engaged in criminal activities (examples are in the Netherlands, Germany and Australia).
- (e) Criminal network- a loose or a fluid network of individuals, often drawing on individuals with particular skills, who constitute themselves around an ongoing service of criminal projects; examples are found in Netherlands, the Caribbean and West Africa.

Criminal networks, the type found in West Africa- and indeed Nigeria, are defined by the activities of key individuals who engage in illicit activities in often shifting alliances. The nature of activities in criminal network is determined by individual characteristics and skills. Personal loyalties and ties are essential to the maintenance of the network and key determinants of relationships. The network is generally formed around series of individuals who are the key actors and are often referred to as

the nodal points through which most of the network connections run. In West Africa, criminal networks made up of predominantly Nigerians, are said to have achieved remarkable high levels of market control. Accordingly, the growth of criminal networks from the West African sub region:

have paralleled the process of State decline there and areamong other things, a feature of weak local law enforcement, historic trading networks operating through the region and the presence of a significant West Africa in diasporas in cities around the world. West African criminal networks engage in a mixture of criminal activities, ranging from advance fee fraud and other financial scams to trafficking in cocaine and heroin (UN Office on Drug and Crime, 2002).

Transnational organised crimes in Nigeria include human trafficking, drug trafficking, money laundering and advance fee fraud (419). The Economic and Financial Crime Commission (Establishment ACT, 2004) Section 46 defines economic and financial crimes to include all transnational organised crimes thus:

....the non-violent criminal and illicit activity committed with the objectives of earning wealth illegally either individually or in a group or organised manner thereby violating existing legislation governing the economic activities of government and its administration and including any form of fraud, narcotic drug, trafficking, money laundering embezzlement, bribery, looting, illegal arms deal, smuggling, human trafficking and child labour, illegal oil bunkering and illegal mining, tax evasion, foreign exchange malpractices including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes and prohibitive goods, etc.

### SELF-ASSESSMENT EXERCISE

Discuss the reasons why gangs, groups and organisations are involved in crimes.

# 3.3 The Relationship between Capitalist and Non-Capitalists Nations

From the fore-going, it would be noted that capitalist nations want to continue to be rich, while poor nations should continue to be poor even

though the United Nations Organisation (UNO) has set in place different organs to bridge the gap between rich and poor nations. For example, at a conference on climate change in 2009 in Copenhagen, Denmark, rich countries like United States of America, Britain, France and a host of others want to continue in their industrialisation which has the effect of melting the ozone layer in the atmosphere, thus causing excessive heat on the earth. These countries have agreed to aid third world countries financially. This relationship is uncertain. The capitalist nations' relationship with under-developed nations can be in terms of writing-off their international debts, training their personnel and helping third world countries with nuclear power-electricity needed for production and preservation.

### SELF-ASSESSMENT EXERCISE

What should be done to enhance a strong relationship between capitalist nations and poor nations globally?

### 3.4 The Role of the United Nations Organisation

From all indications, the *UN* does not have her own independent military force to combat any upheavals throughout the world, but relies on the rich nations. Therefore her role must be influenced by the advanced countries of the world even though she has set in place organs such as World Health Organisation (WHO), Security Council and many others to execute some roles. For example, the Security Council is for peace and conflict matters. Crime matters such as hijacking, narcotic trade and human trafficking among others are handled by this council. Other functions of this organ include, interdiction, transfer of criminals between countries and training of personnel of INTERPOL Services.

### SELF-ASSESSMENT EXERCISE

State two functions of the Security Council as an organ of UNO-with respect to crime prevention and control.

## 3.5 Agencies for Prevention and Control of Crimes

The United Nations Organisation (UNO) has an organ responsible for security matters. This organ liaises with the International Court of Justice to settle criminal cases. The international court of criminal justice uses the police to enforce law and order throughout the world under the auspices of INTER – POL (International police). Citizens of different countries found guilty of crimes such as money laundering, genocide, human trafficking and many other crimes may be transferred to their countries of origin or permitted to be tried in foreign land.

### SELF-ASSESSMENT EXERCISE

What other agencies within the Security Council may be used in preventing and controlling crimes?

### 3.6 Methodology for Prevention and Control of Crimes

This denotes different ways of handling special crimes. Crimes must first be established through investigation and arrest of the suspect. Secondly, the suspected criminal must be detained and taken to court for trial. Thirdly, a criminal may be imprisoned with or without option of fine. He may be warned and discharged. The nature of the offence may warrant the aforementioned processes. In international relations, the convict may be deported to his own country before or after completion of the jail term. So it is imperative for intelligence agencies around the world to cooperate and share information.

### SELF-ASSESSMENT EXERCISE

In order to prevent and control crimes, state four steps to handle a criminal.

### 4.0 CONCLUSION

In this unit, it has been made clear to you that capitalism is one of the causes of crimes in the world. We have also noted that except capitalist nations help the developing nations, crimes may continue. Suffice it to say that discontentment and dissatisfaction are the root causes of crimes.

### 5.0 SUMMARY

This unit has dealt with historical events surrounding the causes of crimes. As capitalism continues, so crimes persist since the masses are in a state of discontentment and dissatisfaction. Crimes are organised in gangs, groups and organisations. Crimes like hijacking of planes, human trafficking and narcotic trade are found all over the world. The *UNO's* Security Council and her sub unit- the International Criminal Court of Justice, are doing everything to reduce, if not eradicate, crimes the world over. Police trained for this service are helping in prevention and control of crimes through arrest, detention, and prosecution. Most convicts are transferred through bilateral relationship between nations.

### 6.0 TUTOR-MARKED ASSIGNMENT

i. State three reasons why crime is evil.

### 7.0 REFERENCES/FURTHER READING

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# UNIT 3 AN OVERVIEW OF PRESENT GLOBAL CRIME PROBLEMS

### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 An Overview of Present World-Wide Crime Problems
  - 3.2 Preliminary Analysis of Present World-Wide Crime Problems
  - 3.3 Types of International Crime Organisations
  - 3.4 Major Players in the Criminal Economy
  - 3.5 The Role of the Security Council and International Criminal Court of the *UNO*
  - 3.6 The Police in Diverse Systems
  - 3.7 Methods of Crime Prevention and Control
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### 1.0 INTRODUCTION

There are many crimes plaguing the world. They range from drug trafficking i.e. (narcotic trade), plane hijacking, human trafficking to money laundering and amassing weapons of mass destruction. This unit will attempt to expose you to current trends in this area.

### 2.0 OBJECTIVES

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

- explain the different crimes committed around the world
- state the roles of *UNO* sub-organs-the Security Council and International Criminal Court of Justice
- discuss the duties of the police in diverse systems of crime prevention and control
- highlight methods used in preventing and controlling crimes world-wide.

### 3.0 MAIN CONTENT

### 3.1 An Overview of Present World-Wide Crime Problems

Crimes have been defined as actions against persons, property and constituted authority. It is true that dissatisfaction and discontentment are the causes of crimes propelled by dissident groups, gangs and organisations. From sociologists' point of view, there are many groups merged into these three main ones. These are in-groups, out-groups and reference groups. In-groups are made of majority people; while out-groups consist of small number of people who are identified as hostile. The reference groups are identified as owners of land, capital and factories for production. These groups consist of kings, emperors and rulers of their countries throughout the world. They claim authority over the wealth of their territories throughout the world. In order to achieve their selfish aim, they formulate laws to protect themselves and property in the name or place of national security.

The in-groups are the labour force found throughout the countries of the world. These groups constitute the proletariats who sell their labour for money in order to survive. They seem aggrieved since their land has been confiscated by the crown or authorities. Their reactions are termed 'crimes' by the authorities. The third group consists of the out-groups found throughout the world. This group is small. It seems they come from the in-groups in countries of the world. Their hostility is as a result of their opposition to the capitalists. For example, the French Revolution of 1789-1799 was as a result of dissatisfaction between proletariats (i.e. labour force) and the bourgeois (i.e. kings or capitalists) because of dissatisfaction based on increase in the price of bread. This revolution was welcomed in Germany, Spain, and Portugal and in every country under the yoke of suppression and oppression due to obnoxious laws of their rulers. That is, the proletariats in every country supported The new movement fought the ancient regime the revolution. This was a crime in the face of kings. In recent (Treveryan, 1974). times, these groups have been transformed in different ways. names and operational ideologies have been revised.

Notably, groups or organisations perpetrating crimes in the world include, the mafia, Al-Qaeda, cyber criminals, etc. These are seemingly most notorious organisations or groups perpetuating crimes in the world. Some of the crimes they commit include drug trade, suicide bombings, plane hijacking, human trafficking, amassing weapons of mass destruction and also financial fraud through computer and internet. Their attempts towards negotiation for change of attitudes of the capitalists have proved abortive. Deviance and crimes are associated with this group because all these groups were trained by the capitalists

and now they are deprived of sharing the booty of their labour. These small groups come from labour suppliers- for example, Saddam Hussein, the former leader of Iraq and the terrorist leader, Osama Bin Laden of Al-Qaeda. This group consists of all the small groups across the continents of the world. The individual groups are aggrieved because all attempts to resolve the economic differences between the capitalists-and the bourgeois have been abortive, hence their criminal pursuit.

Resort to crime can be a way of expressing dissatisfaction with The 11<sup>th</sup> September, 2001 religious, social or political policies. terrorists attack on USA's Pentagon and the famous world Trade Centre is associated with these criminals. They also commit other crimes like money laundering and child prostitution. These groups are found everywhere in the world. For example, a Nigerian youth who attempted to bomb a USA airliner in December 2009 was traced to a group in Yemen. The Taliban in Afghanistan are another group collaborating with members of Al-Qaeda coming from different parts of the world Membership is open to in-groups and outunder different names. groups. Since the group is small, all members interact simultaneously; communication dynamics change and members tend to assume Their leadership is usually authoritarian. specialised tasks. conform to the group norms and reinforce same by all associated groups so as to achieve their objectives. Their aim is to change the capitalists' monopolistic tendencies as well as perceived meddlesomeness and bridge the gap. Al-Qaeda is very popular in the Arab world and its objectives are accepted by all aggrieved groups.

Cyber crime is an aspect of terrorism associated with groups that are not satisfied with the administration and financial disparity between capitalists and the poor workers whose earnings are far too small. These organisations have trained their members to use the computer and internet to change and transfer huge sums of money from one bank to another and defraud unsuspecting members of the public. individuals are trained to siphon money from rich people and government coffers through that technology-know-how by using computer manipulation. Figures of accounts are changed and transferred to designated accounts. This is harmful to the economy of the world. The manipulations include lifting of signatures of accounts owners and the illegal use of smart-cards. The critical views of these criminal organisations are that they want to control the world economy, to bridge income gaps and to influence membership. The laws of the different nations and international community see their actions as criminal since they do not conform to the norms of their societies and the world.

### SELF-ASSESSMENT EXERCISE

State two organisations noted for crimes in the world.

# 3.2 Preliminary Analysis of the Present World-Wide Crime Problems

Mafia-like organisations are found across the continents of the world. The mafias are especially found in capitalist nations. Their motives include acquisition of wealth and control of resources using illegal means. Other organisations have sprung up as a reaction to capitalist domination. A case in question is Al-Qaeda. This organisation, allegedly, seems to fight oppression and suppression of the capitalists influences. The organisation may commit more crimes such as narcotic trade, amassing of weapons of mass destruction among others. The mafia organisation may also be involved in crimes like money laundering; their aims include taking action and financial leadership throughout the world. An example is the fall of communism in Soviet Union. Capitalism has taken over the former countries of the Union of Socialist Soviet Republics (USSR).

#### SELF-ASSESSMENT EXERCISE

Why are some organisations involved in crimes like hijacking and amassing of weapons of mass destruction?

## 3.3 Types of International Crime Organisations

International criminal activities pose new and interesting questions not only for those who are victims of such actions but also to governmental agencies mandated to control crime. Global crime is a networking of powerful criminal organisations and their associates in sharing activities around the world. It is relatively a new phenomenon (Castells, 1998). Since people all over the world are stratified, this has led to illegal groups, gangs and organisations. These organisations have their Some have increasingly set up their operations on a motives. transnational basis, using the latest communication and transportation technologies. Money and other resources change hands in the global criminal economy. In other words, some may be working for the good of their members. The United Nations Conference (1994) on global organised crimes estimated that about \$500 billion go into the global trade in drugs alone.

According to Castells (1998), today, profits from all kinds of global criminal activities are estimated to range from \$750 billion to over \$1.5 trillion per year (United Nations Development Programme, 1999).

Critically, some analysts believe that these figures under estimate the true nature and extent of the global criminal economy. Items of the criminal trade include trafficking in drugs, weapons and nuclear materials, smuggling of things and people (including or mainly migrants); trafficking in women and children for the sex industry and trafficking in body parts such as corneas and major organs for the medical sector. Understanding the entire criminal system includes money laundering and various complex financial schemes and international trade network that make it possible for people to use the resources they obtain through illegal activities for the purposes of consumption and investment in the legitimate or formal economy.

### SELF-ASSESSMENT EXERCISE

Comment on the activities of Al-Qaeda and other mafia organisations.

### 3.4 Major Players in the Criminal Economy

The following groups or organisations are the major players in the criminal economy-the Sicilian Costa Nostra (and its associates, La Camorra Ndrangheta, and Sacra Carona Unita), the American Mafia, the Columbian Cartels, the Mexican Network, the Japanese Yakuza, the Chinese Triads, the Constellation of Russia Mafyas, the Turkish heroin traffickers, the Jamaican Posse, the Nigerian advanced fee fraudsters and a myriad of regional and local criminal groupings in all countries that come together in a global diversified network that permeates boundaries, and links ventures of all sorts.

Apart from money, some of these organisations' ambition may extend to other areas. For example, the Al-Qaeda's ambition includes the spread of their faith, fighting capitalism; they also do other things which are at variance with the norms of international organisations like the *UNO*. The mafia mentioned above, among others, is another organisation which has advanced her activities to many areas deemed criminal, among which are cyber crimes and international narcotic trade. The mafia consists of kings, capitalists, drug barons and world rulers. They want to continue to control the economic power of their countries in all spheres.

In order to be safe, they circumvent laws to suit their whims and caprices to the detriment of the masses that constitute the labour force. The first and second world wars are traceable to the dissatisfaction of the other groups. For example, the French Revolution of 1789-1897 was as a result of dissatisfaction caused by the emperor king increasing cost of bread in France. In many countries of the world, this nonchalant attitude of the mafia group is common place. In recent times these

groups have come under the canopy of democracy. The philosophy may not be quite different but may be modified to suit the trend of the present society. Under democratic pretence, the rule of law remains their weapon. The mafia today, in some countries, can be described as a refined political organ.

### SELF-ASSESSMENT EXERCISE

Name four major players in the criminal economy

# 3.5 The Roles of the Security Council and International Criminal Court of the UNO

The General Assembly of the UNO created different sub-organs to handle some functions among which include the Security Council and the Criminal Court of Justice. The Security Council is saddled with the responsibility of making laws to prevent and control crimes throughout the world. It is also responsible for peaceful co-existence of nations of the world where there is social welfare for all beings

The International criminal Court of Justice enforces laws to safeguard or prevent and control crimes throughout the world as well as try offenders or criminals. For example, Charles Taylor, the War Lord and former President of Liberia is facing trial for crimes against humanity (war crimes). He was alleged to have killed many innocent people in Liberia and neighbouring nations.

### SELF-ASSESSMENT EXERCISE

Discuss the roles of the *UN* Security Council.

### 3.6 The Police in Diverse Systems

The International Criminal Court of Justice and the Security Council cannot operate by only pen and paper or by news media only; it must make use of a set of people trained to prevent and control crimes at international level. However, their services may extend to countries. The police in diverse systems denote that police services vary extensively to different functions. Police perform the duty of settling disputes and maintaining order at community level in most countries of the world such as Nigeria, Ghana, Liberia, Kenya, United States of America, etc. They are found on roads as traffic wardens and marshals checking, searching and directing traffic as well as patrol duties. They receive complaints and respond to them in case of violation of traffic regulations. The offender(s) may be charged to court.

In Britain and USA, there are traffic mobile courts which are responsible for traffic offences and payment of fines on the spot. This is not applicable in Nigeria and in most developing countries. The police also perform investigative duty in the event of crime, arrest, charge to court and prosecute the offender(s). This is applicable in many countries which include Nigeria, Ghana, South Africa, and Zambia and in the United States of America (USA) as well as Britain. Police have different designations which enable them to curb crimes. For example, in USA, there are local police under the command of the districts, the state police to check street and mob or gatherings of people suspected to cause riots. There is the federal police such as Central Intelligent Agency (CIA), Federal Bureau of Investigation (FBI) and the Department of Home Security (DHS). Their responsibilities relate to preventing and curbing criminal actions. These different police units combine efforts to prevent and control crimes in diverse system.

The CIA in the United States liaises with Interpol in matters of international security. The *Interpol* is a police unit at the international level, put in place to ensure strict adherence to law and order. It is its duty to order the arrest, detention and prosecution of offenders from any part of the world. For example, former Iraqi President, Saddam Hussein was arrested on the order of this international law enforcement office for crimes against humanity. In Nigeria, there is the Nigeria Police Force, controlled at the Federal level. However, a police officer could be deployed to a local government area or a State. The difference with USA is that, whereas a Nigerian law enforcement officer is responsible to the federal government only, in America, the local police is under the district, the state has her own police for law enforcement and the federal police. All of these law enforcement bodies cooperate to prevent and control crimes.

In many countries of the world, law enforcement is carried out by the police. Their designations may be limited to policing. For example, in Britain, they have the regular police and the intelligence service known as M16, Nigeria has the regular police and the intelligence service known as State Security Services (SSS); Ghana, South-Africa and perhaps all former British Colonies in Africa follow the British pattern of policing. The critical role of law enforcement has been noted when Bodrero (2002) notes that every terrorist event, every act of planning and preparation occurs in some law enforcement jurisdiction. This means that police activities are not limited to community, traffic, investigation and international matters in attempt to prevent and control crimes, it is also their duty to be honest, truthful and sincere with the application of justice at all times.

#### SELF-ASSESSMENT EXERCISE

Discuss the role of Interpol.

## 3.7 Methods of Crime Prevention and Control

Sociologists, in recent times, do not prefer imprisonment as the ultimate method of preventing and controlling crimes. That is, imprisonment is always used to serve as a deterrent to would-be offenders. However, punishment is any action designed to deprive a person of things of value including liberty because of some offense the person is thought to have committed (Barlow and Kauzlarich, 2002).

Punishment helps to prevent and control crimes. The methods through which crime could be controlled include the following.

- (1) Retribution this is a method of preventing and controlling crime by punishing a person for infringing on the rights of others (Cole and Smith, 2004). The punishment should be commensurate with the crime committed. Retribution will require the offender to compensate the victim.
- (2) General deterrence- this is a method used by law enforcement officers to prevent and control (i.e. reduce) criminal activities by instilling fear in the general public. However, we have specific deterrence which inflicts punishment on specific criminals to discourage them from committing future crime. In other words, specific deterrence results from actual experiences with detection, prosecution, and punishment of offenders; for instance, when one commits an offence and he/she is fined.
- (3) Incapacitation is a method applied on the basis that the offenders who are detained in prison or are executed will be unable to commit additional crimes. It is sometimes described as 'lock-emup and throw away the key' in American parlance. In recent years, this method has been refined to be long prison term (Cole and Smith, 2004). Prevention and control of crimes are methods used to curb crimes.

## SELF-ASSESSMENT EXERCISE

State and explain three methods which can be used to prevent and control crimes.

## 4.0 CONCLUSION

In this unit, you have been exposed to current trends in worldwide crime problems. The unit also considered types of organisations envisaged as crime agents, the types of crimes they commit, the roles of the Security Council and the International Criminal Court of Justice. You also learnt about the police in diverse systems and methods of preventing and controlling crimes.

#### 5.0 SUMMARY

In this unit, you learnt that crime is an action against persons, property, and constituted authority. We have acknowledged that crimes are caused by discontentment and dissatisfaction. The Security Council and International Criminal Court are saddled with the responsibilities of formulating laws for safety or prevention and control of crimes worldwide.

The police at various levels arrest suspects, detain and charge them to court at different stages using their discretion. Criminals may be imprisoned when found guilty by a competent court of law. Other methods used to prevent and control crimes include retribution, general deterrence and incapacitation which have been examined and explained.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. Define capitalism.
- 2. State three ways of preventing and controlling crimes.
- 3. Why is the Police Force so significant in diverse systems?

## 7.0 REFERENCES/FURTHER READING

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# UNIT 4 CORRECTION OF CRIMES IN DIVERSE SYSTEMS

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Prisons in Diverse Systems
  - 3.2 Community Corrections in Diverse Systems
  - 3.3 Handling Offenders in Diverse Systems
  - 3.4 Police Corrections in Diverse Systems
  - 3.5 Methodology of Correcting Crime
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

#### 1.0 INTRODUCTION

Correction is an end product of punishment. Barlow and Kauzarich (2002) state that punishment is any action designed to deprive a person of things of value, including liberty, because of some offense the person is thought to have committed. In contrast, corrections are ways provided by law to correct the offender's deviant behaviour. In other words, it is a method to restore the wrong doer to the path of rectitude.

## 2.0 OBJECTIVES

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

- state how criminals are corrected in diverse systems
- explain methods of community corrections
- analyse treatment of offenders in diverse systems.

## 3.0 MAIN CONTENT

# 3.1 Prisons in Diverse Systems

When we talk of prison in diverse systems, we are referring to the differences in conditions of imprisonment, globally. For example, Nelson Mandela of South- Africa was imprisoned for 27 years (in solitary confinement). He spent 18 years in a notorious Robin Island prison. This is a type of prison meant for offences relating to treason or felony. However, such a crime in Nigeria may result in life

imprisonment, but under military rule it could be death penalty. For instance, in the case of General Mamman Vatsa who was alleged to attempt to overthrow the regime of General Ibrahim Babangida in 1984, he was detained at Kirikiri maximum security prison and was later sentenced to death. This type of punishment (death penalty) was passed in the *US* Supreme Court in the case of Callins vs Collins (22, Feb., 1994). In that case, Justice Harry A. Blackmun passed a death sentence on Bruce Edwin Callins and he was executed by the State of Texas. He was not fired to dead, but intravenous tubes were attached to his arms carrying the instrument of death- a toxic fluid designed specifically for the purpose of killing human beings.

Incapacitation is a form of imprisonment to reduce the possibility of future crimes by those convicted of crimes. It could be temporary or Temporary incapacitation is usually imprisonment for a This is applicable in USA, Britain, Germany, Canada, Nigeria, Ghana, South Africa, etc. Street demonstration, fighting, sexual harassment and social conflicts always lead to incapacitation. Different countries may differ in the laws of incapacitation. In most African countries drunkenness, tax default and none participation in community development may lead the offenders to incapacitation temporarily. Incapacitation may be permanent. Political leaders or members of a political organisation may be incapacitated when they fall short of the law. That is, placed under house arrest until the campaign season is over.

The late President of Ghana, Kwame Nkruma arrested his opponent and placed him under house arrest until the political tussle was over in Ghana. The opponent locked up was late Danqua. In South Africa, Nelson Mandela suffered 28 years of incapacitation. In Zimbabwe, Joshua Nkomo was placed under house arrest by his opponent, Robert Mugabe in the 1980s. The International Criminal Court of Justice has introduced measures such as extradition, incapacitation and deportation of criminals involved in crimes such as war crimes, terrorism, narcotic trade and human trafficking as well as plane hijacking. Money laundering offenders and cyber criminals may face deportation to face their trials in their countries or any other country that has jurisdiction.

Those caught in crimes such as illegal trade in heroin, marijuana and cocaine may suffer death or incapacitation depending on the laws of the particular country. Political leaders found guilty of inhumanity may face death penalty or incapacitation. For example the late Iraqi Head of State- Saddam Hussein, was imprisoned and executed while Charles Taylor, the former head of state of Liberia is facing incapacitation and trial. Ex-communication was a kind of imprisonment which the Jews practiced in the synagogue. This method is practiced in local villages in

Africa especially when the offender refuses to admit his/her guilt. In this type of prison, the offender does not communicate with any member of the community as he or she is isolated. He neither buys nor sells in the community.

#### SELF-ASSESSMENT EXERCISE

Prison is a corrective measure, Discuss.

## 3.2 Community Corrections in Diverse Systems

There are different kinds of communities. These comprise rural, urban, municipal, state, countries/nations and the world. These different communities have similar and in some cases different correctional systems. For example, rural and urban communities in Nigeria have their customs and any person who violates any of their taboos is brought before the town square or hall as the case may be for trial and if the offender admits his fault, he may be corrected by flogging with some lashes of the cane. The magnitude of the offence is a determinant factor of the kind of the correction or judgment to be meted on the offender. In ancient Babylon, Hammurabi ruled that if a person kills another person he should be killed.

This law formed the basis of capital punishment adapted in modern justice system. The law started in the community of Babylon as far back 200 BC, also adapted from Mosaic code of the Israelites dating back to 120 BC and in the Roman Twelve Tables of 400 BC. In the early law, there was the Justinian Corpus Juris Civilis (body of civil law) at about 600 AD, which witnessed the first great codification of law and summarized the system of Roman law that had developed since the Twelve Tables. The early-codified law gave birth also to the Napoleon I French Civil Code in the Seventeenth century.

The Norman Conquest in 1066 gave birth to English common law developed in England after the introduction of feudalism. Examining it before the Norman Conquest, the law was more or less a folk law, unwritten, reflecting long-established customs and shared values, which were highly localised, essentially tribal, and viewed crime as private wrong. Crime was seen as an act against the victim and not against the state. Therefore the offender paid compensation to the victim. After the Norman Conquest in 1066, English communities became unified and the common law first came into being during the reign of King Henry II (1154 – 1189). The royal judges were appointed in place of local customs and laws, with national laws which were followed in courts throughout England. The laws were common to England, hence the term "Common law" which is also known as "judge – made law".

Magna Carta, known as the Great Charter, accepted by King John in 1215 with full title of the treaties on the laws and customs of the Kingdom of England, formed the basis of modern English constitutional liberty which disallowed among other things imprisonment without trial and decreed that the law of the land was supreme over personal authority of the monarch. The corrections of the common law in the United Kingdom is applied in modern law courts including legal objectives such as equality before the law, respect for established rights and the importance of administration of justice. English law-from their common law, came the idea that crimes are against the state rather than individual. Serious crimes such as murder, assault, battery, robbery, arson, rape, burglary and theft were regarded as being against the state because they went against the common good of the society. This common law has paved way for English law.

The practice has been imbibed in all former British colonies including the United States of America (USA) with little or no modifications. For example murder, arson, rape and battery are entrenched in Nigerian laws as crimes against the state. Ghana, Kenya, Liberia, South Africa and a host of other countries have adopted these crimes as state matters. Community corrections means the different ways offenders or criminals are corrected in different communities. From the foregoing, it is evident that people in Mesopotamia- under the leadership of Hammurabi in Babylon, started the different correction terminals. For instance, he advocated that if a man kills another man, he should be killed. The Mosaic laws for the Israelites came from the *Hammurabic* laws. In today's criminal court of justice offenders are corrected according to the severity of the crime. Isolation or taboo is a means of correcting in many communities in Africa.

Hammurabic law- from Babylonian community and revised by Moses, leader of the Israelites to mean 'a tooth for a tooth and eye for an eye', is being adapted by many countries of the world today. That is, death penalty is the correction method to serve as a deterrent. Incapacitation is similar to isolation or taboo. This is a means of correcting offenders. The modern courts are beginning to adopt this method. For instance, in USA, Britain, Canada and France, crime suspects are picked and kept (incapacitation) either temporarily or permanently.

The crude method of isolation has been refined and used as corrective measure. Street, age, social and racial criminals are usually incapacitated for a short term. According to English common law which adopted crimes like murder, arson, rape and battery as offences against the state, and practiced in her former colonies, perpetrators of these crimes may be incapacitated permanently, since the offences are serious ones. Political criminals could be isolated or incapacitated,

permanently, until the political skirmishes are over. For example, Nelson Mandela was placed in permanent incapacitation for 27 years for felony by apartheid regime in South Africa.

## SELF-ASSESSMENT EXERCISE

Mention different methods of community correction that you know.

# 3.3 Handling Offenders in Diverse Societies

Offenders have been identified as criminals. The diverse crimes people commit include narcotic trade, plane hijacking, human trafficking, money laundering, terrorism and cyber crimes as well as amassing weapons of mass destruction among others. In the same circumstance, offenses are classified as minor and serious, accordingly. For example, street, gender and social crimes may be described as minor crimes or offenses, while crimes or offenses like plane hijacking, human trafficking, and terrorism activities are serious ones. The world has become a common community of nations under the auspices of United Nations Organisation (UNO).

Even though individual member states may take different actions against criminals of the aforementioned offenses, there must be a consensus on a more accepted procedure on how to treat offenders in diverse societies. However, street mob or gathering, gender, age, social crimes and juvenile delinquents are, usually, arrested in USA, Britain and Canada and also in France and detained under the law of general deterrence and remanded, respectively. These practices are found in Nigeria, Ghana, and South Africa and in most Asian countries such as India and Pakistan and also in China.

General deterrence is a means of treating offenders of minor crimes such as street gathering, age, racial, gender and social crimes, among others. The essence is to reduce criminal activities by instilling the fear of punishment in the general public. Sometimes some of those who are incessantly victims of general deterrence may be placed under specific deterrence treatment to curb the excesses in them. It may also discourage their continuity. Incapacitation is another method of treating offenders of crimes such as narcotic trade, cyber crimes, and money laundering- among others. The offenders may be temporarily or permanently incapacitated.

This practice is common in Italy, Spain, Portugal, and Brazil and in countries in North Africa. A lot of foreigners passing through these countries are facing temporary incapacitation. However, permanent incapacitation seems to be practiced in Germany, Bangladesh, South and

North Korea. The United States of America (USA) and South Africa seem to share both temporary and permanent incapacitation. In recent years, more emphasis has been placed on selective incapacitation, which means that offenders who repeat certain kinds of crimes are sentenced to long prison terms (Cole and Smith, 2004).

This method or treatment is common in Nigeria, Ghana and Liberia where political opponents are confined to their homes or kept in incapacitation until the political process is concluded. For example, the late M. K. O. Abiola was incapacitated in Nigeria, and Danqua was incapacitated in Ghana. Rehabilitative treatment is the new policy being pursued at the international conference of Human Rights. According to Senna and Siegel (2002), handling offenders is for correction and that there is a need for their being integrated into the society afterwards. According to Cole and Smith (2004) treatment or correction of offenders is a major activity in the United States of America (USA). This new policy of restoration is designed to repair the damage done on the victim and the community by the offender's criminal act (Cole and Smith, 2004). This approach is based on the restorative justice perspectives. It states that the criminal justice system should promote a peaceful and just society; therefore the system should focus on peace-making rather than on punishment of the offenders.

The advocates of this approach believe that punishing of offenders actually encourages crime rather than deter it. However, numerous restorative justice programmes are included in police community-relationship to help offenders realize the damage that they have done to their victims and their communities so as to enable them be reintegrated into their societies. However, many correctional facilities are seriously under-staffed and under-funded in the rehabilitation programmes that exist in almost all the developing countries in Africa and Latin America. The job skills such as agricultural work that many offenders learnt in prison are not transferred to the outside world, nor are the offenders given any assistance in finding work that suits or fits their skills once they are released.

Repatriation of offenders is another method; many countries seem to have entered into bilateral agreements. In this regard, citizens of such countries are always repatriated to be tried in their home countries. This procedure has been difficult between Israel and Syria. No matter the gravity of the offence, the offenders are usually exchanged between the friendly countries. For example, USA exchanged their Prisoners Of War (POW) with the Iraqi Government; and South and North Korea-led by the former President of US- Bill Clinton, also did the same thing.

# 3.4 The Police Correction in Diverse Systems

Police corrections denote the different activities performed in order to save humanity in its state of predicaments. Even though police duties include law enforcement, fundamentally, it is up to the community, to safeguard lives and property, to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder and to respect the constitutional rights of all to liberty, equality and justice.

The authority for policing comes from the people i.e. their laws and institutions. In other words, the people in different communities, from rural to world community largely determine the goals of policing and give law enforcement agencies in every country their authority to meet these goals. These goals simply mean processes necessary for correcting ignorance translated in crimes committed Traditionally, the goals of policing throughout the world especially in United States of America, Britain, Poland, Canada, South Africa, Nigeria, Ghana and India( to name but a few) are to enforce law made by the people themselves, preserve the peace entrenched in the constitution, prevent crimes, protect civil rights and liberties. However, members of the police force are trained in these duties- even though they can perform general duty. It is noteworthy that different states in United States of America (USA) recruit and train their police according to their needs. For instance, large cities need police for peacekeeping, directing traffic, directing those who have missed their way, helping school children to cross the highways, helping the weak ones from the crowd or gang of burglars or armed robbers and stopping people gathering for purposes of riot and disorderliness. The essence of these duties is to correct people from ignorance since it has no excuse in law.

In another development, special police personnel are trained in traffic patrol on highways to check vehicles, and drivers' particulars such as license, Road worthiness of vehicles, capacities and speed limit. They also make reports on accidents. In Britain, USA, Japan, Canada and Germany there are traffic mobile courts where offenders are charged and fined on the spot. However, some developing countries send police as part of general duty on road patrol. The important thing is to correct the defaulters. They equally intercept vehicles, search and impound vehicles carrying contraband goods such as hard drugs, illegal immigrants, trafficked children, etc. In order to maintain peaceful coexistence, police should arrest, detain, charge defaulters to court and prosecute where they could be imprisoned or fined as deterrent to others. This is the only sure means of police correction in all countries in the world.

# 3.5 Methodology in Correcting Crime

The essence of correcting crime is to assuage victims and to reform the criminal. The methodologies are both empirical and practical in nature. For example, on the application of retribution approach on the criminal, Cole and Smith (2004) maintain that it is a method adopted in the United States of America (USA) which prevents and controls crimes. In other words, it is a way to correct criminals. The essence is to avoid *lex talionis* doctrine of 'an eye for an eye, and a tooth for a tooth'. The retribution theory of punishment has two versions; one is the revenge theory which treats all crimes as if they were of physical violence. The second is expiation theory, which says that only through punishment can the criminal expiate his sins.

In this case, modern sociologists have seen that *lex talionis* is applied in every offense, yet the offender does not regret for his crime, therefore, the expiation theory should be used. Retribution is based on the believe that the criminal may repent from his evil deed and be reinstated into normal life with full civil rights.

Crimes were therefore categorised from minor to serious crimes. For example, social, age, gender, and street crimes are minor in nature while crimes like murder, arson, rape, burglary and terrorism, and also plane hijacking as well as human trafficking among others deserves severe action, since they are very serious. The principle of retribution appears to be more emphasized in Britain, Germany, France and Canada than in Nigeria, Ghana and South Africa- and so on. Retribution theory is significant for two major reasons. Most importantly, the concept is a powerful influence on the mind of the public and how it helps to shape reactions to the sanctions of correcting the offenders(s).

General deterrence is another method employed by police using their discretion to reduce crime activity by instilling the fear of punishment in the general public. This practice is predominant in US, Britain, Germany and France. Police in South Africa, Nigeria, Liberia, and Ghana have introduced this method as they sometimes swiftly arrest people to determine the criminals among them. Crimes which are minor should be given lesser punishment while serious offenses such as murder, arson, terrorism, plane hijacking and human trafficking as well as trading in hard drugs, should be corrected with more severe penalties than crimes that border on social, racial, age and street issues. For example, criminals of lesser offences could be imprisoned for a short term while those who commit serious crimes should be incapacitated.

Incapacitation is a method used in correcting criminals who commit serious crimes. This is obtainable in USA, Britain, France, Iraq,

Nigeria, Ghana, South Africa, India, etc. Political offenders, terrorists, narcotic traders and plane hijackers are usually incapacitated. For example, M.K.O. Abiola was incapacitated in Nigeria; in Iraq, late Saddam Hussein was incapacitated and so were late Danqua in Ghana and also Nelson Mandela in South Africa. The essence of it is to correct or prevent the occurrence of a similar crime or offense.

Rehabilitation is one of the methods police have introduced in USA, Britain, France and South Africa. It seems new in Nigeria, Ghana and many other third world countries. It is the most appealing justification for punishment as a means of correcting offenders. According to Packer (1968), rehabilitation theory teaches us that ". . . we must treat each offender as an individual whose special needs and problem must be known . . . in order to enable us deal effectively with him". Analysing rehabilitation as a justification for punishment, Packer notes that the rehabilitation ideal may be used to prevent crime by changing the personality of the offender, and that punishment in the theory is forward-looking. That is, the inquiry is not looking into how dangerous the offender is but rather into how amenable to treatment he is in this circumstance.

So the theory of rehabilitation is not concerned much about the gravity of the offense nor the intensity and duration of the measures needed to However, the rehabilitation ideals, in reality, have the tendency to screen the actual conditions and activities in correctional institutions. Sociologists see rehabilitation theory as a means to return offenders to the community as law abiding citizens by providing vocational or educational training. Based on this approach offenders are treated not punished so that they will not continue their criminal activities. The critical aspect is that many correctional facilities are seriously understaffed and underfunded in the rehabilitation programmes that exist. The job skills such as agricultural work that many offenders learn in prison do not transfer to the outside world, nor are offenders given any assistance in finding work that fits their skills once they are released.

Restitution theory is a police method of correcting criminals. The term restitution is synonymous with reparation or indemnity. That is replacing back to the victim something the offender has damaged. For example, if a driver accidentally hit the head light of his counterpart and it is broken, he should replace it, i.e. buying a new headlight for the victim. However, Eglash (1957) views restitution in the narrower context- as a financial obligation, which is limited, determined by court and based on individual act. He observes that restitution contains the best features of punishment or correction, that is, deterrence and justice

and of clinical treatment, that is, the recognition of psychological basis for behaviour.

In other words, restitution is a constructive act, which is creative and unlimited, guided by self determined behaviour and has a group basis. From the example given above, that is, the offender, the victim and the police intervening to restore damage and avoid problems, they constitute a group. The police corrective measure is to ask the offender to provide a new head light as an indemnity for the damaged headlight. In Nigeria and many other countries, the police usually advise on out-of-court settlement in minor matters.

#### SELF-ASSESSMENT EXERCISE

What is the rationale of detaining a criminal as general deterrence?

## 4.0 CONCLUSION

In this unit, you have been taken through corrections of crimes in diverse systems. Prisons were treated as a form of correction in diverse systems. Different communities handling correction of crimes have been mentioned. Police involvement in the correction processes was mentioned and discussed. Methodology of enforcing crime correction was also considered.

#### 5.0 SUMMARY

In this unit, you have been exposed to the fact that the aim of correction is to reform and restore the civil rights of the erstwhile criminals; prisons are means of depriving offenders of liberty and rights. By and large, the unit has revealed that enforcement officers are very important in crime correction

#### 6.0 TUTOR-MARKED ASSIGNMENT

- 1. How do different communities correct crimes in diverse systems?
- 2. State two methods of correcting crimes.
- 3. Why should criminals be set free, after spending some time in detention?

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## MODULE 2 INTERNATIONAL TERRORISM

Unit 1	Terrorism: Concepts and Meaning
Unit 2	Overt and Covert Terrorist Organisations
Unit 3	Strategies of Terrorists Groups
Unit 4	The Response of the Police

## UNIT 1 TERRORISM: CONCEPTS AND MEANING

## **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 The Concept of Terrorism
  - 3.2 Definition of Terrorism
  - 3.3 Classification of Terrorism
  - 3.4 Evil of Terrorism
  - 3.5 Approaches to Prevention and Control of Terrorism
  - 3.6 Preventive and Control Measures
  - 3.7 Police as Law Enforcement Officers
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 Reference/Further Reading

## 1.0 INTRODUCTION

Dissatisfaction and discontentment seem to be responsible for deviant actions against people, property and constituted authority. These deviant actions may result in revolutions (openly and secretly) - known as terrorism.

## 2.0 OBJECTIVES

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

- explain some concepts of terrorism
- define terrorism and classify terrorists highlight some evils of terrorism
- mention some approaches to prevent and control terrorism
- state some agencies responsible for prevention and control of terrorism.

## 3.0 MAIN CONTENT

# 3.1 The Concept of Terrorism

Most terrorist acts result from dissatisfaction and discontentment with the political or social system or religious policy in place, at any point in time; and frustration resulting from an inability to change the system through acceptable non-violent means. For example, in the first century, the Zealous, a Jewish sect, fought against Roman occupation of what is now Israel. In the twelfth century, in Iran, a group of Shiite Muslims committed terrorist acts against religious and political leaders of Sunni Islam. Also the French Revolution (1789-1799) involved the use of violence against their leaders. In recent times, with the terrorist attack of September 11, 2001 on the United States of America (USA), terrorism assumed a new dimension.

## SELF-ASSESSMENT EXERCISE

Give two reasons for the existence of terrorism.

## 3.2 Definition of Terrorism

No single definition of terrorism is, universally, accepted; this is because, as the Terrorism Research Centre noted, "one man's terrorist is another's freedom fighter". The centre defines terrorism as "the use of force or violence against persons or property in violation of the criminal laws for purposes of intimidation, coercion or ransom". This is similar to the Federal Bureau of Investigation's (FBI) definition-this implies that terrorism is the illegal use of force or violence against persons or property to cause panic in a government, intimidate the civilian population, or any segment thereof, in furtherance of political or social objectives. The United States' Code Title 22 defines terrorism as the "premeditated, politically motivated violence perpetrated against noncombatant targets, by sub-national group, usually, intended to influence an audience". A more graphic definition is provided by Lames Poland, according to him terrorism "is the premeditated, deliberate, systematic murder, mayhem, and threatening of the innocent to create fear and intimidation in order to gain a political or tactical advantage".

From all indications, most definitions of terrorism include the systematic use of physical violence, either actual or threatened, against non-combatants to create a climate of fear and cause some religious, political or social change. Carter and Holden (2003: 300) suggest that terrorism is a "tactic, strategy, philosophy or pejorative label to describe the activities of one's enemies". They contend that the most useful definition of terrorism describes it is a "form of political or religious

militancy that uses violence or the threat of violence in an attempt to change behaviour through fear". McVey (2002) defines terrorism as acts that are criminal, aggressive and targeted at communicating a message and achieving political goals.

#### SELF-ASSESSMENT EXERCISE

State the characteristics or message communicated by terrorists.

#### 3.3 Classification of Terrorism

The Federal Bureau of Investigation (FBI) in the United States of America (USA) categorises terrorism into domestic and international terrorism.

## 1. Domestic terrorism

The evidence of domestic terrorism started from the 1995 bombing of the Alfred P. Murray Federal Building in Oklahoma City and the pipe bomb explosions in centennial Olympia Park during the 1996 summer Olympic Games which high-lighted the threat of domestic terrorists. They represent extreme right or left wing and special interest beliefs. However, there are other domestic terrorist groups. For example, guerilla groups such as Tamil Tigers are, loosely, a domestic terrorist group traceable within the axis of Southern Asia- predominantly in Sri Lanka and Indonesia.

Their crusade ideology is not different from political impasse. Many are anti-government, anti taxation and they engage in survivalist training to perpetuate their beliefs. The right-wing militia or patriot movement is a law enforcement concern because of the potential for violence and criminal behaviour. Some countries like Britain, France, Germany, Canada, China and a few others have passed legislation limiting militia, including types of training they can undergo.

#### 2. International terrorism

International terrorism is foreign based or directed by countries or groups outside the country attacked. The *FBI* divides international terrorism into three classes. The first are foreign state sponsors of international terrorism using terrorism as a tool of foreign policy. Some examples are Iran, Libya and Afghanistan. The second threat are formalised terrorist groups such as Lebanese Hezbollah; Egyptian Al-Gamm's Al-Islamiyya; Palestinian Hammas and Osama bin Laden's Al-Qaeda. The third threat comes from loosely affiliated international radical extremists who have a variety of identification and travel freely

in the United States of America (USA) and in many countries targeted-unknown to law enforcement agencies or the governments.

However, between these two classes of terrorism, it is possible to have a form of terrorism known as *political terrorism*. Political terrorism is considered a form of unconventional warfare. Kendall (2007) opines that political terrorism uses intimidation, coercion, threat of harm, and other violence that attempt to bring about significant changes in or overthrow an existing government. This form of terrorism has the following three types: revolutionary terrorism, repressive terrorism, and state sponsored terrorism.

Revolutionary terrorism consists in acts of violence targeted at civilians by enemies of the government who want to bring about political change. Some radical religious or revolutionary groups may engage in terrorist activities such as bombings, kidnappings, and assassination of leading officials. The overall goal is to cause panic and traumatise the civilians so that they will mount pressure on the government to either accept changes or collapse. State sponsored terrorism, on the other hand, occurs when a government provides financial resources, weapons and training for terrorists who carry out their activities in other nations. For instance, in Libya, Colonel Muammar Gaddafi provided money and training for terrorists groups such as the Arab National Youth Organisation, which was responsible for high jacking a Lufthansa airplane over Turkey and forcing the German government to free the surviving members of black September. Black September was the terrorist group responsible for killing Israeli Olympic athletes in the 1970s (Parry, 1976). The third type of political terrorism is repressive terrorism which is carried out by a government against its own people just to protect the existing political order. This type of terrorism took place in Haiti, China, Cambodia, etc.

#### SELF-ASSESSMENT EXERCISE

How does domestic terrorism differ from international terrorism?

## 3.4 Evil of Terrorism

As earlier mentioned, terrorism is "the use of force or violence against persons or property in violation of laws for purposes of intimidation, coercion or ransom". It shows or indicates that terrorism (of whichever category) is evil intended. Its objective is to destroy people and property- for example, the bombing of the Alfred P. Murray Federal Building in Oklahoma (1995) and the pipe bomb explosions in centennial Olympia Park during the 1996 summer Olympic Games. International terrorism may be state sponsored and the objective is to destabilise the political settings of the targeted country. The September

11, 2001 terrorist attack on the famous United States of America's (USA) World Trade Center destroyed people and property worth billions of US dollars. People traveling these days are always afraid because of terrorist activities through-out the world. For example, plane hijacking and kidnapping of people constitute terrorism.

#### SELF-ASSESSMENT EXERCISE

State three reasons why terrorism is seen as evil.

# 3.5 Approaches to Prevention and Control of Terrorism

Force and violence cannot solve religious, political and social problems. Therefore all countries must follow the pattern of United States of America (USA) - that is, the pattern of intelligence networking. Garret (2002: 22) remarks that in the war against terrorism, it is important that all law enforcement agencies, at the local, state, country and international level should keep an eye on domestic and international terrorists.

One approach to prevent and control terrorism is to examine the motivations that produce it. For example, most terrorist acts arise from dissatisfaction with a religious, political or social system or policy and frustration resulting from an inability to change the system through acceptable, non-violent means. Religious motives are seen in Islamic Political motives include such elements as the Red Army faction. Social motives are seen in single issue groups such as antiabortion groups, criminal-rights groups and environmentalists. Terrorism persists because of the supremacy of the capitalists dominating world economy, changing international policies especially on hard drugs and lawful trades. Less privileged groups are in opposition to these laws. However, the International community can strike a balance following the suggestions below:

- there should be an International Alliance of the rich and the poor (INTER ALL)
- international criminal laws should be flexible, since the capitalists dictate the offenses
- the law enforcement wing of criminal justice should know that capitalists formulated the laws to protect their interests- to the detriment of the poor
- criminal justice should apply the radical crime theory which states that the elites dominate the society and they use criminal law as an instrument for correction and domination

- the justice system should know that dissatisfaction is a product of capitalist exploitation; and

- the world should know that the criminal justice system is essentially coercive to one direction.

If these conditions are applied throughout the world, dissatisfaction leading to terrorism will be minimised if not eradicated.

#### SELF-ASSESSMENT EXERCISE

Which theory of crime could help criminal justice to prevent and control terrorism in the world?

## 3.6 Preventive and Control Measures

The terrorist attack on US in 11th September, 2001, forced the United States of America (USA) to respond by initiating military action against Afghanistan. The action was against the Taliban government; especially, as the government repeatedly refused to hand over Osama bin Laden. To prevent and control terrorism the following measures were set in place.

- (1) Security was heightened at US airports throughout the country.
- (2) On October 8, 2001, President Bush signed Executive Order 13278, establishing the Department of Home land Security (DHS). Many countries in the world followed the U.S policy and established similar security bodies to prevent and control terrorism within their territories.
- (3) A Terrorism and International Victims Unit (TIVU) was established by the Office for Victims of Crime (OVC) to check, prevent and control terrorism and mass violence (Terrorism and International victims unit, 2001). This organisation provides training and technical assistance to responders.
  - The TIVU also played a key role in OVC's response to victims and their families, in 2001, after the attack on America.
- (4) Through legislation (The Patriot Act)-President Bush signed into law on October 26, 2001, the act aimed at uniting and strengthening America by Appropriate Tools Required to Intercept and Obstruct Terrorism called USA Patriot Act. The modus operandi include:
  - ability to search, seize, detain or eavesdrop in the pursuit of possible terrorism so as to update surveillance procedures.
  - FBI's wire-tapping and electronic surveillance devices were approved so as to combat sophisticated terrorist weapons.
  - legal department formulated hard and severe punishment.

- (5) Money laundering International Law of 1984 was repeated in 1986 and was included in the portfolio of the Patriot Act
- (6) Justice department has a website, (www.life and liberty. gov.) devoted to the Patriot Act formation
- (7) Local communities in states and countries are included in the Patriot Act as it became international in character.
- (8) No law can succeed without law enforcement. The officers are trained in all the techniques and skills necessary in combating terrorists. They were trained to take note of the Holy war (Jihad), quality of individual Al- Qaeda members, their houses and other hiding places including instructions for establishing a clandestine terrorist net-work; and there were lessons on secret transportation and communication. The officers are to be quick and to the point and only commanders are to initiate communication.

#### SELF -ASSESSMENT EXERCISE

The United States of America (USA) seems to lead the world in combating terrorism, discuss with three examples.

#### 3.7 Police as Law Enforcement Officers

The Patriot Act of (2001) signed by President of United States of America (USA) for uniting and strengthening America by providing 'appropriate tools required to intercept and obstruct terrorism' gave the police unprecedented ability to search, seize, detain or eavesdrop- in their pursuit of possible terrorists. President Bush signed the law, Executive Order 13278 (2001) so as to prevent and control terrorism. The Attorney General, in USA, established an anti-terrorism task force to be a coordinating unit between all the other facets of information and the federal government. In other words, the police are responsible for home security; and at the international level, the INTER-POL takes charge. For the police to perform effectively both at local, state and international levels, they need to be trained in the following technical areas of terrorism:

- (1) the nature of the war
- (2) the quality or qualities of individual members of al-Qaeda
- (3) their mode of behaviour e.g. practice of forgery etc.
- (4) type of houses and other hiding places, their safety and instructions for establishing a clandestine terrorist network; and
- (5) secret transportation and communication.

Apart from these measures, the police also prevent and control terrorism in their countries and at the international level; they help in the prosecution of criminals after thorough investigation.

# SELF-ASSESSMENT EXERCISE

State three approaches the police use to enforce the law on terrorism.

## 4.0 CONCLUSION

This unit has touched all aspects of Terrorism starting from concept, meaning, definition, classification of terrorism or terrorist groups or types of terrorism, the evil of terrorism; approaches to prevention and control of terrorism; law enforcement and strategies of training.

## 5.0 SUMMARY

In this unit we noted that terrorism is caused by dissatisfaction within religious and political system or policy which cannot be resolved by acceptable means of non-violence. Terrorism is defined as violent attack on persons and property with the intention of intimidating and causing fear in the people. Different groups were identified. Ways of prevention and control were mentioned. The law court, criminal justice as well as training of law enforcement officers were discussed as well.

#### 6.0 TUTOR – MARKED ASSIGNMENT

- i. Define terrorism.
- ii. Differentiate between domestic and international terrorism.
- iii. Mention three countries involved in repressive terrorism.
- iv. State any two ways in which terrorism can be prevented and controlled.
- v. Why are the police involved in anti terrorism?

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# UNIT 2 OVERT AND COVERT TERRORIST ORGANISATIONS

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Overt and Covert Terrorism
  - 3.2 Types of Overt and Covert Terrorism
  - 3.3 Motivations for Terrorism
  - 3.4 Prevention and Control Modalities
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## 1.0 INTRODUCTION

Covert is defined as hidden or secret behaviour; while overt is defined as open behaviour of an individual in a given event or situation (Carver, Wallace and Cameron, 2004). Relating to terrorism, it means terrorist behaviours which are secret.

## 2.0 OBJECTIVES

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

- define overt and covert terrorists practices
- highlight the motives of terrorism
- state the roles of the police and the international community in enforcing laws to prevent and control terrorism.

#### 3.0 MAIN CONTENT

## 3.1 Overt and Covert Terrorism

Overt and covert terrorism vary in content and operation. Covert terrorist acts are those operations which are carried out in secret; the overt operate in the open. Covert terrorism may include guerrilla warfare, kidnapping, etc. Overt terrorism, on the other hand, includes bombing of human beings and property- e.g. the bombing of the Murray federal building in 1996 and bombing of America's famous world trade

centre on September 11, 2001. Some of these terrorist organisations are known all over the world- as they operate openly; examples of such organisations include, Lebanese Hezbollah, Egyptian Al-Gamm's Al Islamiyya, Palestinian Hammas and Al Qaeda.

#### SELF-ASSESSMENT EXERCISE

Define the terms covert and overt.

# 3.2 Types of Overt and Covert Terrorism

The overt terrorist groups carry out their operations openly. That is, they attack openly like the Al Qaeda's open operation on September 11, 2001. These organisations are well known internationally. Covert ones operate in secret- for example kidnapping and guerrilla warfare are typical examples. The operators are never known except by information. The Mafias are covert terrorist group spreading their influence throughout the world. Their ideologies include perpetual leadership so as to maintain the mission of owners of the wealth (capitalists) of their respective countries.

For example the principles of democracy are merely verbal and not practical in many countries. Mafia is a covert clique of terrorists manipulating their political leadership under democracy. For example the political class in Nigeria and also Ghana seem to have a similar method and influence. Also, the UNO may be the umbrella of the Mafias of different modalities. This union seems to promote the influence of democracy more than socialism. This may have been the cause of many terrorist groups. The Al-Qaeda as an overt terrorist group consists of many other smaller groups. The Nigerian youth who almost bombed a US airliner in December, 2009 comes from one of the allied groups in Pakistan. It is obvious that this group started their overt action when a Libyan was involved in plane hijacking in late 80s.

#### SELF-ASSESSMENT EXERCISE

How can covert terrorism be identified?

#### 3.3 Motivations for Terrorism

Most terrorist acts result from dissatisfaction and discontentment with religious, political or social system or policy and frustration resulting from an inability to change the system through acceptable, non violent means. The study of Scoville (2003) notes that 'white supremacy' may be a motive of terrorism. For example, the *Ku Klux Klan* (KKK) group terrorised the free blacks and exerted political influence over the

Reconstruction of South in the USA in the '50s and '60s. He maintains that the *Klan* is still out there. This terrorist group has their members spread throughout USA. They intimidate, harass the black minorities, as well as other minority groups. Scovelle's study further identified the Black supremacist. The Black Panther Party for self – defense was established in 1966 during the time of racial turmoil. This group has been constituted and it is waxing strong. It qualifies as a hate group. There are many internal factions everywhere in the world which can be termed as terrorist groups.

At the international level the motives are political, religious and economic. The developed countries are making things very difficult for the under-developed nations. Some developed countries have cartels on narcotic trade and money laundering. Some people from the developing world who have under-studied them want to go into these activities, but the capitalist nations have turned to label such trade or behaviour as illegal. The problems of dissatisfaction are multifarious. These issues cannot be treated fairly because the third world was once colonised by these capitalist countries; as such there is a limit in master-servant relationship. For instance, Somalian pirates operate on economic motives. Human Trafficking on trafficking in persons is a form of slavery perpetrated overtly and thus includes the movement of persons who are victims, and who are subject to deception or coercion for purpose of forced labour or sexual exploitation.

Human trafficking involves a long-term exploitation for economic gain. The traffickers violate human rights and penetrate the low income, illeducated, socially deprived and those in abject poverty. For instance, local chiefs in West Africa took active part in this obnoxious trade in want of wealth from their European partners. Overt terrorism is the same as transnational crime- organised across the borders. Science and technology has improved communications; and information technology, such as the internet, greater mobility of people, goods and services and the opening of the trade, coupled with political, economic and social interdependence are factors that contributed to emergence of different forms of overt terrorism on ground that overt crime has expanded its areas of interest which include political, economic and social suppression of the capitalists.

This has led to a change of *modus operandi*, hence state boundaries no longer inhibit the growth of these groups or their overt criminal networks. This has led to the weakening of some states; and the emergence of new ones have created an enabling environment in which criminal organisations can operate parallel to existing business and government institutions. Other forms of overt crimes include money laundering, oil bunkering, illegal mining and child trafficking for labour.

However, there are some other organised crimes which are carried out covertly. Their aims and objectives are not different from those operating openly.

Globalisation has been enhanced by political, economic and social interdependence, communications and information technology; hence, there is greater mobility of people, goods and services and the opening up of borders. Free trade has facilitated the emergence of covert terrorism. Since capitalists operate at the realm of state, labour suppliers can compete with the owners of state wealth secretly (covertly). They employ the use of cyber technology for drug peddling, illegal arms deal, smuggling, oil bunkering and counterfeiting of currency, theft of intellectual property, as well as piracy and kidnapping. In a pilot survey (by the UN Office on Drugs and Crime, in 2002) of forty selected organised covert crime groups in sixteen countries, five typologies of transnational organised covert/covert terrorists groups have been identified. The typologies are based on structure of the groups as the major organising principle-as shown below.

S/N	TYPOLOGY	ACTIVITY/CHARACTERISTICS	WHERE
			FOUND
1.	Standard	A single hierarchical group with	China
	Hierarchy	strong internal system of discipline.	
2.	Regional	Hierarchically structured groups,	
	Hierarchy	with strong internal lines of control	
		and discipline, but with relative	of America
		autonomy for regional components.	
3.	Clustered	A set of covert/covert criminal	· · · · · · · · · · · · · · · · · · ·
	Hierarchy	groups (terrorists) which have	
		established a system of coordination	Germany
		and control ranging from weak to	
		strong, over all their various	
		activities.	
4.	Core-Group	A relatively, tightly organised but	
		unstructured group, surrounded, in	=
		some cases, by a network of	Australia
		individuals engaged in overt/covert	
		criminal activities (i.e. terrorists activities).	
6.	Criminal	A loose and fluid network of	The Notherlands
0.	Network		the Caribbean and
	TACIWOIK	individuals with particular skills who	
		constitute themselves around an	West Affica
		ongoing series of covert/covert of	
		criminal activities (terrorists	
		activities).	
	1	uctivitios).	<u> </u>

Source: UN Office (2002). A Pilot Survey on Drugs and Crime.

# SELF-ASSESSMENT EXERCISE

Mention three motives for terrorism.

## 3.4 Prevention and Control Modalities

The United States of America (USA) has set up many security programmes to check, prevent and control terrorism .The President signed Executive order 13278 on October 8, 2001 establishing Homeland Security which many countries in the world have emulated. President Bush on October 26, 2001, signed into law the Patriot Act. This has provisions on money laundering and also sets strong penalties against anyone who harbours or finances terrorists. A preventive method was the revision of the 1984 international law on money laundering by increasing the amount since terrorism became a danger. method advocated preventing and control of terrorism was by way of new punishments for possessing biological weapons. The police enforcement policy was included in the Patriot Act. By virtue of this, the police may intercept and obstruct terrorism and they are given the right to search, seize, detain or eavesdrop in their pursuit of possible terrorism. These preventive and control policies were accepted by the UN General Assembly and adopted for use throughout the world.

#### SELF-ASSESSMENT EXERCISE

State the functions of the Patriot Act in attempts to prevent and control terrorism.

#### 3.5 The Police and Law Enforcement

The world's biggest partner, the USA, has many options to prevent and control terrorism. Their hope to respond, detect, prevent, control and protect would not be accomplished without a set of people to handle the operations. The President's Executive Order law of 2001 established the Department of Homeland Security (DHS). The Homeland Security department serves in a broad capacity, facilitating collaboration between local and federal law enforcement to develop a national strategy to detect, prepare, prevent, protect against, respond to, and recover from terrorist attacks on the United States. The police serve in the Office for Victims of Crime (OVC) which established the Terrorism and International Victims Unit, (2001)

By virtue of the Patriot Act, the police now possess an unprecedented ability to search, seize, detain or eavesdrop in their pursuit of possible terrorism. It means that the Government enforces the law with the police at the front of surveillance team. Apart from equipping the FBI with tapping wires and electronics for surveillance, the law expanded

the legal use of those devices. The importance of partnerships between law enforcement agencies at all levels cannot be over-stated as they apply to the war on terrorism and the nations are embarking on new and vigorous fights against terrorism and local police agencies are expected to be full partners in these efforts (Wexdet, 2001).

In another situation, an officer in the field may by transmitting the details of a seemingly routine traffic stop to a centralized data system and could potentially help avert a national disaster (Hickman and Reaves, 2002 p. 83). From all indications, police- as patrol officers, should see themselves as the country's first line of defense against terrorist attacks (Gardner, 2003, p. 6).

#### SELF-ASSESSMENT EXERCISE

Why are police officers described as first line of defense against terrorist?

# 3.6 The Task of the International Community

The international community, under the auspices of the United Nations Organisation (UNO) has the main objective of ensuring world peace among member countries. The peace envisaged cannot be achieved in a world full of strife and acrimonies. It has been established that terrorism existed in domestic forms in many countries. It has been noted that the motive of terrorism is dissatisfaction with religious, political or social system or policy which cannot be resolved by acceptable or non violent means. History has made it clear that the re-shaping of the world was as a result of greed and selfishness among those countries who were involved in the partitioning of the world for colonies. Slave trade too dehumanised people. Also, the class system emerged.

This distinction must have some elements of either internal or international dissatisfaction. For instance, in the domestic affairs of each country, there are different groups which are usually organised rebellion movements. For instance in United States of America (USA), there are the white supremacists, black supremacists, militia movement and other right-wing extremists, left-wing extremists, prolife extremists, environmental Extremists etc. Each of these organisations has a purpose for which it stands. For example, the white supremacists stand for authority, power and domination of the other groups in USA. The black supremacists stand for defense. Neither of these groups has been extinct, rather the government of USA has accommodated them implicitly.

Therefore the international community should adopt most, if not all, of the preventive and control programmes going on in United States. The

international community should ensure that all the member countries of *UN* establish a functional department of homeland security. This body will oversee the security network of the country as done in USA; and also, all nations should be encouraged to enact their own form of Patriot Act. This will enable the countries to provide appropriate tools required to intercept, obstruct, search, seize, detain and perform other security duties such as:

- providing sophisticated communication appliances to outmatch those of the terrorists.
- training law enforcement officers in methods of social intelligence matters in terms of background which include religion, culture, language, dress, attitude and in many other forms to detect the groups or organisations. This will help to detect terrorists operating in secret (i.e covert) and those operating in the open (overt)
- longitudinal study to special law enforcement personnel. These individuals should infiltrate terrorists in associations and note all they do.
- educating those involved in acts of terrorism on missiles, bomb and other weapons of mass destruction and also to educate covert terrorists who hijack planes, involve in human – trafficking and narcotic trade.
- applying psychological methods in handling terrorists. The scientific method tried by Karl Marx (1818-1883) in the radical case between the rich and the poor showed that elites (capitalists) dominate society and they use criminal law as instrument for coercion and domination. Secondly a crime like terrorism is a product of capitalist exploitation.
- rising with one voice to condemn terrorism anywhere and cooperating in the apprehension of terrorists.
- uniting to fight state-sponsored terrorism.

It is said that two wrongs cannot make a right. Therefore the task is delicate. The UN should forge ahead to prevent and control terrorism throughout the world.

## 4.0 CONCLUSION

In this unit, covert terrorism has been defined as hidden or secret behavour; while overt terrorism is defined as open attitude. Preventive and control processes mentioned in the unit include the Patriot Act, and the use of police as means of enforcing the method of preventing and controlling terrorism. It has been noted, in this unit, that the international community should follow the American style of preventive and control measures. This is because if all countries are aware of the activities of terrorists, it will be easier to prevent and control further attack.

#### 5.0 SUMMARY

In this unit, the definitions of covert and overt were given. Kinds of terrorisms were mentioned, and ways and means of prevention and control have been elucidated to you.

## 6.0 TUTOR-MARKED ASSIGNMENT

- i. What is the meaning of these terminologies- overt and covert?
- ii. State two terrorist events involving covert operations.
- iii. Enumerate and explain two ways to prevent and control terrorism.
- iv. How can communication assist in preventing and controlling terrorism?

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## UNIT 3 STRATEGIES OF TERRORIST GROUPS

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Various Strategies of Terrorism
  - 3.2 Types of Organisational Strategies
  - 3.3 Police Interception Modalities
  - 3.4 Prevention and Control Strategies
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
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## 1.0 INTRODUCTION

It is very difficult to know the different strategies used by terrorists. Sociologists and criminologists have tried to explain terrorism that has its origins in more than one nation and this includes diverse "cells" of terrorists.

## 2.0 OBJECTIVES

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

- explain the various strategies used by terrorists
- enumerate types of organisational strategies
- State the different preventive and control strategies.

#### 3.0 MAIN CONTENT

## 3.1 Various Strategies of Terrorism

The first concept held by sociologists and criminologists is that terrorism originates from more than one nation. Secondly, they have also found out that their strategies include diverse "cells" of terrorists. Thirdly, they have found out that they operate in a gang-like manner. A cell is a secret operational unit established for planning and execution of its terrorist acts. Dramatic changes in stock markets in nations like Japan and United States of America create reverberations that are felt in financial markets around the world.

Most analysts predict that transnational corporations will become even more significant in the global economy. As competition in the world's capital markets soars, these corporations become even less aligned with the values of any one nation. While the industrialised nations advocate the increase globally, the low-income and middle income nations within the developing and under developed nations view this upward rise of market share as an attempt to put them out of production since the wealthy nations control the means of production. This breeds conflict between the "have" and "have not" nations of the world.

Karl Marx (1818-1883) said economic determinism in Russia is the bone of contention between the *croson* and the labour force. This gives rise to diverse forms of terrorism which gives calculated, unlawful physical force or threat of violence against a government, organisation or individual to gain some political, religious, economic or social objectives. There are three types of terrorism. For instance, revolutionary terrorism involves military action against a civilian government. Another kind is state sponsored terrorism. For example, late colonel Muammar Gaddafi in Libya provided money and training for terrorist groups such as the Arab National Youth Organisation which was responsible for hijacking Lufthansa airplane over Turkey to force the German government to free the surviving members of Black September who killed Israelis Olympic athletes in the 1970s.

The third type of terrorism is repressive terrorism; example of this is a government that suppresses its citizens by the use of force. This has happened in China and Cambodia (Mydans, 1979). In other words, cells of terrorism may happen within the country (i.e. internal) or outside the country (i.e. external). Another strategy discovered by the *FBI* in United States of America (USA) is bio-terrorism. In this strategy, rather than bombs and guns, the terrorists use chemicals and gas to effect mass killing. Generally, to call attention to their cause, terrorists use tactics or strategies that include bombing, kidnapping, hostage-taking, hijacking, assassination, and extortion.

#### SELF-ASSESSMENT EXERCISE

Describe three strategies used by terrorists.

## 3.2 Types of Organisational Strategies

From the United States of America's perspectives, there are different classes of terrorism. In other words, they are organisations with strategies or organisational plans. Organisational plans or strategies are inherent cultures of the groups and some are mere means to fit the groups in a large society made of diverse cultures. For example, United States of America comprises many racial groups which migrated from different countries of the world with their inherent cultural backgrounds.

The Native Americans migrated from Asia some thousands of years ago. The white Anglo-Saxon Protestants (WASPS) constitute the British-Americans. However, the term 'white ethnic Americans' is applied to a diversity of immigrants whose origin is traceable to Ireland, eastern and southern European countries such as Poland, Italy, Greece and Soviet Republics. The black Africans known today as African- Americans, migrated to America through slave trade. They worked in the homes and farms of their masters. The native Americans were not highly educated. The African Americans had no education. The WASPs were the most educated, and were imbued with industrial acumen. This led to the following.

- 1. The white supremacists- this group intimidated and harassed minorities to gain political influence over the other groups, since the weapon of development (wealth) for building industries and factories for production was in their custody.
- 2. The black supremacists- these included the black panther and other groups. The black or African-American emancipation made them free but, were discriminated against in schools, work and political offices. They formed a formidable front to fight lynching by the other groups. They promoted their black colour. The current president, Barrack Obama is from this group.
- 3. Other right-wing extremists- this was later divided into three groups based on their operational intention. For example, the Bradley cell caused militia groups to fear federal gun control legislation.

International terrorists use some of these strategies: pass-words, dressing styles, mode of hair-cut, religious appeal and nick-names to enable them identify their organisation. For example, Zacarias Moussaoui was identified by some of these descriptions of the organisational strategies in the September 11, 2001 attack in New York

#### SELF-ASSESSMENT EXERCISE

What is organisational strategy?

# 3.4 Prevention and Control Strategies

There are many preventive and control strategies earmarked to curb the evil intentions of terrorists. The United States of America (USA) came up with the following strategies after September 11, 2001, attack on the Pentagon and the World Trade Centre.

(1) The Department of Homeland Security- this strategy was developed by President Bush, by signing into law the Executive

Order 13228. The mission of the Department of Homeland Security is to develop and coordinate the implementation of a comprehensive national strategy to secure the United States of America from terrorist's threats or attacks.

- (2) The USA Patriot Act- this strategy was signed into law by President Bush on October, 2001. This law calls for uniting and strengthening America by providing 'appropriate tools required to intercept and obstruct terrorism'.
- (3) Furthermore, the Patriot Act gave the police unprecedented power to search, seize, detain or eavesdrop in the pursuit of possible terrorists. The law provided *FBI* with wire-tapping and other electronics for surveillance and allows nation-wide jurisdiction for search warrants.
- (4) Training of special intelligence personnel of law enforcement cadre is a prerequisite to check, prevent and control terrorism.

## SELF-ASSESSMENT EXERCISE

State and explain two ways necessary to check, prevent and control terrorism.

## 4.0 CONCLUSION

In this unit, you learnt strategies against terrorism. We described cells as a gang-like strategy where instructions flow from the leaders and the cells of attack are diverse, that is, they are established in different nations. Training and strategies for training were mentioned and discussed. These are means to prevent and control terrorism in the world.

#### 5.0 SUMMARY

In this unit, you learnt the following:

- strategies means plans to carry out a programme in the future
- strategies for preventing and controlling terrorism
- training procedures as strategies to check, prevent and control terrorism.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. Define strategy.
- 2. State three strategies adopted by terrorists.
- 3. Discuss three ways necessary for preventing and controlling terrorism.

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## UNIT 4 THE REPONSE OF THE POLICE

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 The Response of the Police
  - 3.2 The Police Administration
  - 3.3 Counter Response from the Police (Operational Motives)
  - 3.4 Law Enforcement Principles and Offenders
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

#### 1.0 INTRODUCTION

The police fall within paramilitary agencies and they function in diverse systems. They function in different capacities. In this unit, you will be exposed to police response to criminal activities, as well as the principles of law enforcement.

## 2.0 OBJECTIVES

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

- differentiate ways the police perform their duties
- enumerate situations when police can use counter response
- explain the role of the law enforcement officers.

#### 3.0 MAIN CONTENT

## 3.1 The Response of the Police

The role of the police in the criminal justice system continues to expand. The diversity of their functions makes them respond in different ways. The basic principle that the police operate on is that every criminal leaves a clue. They are responsible for crime control and maintenance of order. In the event of maintenance of law and order, police discretion must be understood to avoid regret on the long run. Police discretion means the choice of alternative actions by the individual policeman, including taking no action at all, which is said to be a major contributor to corruption. It means that the police have considerable freedom to exercise in making decisions about whether to enforce particular laws in particular situations, giving rise to the opportunity for such decisions to

be influenced by considerations of material or other gain rather than professional judgment.

Within the criminal justice system- as gate keepers, the Police enjoy the widest discretion. The specter of corruption is present whenever discretion exists. For example, the policeman at the check point or on patrol decides who to stop and check or search, determines who to suspect or arrest and based on his own understanding, establishes whether an offence has been committed. He does this without the consent of his superior. This situation determines the extent of his exercise of discretion. However, local police departments in recent times serve numerous other human service functions including improving community relations, resolving family disputes and helping people during emergencies.

Studies have shown that the concept of community, in macro terms, such as "global community" can also be referred to- in micro terms, as "neighbourhood community". By and large, the society is now more complex, not the simple traditional sense, as mobility and communication become more enhanced, as technology has opened horizons, community has acquired a wider and more subtle meaning in most countries of the world. Economic and social conditions are major factors in this transformation and whether community groups are created by circumstances or by choice, people have fundamental expectations from their communities, including the freedom from fear and a desire for better quality of life. This condition is translated into the concept of security, which is the primary responsibility of police community relations.

The idea or philosophy of community policing dates back to 1990s. It is a resurgence of communitarian sensitivity to the residents for taking care of their own problems. In Nigeria, from the 1980s we witnessed the expression of fear within communities due to armed robberies. This led to the formation of neighbourhood watch and home security including the employment of vigilantes. The current police community worldwide is necessitated by transnational crime rate since state borders are flanked open and facilitated by science and technology influencing cyber method, internet and terrorism as well as kidnapping, human trafficking and narcotic trade. In Nigeria, the current police-community relation is part of an 8-point strategy for combating crime. Trojanowicz and Bucqueroux (1988) defines community policing as the law enforcement that seeks to integrate police officers into the local community in order to reduce crime and gain good community relations. Specifically, it is a:

philosophy of full service personalised policing, where the same officer patrols and works in the same area on a permanent basis, from a decentralized place, working in a proactive partnership with citizens to identify and solve problems.

Friedman, cited in Dambazau (2009) examines the concept of community policing as a policy and a strategy aimed at achieving more effective and efficient crime control, reducing fear of crime, improving quality of life, improving police services and police legitimacy, through a reliance on community resources that seek to change crime-causing conditions. According to him community policing is a:

policy and strategy aimed at achieving more effective and efficient crime control, reduced fear of crime, improved quality of life, improved police service and police legitimacy, through a proactive reliance on community resources that seeks to change crime-causing conditions. This assumes a need for greater accountability of police, greater public share in decision making, and greater concern for civil rights.

The strategies to enhance police-public partnership in many countries throughout the world are as follows.

- (a) Create, maintain and strengthen avenues (such as sports, police community relations committee interactive sessions in community) for positive interactions between the police and various groups in the society (e.g. transport workers' union, students, religious and community leaders, private enterprise, market and traders' association, etc) in order to build trust and implement crime prevention and control resources that reflect the concerns and fears of citizens.
- (b) Review the curriculum for police training at entry and other levels to include relevant topics on human rights; economic and political development, history and culture, police public relations, and conditions so that policemen and women can better understand the people and context in the work they do.
- (c) Machinery for public complaints against police misconduct-e.g. Public Complaints Bureau, National Human Rights Commission, Police Service Commission (Coroner's Inquest) will be rebuilt and strengthened.
- (d) Effective control of police misconduct.

(e) Improved police service delivery that is responsive to crime incidents and distress calls, patrols, enforcement of the rule of law and respect for human rights, especially relating to arrest, detention and interrogation.

- (f) Establish family support units in the police force to cater for the welfare of women and children with the assistance of Human Rights Commission, UNICEF and NGOs.
- (g) Assist the Legal Aid Council in ensuring access to justice.

For instance, President Bush in 2001 signed into law, the Patriot Act. By this law, the police in USA were given unprecedented power to intercept, obstruct, search, seize, detain and eavesdrop in their pursuit of possible criminals (i.e. terrorists). This law updated police on surveillance and patrol. Furthermore, the law expanded their function to possess equipment needed to enforce law against crimes like money laundering, human trafficking, narcotic trade and plane- hijacking.

## SELF-ASSESSMENT EXERCISE

State three ways in which the police respond to criminal activities.

## 3.2 The Police Administration

Since response is in diverse systems, the administration too varies. In the police system, administration can be categorized into local police department i.e. local jurisdiction, metropolis or metropolitan police department, state and federal levels police departments. Even though the police is paramilitary, it is made up of a chain of command like the military with ranks such as officers, sergeant, lieutenant and captain in the USA. In Britain, Nigeria, etc they have constable/other ranks, Superintendent to Inspector General. Each rank follows specific rules and procedures. However, individual officers maintain a degree of discretion in the decisions they make as they respond to calls and try to apprehend fleeing or violent offenders.

Administration does not end in the rank and file arrangements, it means giving a sound or accurate view on matters before the officer. For example, the issue of police discretion, as it relates to administration, is crucial. The discretion must be acute in decisions made to use force such as grabbing, pushing, or hitting a suspect or deadly force is allowed in situations in which a suspect is engaged in a felony and he is fleeing the scene of felony or resisting arrest and has endangered someone's life.

## SELF-ASSESSMENT EXERCISE

State two ways in which police administration uses individual discretion in applying force.

# **3.3** Counter Response from Police

Counter response is akin to retaliation. That is, police usually respond when the criminals have shown their intention in an attack. For example, the attack on USA by the terrorists demanded a counter response. This resulted in the arrest of Zacarias Moussauri during the search for the perpetrators of September 11, 2001 terrorist attack on USA's famous World Trade Centre. Police can respond in a situation in which a culprit tries to escape. In this type of situation the police is allowed to counter respond because it relates to loss of lives and property.

In many countries there are groups or organisations in crimes such as narcotic trade, human trafficking, plane hijacking and money laundering. Some of these organisations identified as global criminals include, the Sicilian Costa Nostra (and its associates, *la Camorra Ndrangheta* and *Sacra Corona Unita*), the American mafia, the Colombia cartels, the Mexican cartels, the Nigerian criminal network, the Japanese yakuza, the Chinese triads, the constellation of Russian Mafiya, the Turkish heroin traffickers, the Jamaican posse and a myriad of regional and local criminal groups in all countries in the world. The international criminal justice system can succeed with the support of the police. They act as prosecutors in criminal justice; therefore, police officers should see themselves as the first line of defense in preventing and controlling crimes.

## SELF-ASSESSMENT EXERCISE

Itemise four ways the police can counter-respond in the bid to prevent and control crimes.

## 3.4 Law Enforcement Principles and Offenders

Law is established or promulgated to prevent crimes and to control human behaviour in the society. Offenders usually face the wrath of the law. Offenders are the individuals or groups who violate the law. It is said that the law is not a respecter of persons. That is to say that if the president goes against or disobeys the law, he is punished without reservation. The law enforcement officers' duty is to enforce the law. That is, to encourage people to adhere to the laws of the land. For example, if the law forbids stealing and you steal, the law enforcement

officers should arrest you, detain, interrogate you and if found suspicious, that is, according to their discretion you are either set free or charged to court. The same police becomes your prosecutor. The criminal justice will determine the case and if you are found guilty, you are punished by sentencing to prison with or without option of fine.

Police discretion has been criticised because most officers use this right or freedom to decide whether a suspect is right or wrong to intimidate, defraud and do havoc instead of seeing themselves as the first line of information and security of the nation. That is, information from the police as law enforcement officers should be reliable, honest and true. In other words, police counter attack or response may be uncalled for. For instance, in America, racial discrimination between the white and coloured groups is seen in police counter response process. The coloured are often kept behind bars even when they are not guilty of any crime because they are always held suspect.

## SELF-ASSESSMENT EXERCISE

Discuss counter response by the police.

## 4.0 CONCLUSION

This unit has considered the importance of counter response from the police by using a case study of terrorist attack in America on September 11, 2001, which necessitated the President signing Executive Order on 26<sup>th</sup> October, 2001. It also means responding to a criminal who tries to escape from the scene of crime. It could mean responding to individuals who violate the law willfully. However, the action may be based on "discretion" which has been criticised because of the influence of colour discrimination in USA-for example, when the other groups are treated unjustly by the whites.

## 5.0 SUMMARY

In this unit, you have been exposed to the concept of counter response from police; it could mean retaliation of willful action or crime such as felony, terrorism, killing and so on.

It has been noted that police use of "discretion" may affect their duty. For example, as mentioned earlier, in America where colour discrimination is high, the white often keep the other groups behind bar as suspects. This is a way to discriminate between the white race and the coloured people.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1). Discuss the meaning of counter response from police in respect of crime interception.
- 2). Mention 3 global criminal organisations.
- 3). How does police discretion affect coloured people?

# 7.0 REFERENCES/FURTHER READING

- Dambazau, A. B. (2002). *Criminology and Criminal Justice*. Ibadan: Spectrum Books Limited.
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# MODULE 3 INTERNATIONAL NARCOTIC TRADE AND EFFORTS AT INTERNATIONAL LEVEL

Unit 1	Overview of International Narcotic Trade
Unit 2	The Police in Diverse Systems
Unit 3	The Courts in Diverse Systems
Unit 4	Correction Service in Diverse Systems

# UNIT 1 OVERVIEW OF INTERNATIONAL NARCOTIC TRADE

## **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main content
  - 3.1 Scope and Strategies of International Narcotic trade and Efforts of Interdiction
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

## 1.0 INTRODUCTION

There are many businesses going on between countries, individuals and organisations around the globe. Some are legitimate and some are illegitimate. Law enforcement officers are out to stamp out such businesses like narcotic trade.

## 2.0 OBJECTIVES

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

- describe the scope and strategy of international narcotic trade
- state the harmful effects of the trade
- explain the role of the police as law enforcement officers employed to prevent and control the continuation of this narcotic trade around the world.

# 3.0 MAIN CONTENT

# 3.1 Scope and Strategies of International Narcotic Trade and Efforts of Interdiction

Narcotic trade has been in operation for many years. Slave trade by its harmful nature is illegal and degrading to families, homes, towns and countries. Narcotic trade like slave trade is found throughout the world. The earliest individuals in this trade (i.e. barons and cartels) have seen the evil or harmful effect on human beings and the economy. Narcotic trade involves trade which people carry out on hard drugs. Some of these hard drugs include marijuana, cocaine, heroin and many others. These drugs have been found to be harmful according medical experts. Some of the harmful effects include crime, violence and mental problems.

**Table 1.1:** Drugs Commonly Trafficked

S/N	DRUG	DESCRIPTION
1.	Marijuana	This drug is also known as cannabis, hemp or ganja. It is a tobacco-like substance derived from the hemp plant. It is grown and produced throughout the world and can be ingested by smoking, chewing or eating. It is cheap and classified as a soft drug, but abuse of the product can lead to paranoia and psychosis. It is cultivated in large quantities in Nigeria.
2.	Cocaine	It is extracted from the coca plant of the Andrean countries of Latin America. It is the most potent stimulant of natural origin with powerful psychotropic properties. It can be administered by smoking, sniffing, or intravenous injection. It creates extraordinary dependency with very serious physiological and psychic consequences. Crack, a mixture of cocaine, sodium bicarbonate and water, delivers many times the impact of powdered cocaine.
3.	Heroin	This is a semi-synthetic narcotic derived from the opium poppy. It can be taken by smoking, sniffing, or through injection. The principal areas of production are the Golden Triangle (the highlands of Burma and the northern regions of Laos and Thailand) and South – West Asia's Golden Crescent (Southern Afghanistan, Northern Pakistan and parts of Iran). The drug has a physical and psychological dependency factor. Its overdose can be fatal.
4.	Other Synthetic Drugs	These include amphetamine, and LSD. They are mainly produced and consumed in Europe and North America. However, considerable quantities of the depressant methaqualone (mandrax) are produced and exported from India.

Countries all over the world are involved in this transnational trade, since science and technology has improved communication network. Countries share in this economic survival in trade whether they produce these commodities or not. For example, Nigerians are found in Western Europe and United States of America (USA) trafficking in these drugs. Nigerian networks have strong market routes in both the producer countries such as Brazil, Thailand and Pakistan and destination countries.

The trade does not only affect humans physically, but affects the economy of the member states adversely. According to the U.S Drug Enforcement Administration (USDEA), Nigerian drug criminals are most active in U.S cities with well established Nigerian population, such as Atlanta, Baltimore, Washington DC, with Chicago being the hub for heroin trafficking controlled by Nigerian Criminal networks.

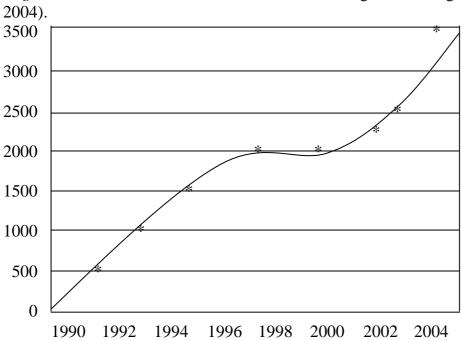


Figure 1.1: Number of Persons Arrested for Drug Trafficking (1990-2004)

[Source: US Department (2005) Trafficking in Persons Report. Washington DC].

The US department on drug Enforcement Administration (2005) has shown that both male and females are involved in this transnational drug trafficking throughout the world.

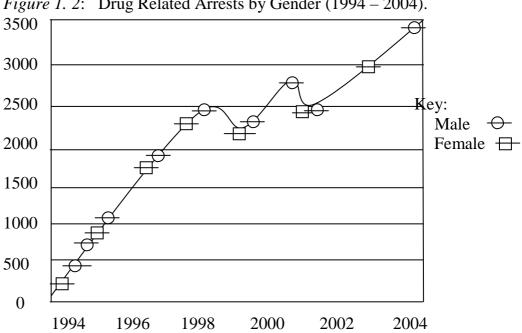


Figure 1. 2: Drug Related Arrests by Gender (1994 – 2004).

[Source: US Department (2005) Drug Trafficking by Gender: Washington DC.]

Some of these organisations parading or smuggling these trade items around the world include, Sicilian Costa Nostra and its associates, La Camorra Ndrangheta and sacra corona; the America mafia, the Colombia cartels the Mexican cartels, the Nigerian criminal network, the Japanese Yakuza; the Chinese triads; the constellation of Russian Mafiya, the Turkish heroin traffickers, the Jamaican posse and a host of others not yet identified. However, US Department Office for Trafficking on Drugs (2005) report identified countries throughout the world responsible for this transnational trade due to improvement in science and technology. This has made the groups to be more organised.

Apart from the countries producing these narcotics, there are other countries in which the trade is going on very effectively. Nigeria has been noted as one of the countries in West Africa cultivating marijuana and centre for the trade. This is influenced by her criminal networks. Countries in Latin America have been identified as Chief producers of cocaine and also chief consumers as well as distributors throughout. It is proved that heroin is produced in the highlands of Burma, Northern region of Laos, Thailand, south of Western Asia's Golden Crescent, Northern Pakistan and parts of Iran. The trade is flourishing well in these areas and across the entire world. Many consumers exchange it for other varieties which they want. These countries too are traffickers. Synthetic drugs such as amphetamine and hallucinogens (LSD) have been found to be produced and consumed in Europe and Northern America.

Efforts to interdict these global criminals are in the hands of different They should promulgate stringent or severe laws so as to prevent and control these narcotic traders and their organisations. It is therefore the duty of every citizen and his/her country to join hands with the law enforcement officers. Apart from U.S Office of Drug Enforcement Administration, other countries have enacted laws to curb this transnational trade. For example, Decree 48 of 1989 (National Drug Law Enforcement Administration) was passed in Nigeria. It is specifically related to drug trafficking and abuse. Many countries have followed the UN Convention against illicit trafficking in narcotic drugs and psychotropic substances in which states the offence as any act or attempted act to conceal or disguise the identity of illegally obtained proceeds so that they appear to have originated from legitimate source.

Many countries provide sophisticated equipment in their efforts to interdict and/or combat these organised transnational criminals. Since the Law was passed in Nigeria, from 2000 – 2004, the total arrest and prosecution of drug trafficking offenders have continued to increase. Table 1. 2 below shows the position of the arrests and prosecutions made.

4000 3500 3000 2500 Key 2000 Arrests 1500 1000 500

Figure 1.2: Arrests and Prosecutions of Drug Trafficking Offender (2000 - 2004).

[Source: Nigeria Drug Law Enforcement Agency NDLEA (2005), ABUJA.1

0

Prosecution |

From the graph above, it shows that there is increase in arrest while there is laxity in the prosecution process. This confirms the US Drug Law Enforcement Agency's view that the drug barons and cartels are employing all strategies to continue the pushing, even though the *UN* is at the fore front of fighting the illegitimate trade.

## SELF-ASSESSMENT EXERCISE

Why is narcotic trade illegal?

## 4.0 CONCLUSION

Narcotic trade has been defined as illegitimate trade. Some of the trade items mentioned include heroin, cocaine, marijuana and other synthetic drugs.

The harmful effects of these drugs have also been mentioned; these are crime, violence and mental problems. It is also seen as economic sabotage. The effort to prevent and control this trade lies in the hands of all citizens of various countries.

## 5.0 SUMMARY

In this unit, it has been mentioned to you that narcotic trade is illegal. It deserves a check to prevent and control it, since it is harmful to human health and the society- economically.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1) Define narcotics.
- 2) State two harmful effects of narcotics.
- 3) State, at least, three organisations in the world leading in this trade.

## 7.0 REFERENCES/FURTHER READING

Kendall, D. (2004). *Sociology in our Times* (6<sup>th</sup> ed.). Belmont, C.A.: Thomson Wadsworth.

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## UNIT 2 THE POLICE IN DIVERSE SYSTEMS

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Comparative Analysis of Police in Diverse Systems
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

## 1.0 INTRODUCTION

Members of the police force are paramilitary personnel. They maintain equivalent ranks like the military such as captain, sergeant, lieutenant and so on. Each performs a duty in the peace keeping effort to prevent and control crimes in diverse ways.

## 2.0 OBJECTIVES

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

- state some duties of the police
- describe the relationship between the police and the society in preventing and controlling crimes
- highlight the different methods of crime prevention and control.

## 3.0 MAIN CONTENT

# 3.1 Comparative Analysis of the Police in Diverse Systems

Police duties or services are multifarious in nature. It means they are working in different departments or areas and performing different functions according to their ranks. For example, some police personnel work in the department of community relations, as community relations officers, resolving family disputes and also helping during emergencies. Furthermore, there is metropolitan police department performing duties relating to enforcing law and order. Each must follow specific rules and procedures. However, individual officers maintain a degree of discretion in decisions they make as they respond to calls and try to apprehend fleeing or violent offenders.

The analysis of police in diverse systems may change as greater emphasis is placed on criminal oriented policing. This is an approach of law enforcement in which the officers maintain a presence in the community, patrolling up and down the streets, knowing the people, holding public service meetings at schools, churches (mosques) and other neighborhood settings. Police in diverse systems shows the police in criminal justice where there is dispensation of justice. They perform the duty of arresting the suspects, detention, and investigating the case. They use their discretion to dispense justice of either freeing or charging the suspects. In certain circumstances, the accused persons are charged to court to face the law. The police in this instance become the prosecutor(s). If the suspect(s) is found guilty, he/she is sentenced to prison according to the nature of the crime. It is the police that take the culprit(s) to prison.

Police in diverse systems provide immediate response in cases of terrorism, narcotic activities and in spying or (espionage). Oftentimes they are equipped with modern and sophisticated weapons or instruments such as wire tapping and other electronic appliances to combat crimes. These equipment help to intercept, obstruct, search, seize and eaves drop in their pursuit of a possible terrorist. Police in diverse systems underscores the idea that police force is not merely for surveillance of the local communities rather it shows that police is found in international affairs on criminal matters such as terrorism, narcotic trade, etc. These individuals and their organisations are searched or investigated in respect of their involvement in human trafficking, plane hijacking, trading in cocaine, heroin, Indian hemp among others. In this respect, police serve as INTER-POL in the international scene.

Criminals of narcotics are tried in criminal courts. The police at international level in conjunction with the international criminal court may transfer criminals to their own countries. The International Criminal Court authorises the transfer of leaders of organisations such as terrorists, narcotic barons and war lords. For example, Charles Taylor of Liberia has been transferred to the headquarters of International Criminal Court to face trial. The processes are within the portfolio of police. There are diverse functions of police in the present dispensation.

Police in diverse systems are the most visible and important sub-system of the criminal justice system. The Police provide the entry point into the criminal justice system either through crime reports from the public or its own discovery. The uniqueness of the police borders on the fact that the decision of the policeman on the street is as important as the existence of the criminal justice system. The policeman is the gate keeper of the criminal justice system as he decides who goes into the system and his decisions has wider implications for the other system components. The police lubricate the system through the arrest of suspects, who are essentially the inputs into the criminal justice system.

*Table 2.1*: Offences Recorded by the Nigeria Police between 1995 and 2003

Offence	1995	1996	1997	1998	1999	2000	2001	2002	2003
Against	86,744	92,600	80,935	77,798	73,858	71,798	76,434	71,649	67,459
Persons									
Offences									
Against	13,8456	132,333	117,163	109,007	99,926	94,609	89.675	82,738	75,226
Property									
Offences									
Against	11,790	11,361	11,025	11,194	10,060	8,146	11,443	12,209	11,216
Lawful									
Authority									
Offences									
Against	4,896	3,994	4,346	3,945	3,743	4,404	4,635	7,158	5,171
Local Acts									

[Source: The Nigeria Police Abstract 1995 – 2003: Abuja.]

In carrying out arrests, policemen exercise tremendous discretion. In general, the discretion refers to the exercise of choice by those charged with the responsibility and authority to carry out the various tasks assigned to them. It is, according to Lord Scarman, cited by Dambazau (2009) the art of suiting action to particular circumstances and it is the policeman's daily task. The police diversity in the system shows that police is found in every instance as shown by the different offences layout in table 5 above ranging from persons, property, lawful authority and against local Acts. Kendall (2004) indicates that police in diverse systems include discretionary powers in law enforcement, in special laws, investigation of special crimes, searching people, vicinities, buildings and arrest or detain people.

This power, according to Kendall goes to prosecution. They have the discretionary power to file charges or petitions for judicial decision, seek indictments, reduce charges and participate in recommending sentences. The power of police discretion helps judges or magistrates to set bail or conditions for release, accept pleas, determine delinquency, dismiss charges, impose sentence and revoke probation. According to Kendall (2004:233), it was the police discretionary power that influenced the acquittal of Michael Jackson in celebrity trial on charges of child molestation. The exercise of discretion in the police rest on two levels: individual and command or departmental levels. At the individual level, discretion involves the choice of alternative action by the individual policeman, including taking no action at all.

It requires the use of individual judgment to decide what to look for, where to patrol, whom to investigate and so on. At the command level, discretion involves decisions regarding objectives, enforcement policies, deployment of manpower and resources and so on. The uniqueness of police discretion varies with other organisations since it lies within all ranks and files not as it is with other organisations which rest on the

topmost hierarchy such as the management cadre. This means that police powers extend to taking discretional decisions on important or risky issues which require such actions. For example, police on patrol have the right to stop an over-loaded vehicle without reference to another power. They may search any person. It is the right of the police to make or initiate the first or initial contact with either the criminal or the scene of crime. On this note, Wilson (1968) states that:

In almost every other public organisation, discretion is exercised ..., but the police department has the special right... that within it, discretion increases as one moves down the hierarchy...The lowest ranking police officer (the patrolman) — has the greatest discretion and thus his behaviour is of greatest concern to the police administration. The patrolman is almost solely in charge of enforcing those laws that are the least precise, most ambiguous ... or whose application is most sensitive to the availability of scarce resources and the policies of the administrator.

The job of police officers is complex. Thus, they cannot enforce all criminal laws equally and even if they possess such capability, certain factors may make it impossible. First, the courts and the prisons would be unable to cope with the large number of suspects and offenders entering the system; Second, there is a lot of stress involved in policing society, as a result of conflicting expectations from the public; and third, more often than not, the police officer makes instant decisions without the opportunity of seeking advice and such decisions could have serious legal implications. Ruth Levy in Dambazau (2009) summaries the tasks of the police in the following words:

... reviewing the tasks we expect of our law enforcement officers, it is my impression that their complexity or diversity is perhaps greater than that of any other profession. On the one hand, we expect our law enforcement officer to possess the nurturing, caretaking, sympathetic, empathizing gentle characteristic of a physician, nurse, social worker, etc, as he deals with school traffic, acute illness and injury, suicidal threats, missing persons, etc. On the other hand, we expect him to command respect, demonstrate courage, control hostile impulses and meet great physical hazards... to control crowds, prevent riots, apprehend criminals, and chase after speeding vehicle, I can think of no other profession which constantly demands such seemingly opposite characteristics.

Furthermore, Goldstein (1968) who commented on police in diverse system notes that the police:

as the agency of last resort ...become involved with the most aggravated behaviour problems that occur in ... society. They must deal with earthly matters – the coarse and the unrefined – that are outside the range of situations likely to be experienced by the average citizen. Much of their business involves the unpredictable and the bizarre. Although some items of police business are self-contained, most are inter woven with other problems of social disorganisation. An unusually high percentage of the people with whom the police are in frequent contact represent the extremes, the most impoverished, the least educated, the most eccentric, the most conniving, the most precious, and the most dangerous.

Police in all systems focus on their mission-maintenance of order and enforcement of law. Other diversities or system objectives include activities in criminal law enforcement criminal justice system, social order, and advisory role on different secret activities such as terrorism and narcotic trade, transnational organised criminal activities. For instance, there is in USA, National Advisory Commission on Criminal Justice Standards. Goals identified as police functions in diverse systems include the following.

- Preventing criminal activities
- Detecting criminal activities
- Apprehending criminal offenders
- Participating in court proceedings
- Protecting constitutional guarantees
- Assisting those who cannot care for themselves or who are in danger of physical harm
- Resolving day-to-day conflicts among family, friends and neighbours
- Creating and maintaining a feeling of security in the community.
- Investigating crimes and
- Promoting and preserving civil order.

## 4.0 CONCLUSION

In this unit, you would have seen that the police operate in diverse systems- for example, in community departments, in the streets, courts, on surveillance along the borders, sea ports and airports etc. They investigate criminal cases, arrest, detain, and even prosecute. They are found in every area in the society as peace keepers.

## 5.0 SUMMARY

In this unit, it has been made clear to you that the existence of the police in diverse systems is important in the following ways:

- settling of disputes at community level
- helping to investigating crimes
- checking narcotic trade and terrorism
- acting as the first line of information in the country and at the international level.

## 6.0 TUTOR-MARKED ASSIGNMENT

State and explain 3 ways in which police perform in diverse ways or systems.

## 7.0 REFERENCES/FURTHER READING

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## UNIT 3 THE COURTS IN DIVERSE SYSTEMS

## **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
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## 1.0 INTRODUCTION

There are several kinds of courts. We have the customary court, criminal court, the magistrate and high courts. There is tribunal alsowhich is a special kind of court. Each court has specific functions to determine right and wrong.

## 2.0 OBJECTIVES

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

- define courts
- enumerate different courts
- enumerate the functions of courts.

## 3.0 MAIN CONTENT

# 3.1 Comparative Analysis of Courts in Diverse Systems

A court is defined as an agency set up by government to define and apply the law, to order its enforcement and settle disputed points on which individuals or groups do not agree (Dambazau, 2002). There are different kinds of courts operating in the country. Some of them are customary courts which treat the offender according to the customs or traditions of the people. There is also criminal court which plays a pivotal role in the criminal justice system. The adjudication of cases, in which there is reasonable cause to believe that an accused person has violated specific law or laws, is a basic role of a criminal court.

There are tribunals handling different cases such as an attempt to overthrow an incumbent government, tax tribunals and many other tribunals. There are magistrate and high courts. These perform similar functions, but the high court's judgment supersedes that of the

magistrate court on a similar crime. At the international level, we have the International Criminal Court of Justice set up by the United Nations Organisation (UNO) charter to settle disputes between countries. This court sets laws binding on every country or member countries. For instance, Saddam Hussein of Iraq was tried for war crimes and for refusing to hand over or destroy the purported weapons of mass destruction. Today, the former warlord of Liberia, Charles Taylor, is charged in the International Criminal Court for war crimes. Courts play diverse functions in a country and at international levels and also in diverse systems. For instance, countries seeking independence must follow the laid down laws by the UN. It means that there are political, and human rights laws to safeguard those canvassing for leaderships and territorial independence.

Peace throughout the world is based by abiding to the laws in the country and international law. The most important functions or activities of the court in diverse systems is establishing the guilt or innocence of the accused and sentencing after he or she has been found guilty or has pleaded guilty. Some sentences the court can pass include: probation, alternative means of disposition, fines, intermediate sanctions such as house arrest or electronic monitoring, incarceration and capital punishment (death penalty) (Siegel, 2003). In other words, courts in diverse systems are concerned with different functions. There are courts such as juvenile, delinquent and marriage courts.

Unlike the tribunal, the juvenile court is mainly established to handle cases of people under the age of 18 years of age. The law qualifies these individuals as children and young persons. Persons within this category are presumed to be in *capaxdol*. For instance, Charles Taylor in Liberia recruited young people into the army. The evil effects include breakdown of communities, families and values as well as other environmental factors such as community disorganisation, drug abuse, persistent poverty, making children more prone to delinquent behaviour than if those factors were not present. Furthermore, when a child's family life is filled with violence, attitude problems, poor parental care and inconsistent disciplinary practices or maltreatment- a child's delinquency increases. American Justice Institution in 1973 identified certain trends having some bearing on the incidence of delinquency as follows.

- Population growth and its effects on the number and make-up of the young age groups
- Post-industrialisation- with its increasing demands for specialised knowledge workers in place of manual workers
- Urbanisation- with its tendency for rural-urban migration

- Secularisation- with is decline in the influence of religion and traditional morality

- Democratisation- with its gradual disappearance of distinction between upper and lower classes
- Egalitarianism- with the gradual breaking down of inequalities among races, sexes, and age groups
- Meritocracy- where advancement is based more on personal merit.
- Increasing economic affluence, with growing disposable income for middle and lower income families.
- Professionalism- where greater numbers of people are employed in occupations requiring specialised knowledge and education.
- Bureaucratisation- with its tendency towards large and more complex organisations.

These factors identified have implications on the juvenile child who is a victim of circumstance. The court system includes juvenile courts. It means that trial of juvenile is either done in juvenile courts or in the criminal courts, depending on the type and gravity of the offence committed. It is a process of transferring serious or chronic juvenile offenders to criminal courts for prosecution. It is a system that enables the juvenile court focus its efforts and resources on less serious juvenile offenders who can benefit more from a wide range of intervention strategies. However, the complexity of the case may warrant thorough investigation and determination process. For example, murder offence may be treated or tried in criminal court because the young person may reveal the accomplices in the crime who may be adults. The diversity of the court in the system means that the trial of the two types of offences would be determined in either criminal court (e.g. murder offence), or status case would be determined outside the criminal court. The option may be as follows.

**Juvenile-exclusive blend:** - in this case, juvenile court may impose sanctions involving only juvenile correction facilities.

**Juvenile-inclusive:** - in this case, the court may impose both juvenile and adult correctional sanctions. The adult sanction is suspended pending a violation or revocation.

**Juvenile-contiguous blend:** in this situation, the juvenile court may remain in force beyond the age of its extended jurisdiction, at which point the offender may be transferred to the adult (i.e. criminal or other courts) correctional system.

**Criminal-exclusive blend:** - here, the court in diverse system means the criminal court may impose a sanction involving either the juvenile or adult correctional system.

**Criminal-inclusive:** - the criminal court may impose both juvenile and adult correctional sanctions. In this case, the adult sanction is suspended pending a violation or revocation.

The court in diverse systems means employing a variety of methods of dispensing judgment. For example, while the criminal courts impose specified, sentences, the juvenile courts follow the gravity or seriousness of the offence. For example, Nigerian Children and Young Person's Act provides options for disposing of cases in which juveniles are found guilty, such as:

- placing the juvenile under the supervision of a probation officer, committing the offender by means of a corrective order to the care of a relation or other persons.
- sending the juvenile to an institution
- payment of fine
- committing the juvenile to custody
- imprisonment when convicted (for adult crimes) such as shown in figure 3.1 below.

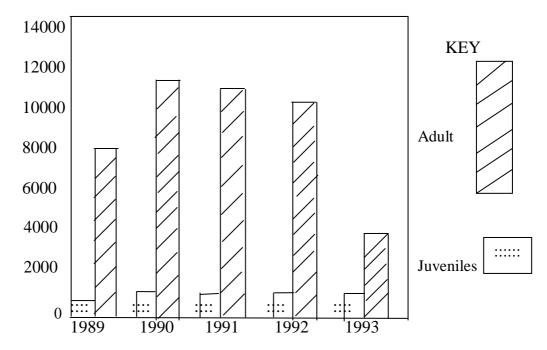


Figure 3.1: Juveniles in Adult Prisons in Nigeria (1989-1993).

[Source: Annual Abstract, 1997 Edition, Federal Office of Statistics, Abuja.]

The United Nations (UN) Standard Rules for Administration of Courts in diverse system throughout member states include juvenile justice. While the criminal courts, throughout the world, dispense social justice to safeguard human beings and property, juvenile justice should prevent the young persons from criminal behaviour. The international court of

justice accepts different punishments in juvenile justice. It prefers restorative principles.

The role of the court in terms of marriage may be simple but the conditionality may be fairly enormous. For example, the courts at different levels and countries may vary the application of the rule of law. In British courts, marriage is contracted between the bride and the bridegroom upon signing the marriage register- with fiscal stamp of two shillings, six pence; whereas in most African countries including Nigeria, the protocol is elaborate. The parents of the couple must give their consent. The court in diverse system implies following some traditions so that peace may reign. Apart from contracting marriages, she can also dissolve the wedlock if the parties violate the rules of matrimony.

#### SELF-ASSESSMENT EXERCISE

Why do we have the court in diverse systems?

## 4.0 CONCLUSION

In this unit we can conclude that courts function in diverse systems. There are different courts such as customary courts, magistrate and high courts, tribunals and criminal courts at international level, set to bring sanity among member states. The court gives sentences such as probation, intermediate sanctions or house arrest; others include fines, jail terms and capital punishment. It is assumed that each punishment is commensurate with the offence.

## 5.0 SUMMARY

In this unit, court has been defined as a body set by government to define and apply the law. The unit also listed the different courts such as customary court, magistrate and high courts, criminal tribunals and at the international level, we have International Court of Justice.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. State the types of courts existing in your country.
- 2. Why is the International Court of Justice interested in narcotics?

## 7.0 REFERENCES/FURTHER READING

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# UNIT 4 CORRECTION SERVICE IN DIVERSE SYSTEMS

## **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Correction Service in Diverse Systems
  - 3.2 Prisons in Diverse Systems
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  - 3.4 Treatment of Offenders in Diverse Systems
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- 5.0 Summary
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## 1.0 INTRODUCTION

Correction refers to a great number of programmes, services, facilities and organisations responsible for the management of people accused or convicted for criminal offenses. So in this unit, you will be exposed to correction services in prisons, community level and treatment of offenders in diverse systems.

## 2.0 OBJECTIVES

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

- generate the meaning of correction service in diverse systems
- justify prisons as means of correction in diverse systems
- explain that community corrections vary in the systems.

## 3.0 MAIN CONTENT

# 3.1 Correction Service in Diverse Systems

It is good to acknowledge error and ask for pardon. It is only an evilmotivated person that will want to continue in the old fashion not accepted in the society. Punishment is any action designed to deprive a person of things of value including liberty because of some offense the person is thought to have committed (Barlow and Kauzlarich, 2002). To reprimand a person is a process of correction. The Holy Bible has alerted everybody that 'he that spareth the rod, spoileth the child' and St. Paul in one of his letters, remarked- "God Chastises the child he loves". This is why Dambazau, (2009) has noted that a sentence passed on a criminal is the beginning and the end of criminal justice. In other words, it is the beginning of his/her recognition of guilt or offense and it is the end, because the sentence in whatever form is an end product of his committing such an offense.

Sociologists have classified crimes in different categories. For example conventional crimes or street offenses, occupational offense (i.e. white collar crime), corporate crime and syndicate crime. There are other kinds of crimes such as terrorism, social crime and racial crime. Each crime or offense has its own means of correction. What is a street crime? There is a need to know why a particular crime is known as street crime. The Universal Crime Report regards conventional crimes as street crimes. Conventional or street crime is all violent crime, certain property crimes, etc. Many of these street crimes do not occur frequently in the street as the name implies. Most often, they occur in the home, at workplace and in other locations.

Violent crime consists of actions involving force or the threat of force against others. These include murder, rape, robbery and aggravated assault. Violent crimes are caused perhaps by anxiety provoking all criminal behaviour. Some people are easily irritated on minor issues and react violently. These persons may lose their lives; and the psychological trauma may last long (Parker and Anderson-Facile, 2000). Violent crime always receives the most attention from law enforcement officials and media (Warr, 2000). Property crime, larceny, motor vehicle theft and arson and other types of offenses (robbery, burglary etc) are both violent crimes and property crimes.

"Moral" crimes involve an illegal action voluntarily engaged in by the individuals or participants, such as prostitution, illegal gambling, the private use of illegal drugs and pornography. Young men and women found in these crimes suffer from unemployment. They need to eat, dress and have a sense of belonging to the society. Occupational and corporate crime is otherwise called white-collar crime. The crime comprises illegal activities committed by people in the course of their employment or financial needs or benefits. These white-collar offenders conspire or design to improve the market value of their companies to sell cheap, whereas their motive is to siphon money from their client.

This corporate crime or illegal act is committed by corporate employees on behalf of the corporation and with its support. Examples include, tax evasion, misrepresentations in advertising, infringement on patents, copyright, trademarks, price fixing and financial fraud (Friedrichs, 1996). These crimes are as a result of deliberate decisions made by corporate personnel to enhance resources or profits at the expense of

consumers and the general public. Apart from conventional crimes and its subsidiaries like violence, murder, robbery, burglary and also occupational crime, there are other crimes which are defined as a business operation that supplies illegal goods and services, such as drug trafficking, prostitution, loan-sharking, money laundering hijackings. For instance, in developed and developing nations there are crimes such as gender, age, social class crime, race crime and religious crime. Each of these crimes has its motives(s). For example, there is discrimination between males and females (gender crime). There is constant assault on females. On the part of age crime, the youths need their rights. Their exposure has made the youths today not only to be heard but also to be seen. Furthermore, there are some crimes that are peculiar to certain ages.

The issue of social class and crime is generating much rancor, globally, today. For instance, the capitalists or the industrialised nations are maintaining their lead in production since they control the wealth, whereas the poor nations do not agree with the master-servant relationship. For instance, the Iran-American crises Afghanistan and American war is caused by social class dichotomy. Race and crime is muted by the racial supremacy in USA, Britain, Germany to mention by a few. The blacks are nothing or no human beings. They colonised Africa and encouraged our chiefs to engage in slave trade. Capitalism, wealth and inequality are the causes of crimes in the world.

## SELF-ASSESSMENT EXERCISE

How is punishment a means of correcting an offender?

## 3.2 Prisons in Diverse Systems

Prison, as punishment, is a process of confinement; that is, to deprive an individual offender of things of value including liberty. When a person commits a crime, he is tried in a law court, and if found guilty he/she must be sentenced. That is, imprisonment. Prisons vary; people are deprived of liberty in different ways- for instance, take a look at the following.

- (1) Retribution is a kind of punishment which a person receives for infringing on the rights of others. This is a kind of prison imposed on the offender. It varies from the gravity of offense. The concept is to reduce criminal behaviour in the offender and society.
- (2) General deterrence- in this form of imprisonment, the offender is simply kept so that the consequence of the crime activity may instill fear in the general public. However, specific deterrence is

- inflicted on specific crimes to discourage them from committing future crimes.
- (3) Incapacitation- this is a form of imprisonment in which an offender is detained in prison for life or executed.
- (4) Rehabilitation- this is a form of imprisonment in which the offender could be returned to his/her community. The skills learnt in prison by the offender may be transferred to the society.

These approaches are on the basis of restorative justice perspective, which states that the criminal justice system should make a peaceful transformation and it should focus on peacemaking rather than on imprisonment. Therefore prison in diverse systems would be the various kinds of imprisonments the criminals receive for their crimes. International criminal justice has enacted different laws against the offenses people commit. For example crimes like terrorism, narcotic trade, plane hijacking, human trafficking to mention but a few among others may face maximum or death penalty. This may vary from person to person and organisation to organisation as determined by the criminal justice system.

## SELF-ASSESSMENT EXERCISE

Discuss prisons in diverse-systems with respect to international law.

# 3.3 Community Corrections in Diverse Systems

Many countries in the western axis and in central Europe are focusing on restorative justice which states that the criminal justice system should make a peaceful and just society. Therefore, communities in civilised societies do not see imprisonment as punishment, but as a corrective measure. For instance, the released prisoner(s) may be useful to the community he/she comes from because he/she will transfer the skills learnt in prison to his/her society. Since community police organise meetings in schools, churches (or mosques), it should influence the people to accept the released prisoners, rehabilitate them and help them to be re-integrated back into the community. They should see them as those who have been corrected in all acts. Human beings are assets, therefore, we should use them, no matter their previous errors.

## SELF-ASSESSMENT EXERCISE

Do Nigerian communities accept their relations from prison? Discuss.

# 3.4 Treatment of Offenders in Diverse Systems

In the above section, you were taken through community corrections in diverse systems. In other words, we considered the restorative justice of former offenders who have received corrections in diverse systems (i.e. different imprisonments). Prior to imprisonment and correction, causes of crimes were analysed. Here, we are concerned with the treatment of offenders in diverse systems. In other words, it means handling and controlling the offenders in respect of welfare and reformation. This is because prisoners have their duty to perform and the authorities have their responsibilities. The confined criminals should be treated, differently, according to their crimes or causes of being in prison.

Treatment of offenders in diverse systems implies that treatment differs from system to system. It means categorisation of inmates, the structural features and the extent of security arrangement. In general, prisons are categorised as maxi-maxi, maximum security, medium security, minimum security, open prisons and women prisons.

- (1) Maxi-maxi security prisons are those in which the most dangerous offenders or criminals, in terms of the nature of their offenses and those persistent in perpetuating crimes, are kept. Typical examples are Alcatraz, an Island, in the middle of San Francisco Bay, California and Robin Island, off the coast of Cape Town in South Africa, in which Nelson Mandela, though a political prisoner, spent 18 years of 27 years of his incarceration during the apartheid era.
- Maximum security prisons are facilities characterised by fortress-(2) like premises, walls, multiple fences, internal security guards and operating procedures which are very rigid in curtailing movements and providing maximum control over the inmates. In addition to high walls, there is rigid internal security with cage-like cells and a bare minimum of recreation. Some of such facilities are dark, dingy and depressing dungeons. In maximum security prisons there is complete supervision, control and surveillance of inmates. Prisoners live in cells without windows; cells do not provide privacy with toilets which are not screened from view, and bath rooms which are supervised. Special devices are built to prevent contact with visitors, except under supervision of warders. There is little emphasis on rehabilitation or education in the prisons. An example in Nigeria is the Kirikiri Maximum Security Prison in Lagos. The offenses of the inmates include murder, and subversive activities. Others include human trafficking, narcotic trade, planehijack, corporate crimes and a hosts of others, including terrorism. These offenses do not require rehabilitation but execution or longterm jail.
- (3) Medium security prisons embody most of the ideals and characteristics of early attempts to reform offenders. Although

security is the predominant consideration, inmates are exposed to a variety of programmes intended to help them become useful members of society, after release. Most of the intensive correctional treatment and rehabilitative efforts are conducted in the medium security with towers equipped with spot lights and armed guards. In medium security facilities, visitors' privileges are given. In other words, the treatment method on the inmates is human. The inmates may be offenders on social crimes.

- (4) Minimum security prisons is a form of treatment sometimes referred to as "Hiltons" and normally include rehabilitation centres for drug addicts, farm centers, juvenile homes, forestry camps(in America), and so on. The facilities for treating the offenders are relatively open and inmates are considered to be non-violent with risk of escape minimal. Minimum security facilities are designed to solve the economic needs of their inmates and the society. Offenders may include socio-economic criminals, social and unemployment criminals.
- (5) Women security prisons are designed to cater for women convicts. The major reasons relate to gender differences in their treatment are that women commit less serious or violent crimes than men, therefore require less stringent supervision. Like the minimum security prisons, women prisons pay more attention to rehabilitation and spend less on security. However, in this scientific age, women seem to commit very serious crimes, perhaps more than men, because people tend to under-rate them facially.

## SELF-ASSESSMENT EXERCISE

State two ways of treating offenders.

# 4.0 CONCLUSION

This unit concludes that offenders are imprisoned in the following categories:

- maxi-maxi, maximum, medium, minimum and women security prison.
- Treatments are classified according to the nature of crime committed.
- medium prison offenders are treated fairly well with intention of rehabilitation.
- maximum prison offenders are imprisoned for life or are for execution
- Maxi maxi prison is for political offenders, mostly.

## 5.0 SUMMARY

According to this unit, correction refers to a great number of programmes, services, facilities and organisations responsible for the management of people accused or convicted for criminal offenses. Also, the unit has enumerated the forms of treating offenders in diverse systems.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. State three methods of treating offenders.
- 2. Mention one crime or offense for maxi-maxi prison, maximum prison, Medium term Prison and women prison.

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# MODULE 4 CRIMINAL JUSTICE IN DIVERSE SYSTEMS

Unit 1	The Concept of Criminal Justice
Unit 2	Criminal Justice in Developing Countries
Unit 3	The Global Criminal Economy
Unit 4	Inequality and Crime

## UNIT 1 THE CONCEPT OF CRIMINAL JUSTICE

## **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Understanding the Concept of Criminal Justice
  - 3.2 Differences between Criminal Justice and Social Justice
  - 3.3 Criminal Justice in Diverse Systems
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- 5.0 Summary
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## 1.0 INTRODUCTION

Laws are made by the state which represents the ruling class. Many sociologists have noted the number of laws dealing with property in capitalist society. However, law protects persons and property as well as constituted authority.

## 2.0 OBJECTIVES

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

- define criminal justice
- explain the concept of criminal justice in developing countries
- list some differences between criminal justice and social justice.

# 3.0 MAIN CONTENT

# 3.1 Understanding the Concept of Criminal Justice

According to Kendall (2007:231), "the criminal justice system refers to the large local, state, and federal agencies that enforce laws, adjudicate crimes, and treat and rehabilitate criminals". The system includes the

police, the courts and the correction facilities, and it has very many employees. The concept of criminal justice has also been interpreted to the effect that laws are made by the capitalists or the ruling class for the protection of their interest and oppression of the rest. However, sociologists have noted that the number of laws formulated deals with property in capitalist society. For example, Herman Mannthhim in Haralambos et *al.* (2004), wrote the history of criminal legislation in England and many other countries and it shows that excessive prominence was given to the law to the protection of property. According to William Chambliss in Haralambos et al. (2004), "such laws were largely where land, unmovable property was the main source of wealth and landowners were the undisputed masters of the economic resources of the country".

However, criminal justice can be defined either as a legal process or as an academic discipline. As a legal process, it involves the procedure of processing the person accused of committing a crime from arrest to the final disposal of the case. According to Clare and Kramer in Dambazau(2009), it is possible to view criminal justice as a sequence of decision-making stages. Through this system, offenders are either passed on to the next stage or diverted out of the system. This diversion may be due to any number of reasons such as lack of evidence or a desire to reduce the load on the system.

However, the increasing importance of trade and commerce including movable property and the eventual replacement of feudalism by capitalism resulted in a vast number of laws protecting the property and interests of the emerging capitalist class. In another development, crime typologies is a classification system which groups together criminal offences that share similar attributes. It can be either simple or complex, focusing in any or several elements, such as criminal behaviour involved, offender attributes, victim characteristics, and the situational context of the crime. This means that criminologists employ a variety of classification schemes to understand or capture the basic concepts or components of criminal justice.

Crime typologies have multiple purposes; they are designed primarily to simplify social reality by identifying homogeneous groups of crime behaviour that are different from other clusters of crime behaviours. For example, the street crime consists of a variety of other crimes or groups of crimes such as violence, murder, robbery and burglary (i.e. cluster of crime). The gravity of the crime is determined through understanding of the shared features or concept necessary for criminal justice. This means understanding the criminal events for example, prostitution, drug trafficking, terrorism and societal safety.

The International Court of Justice takes the accumulation of destructive weapons very seriously. The criminal concept is human destruction or weapon of mass human destruction. There are different criminal justice organs (courts) responsible for different criminal typologies. The high court or supreme and/or court of appeal have the criminal typologies, so also are the roles of tribunals and magistrate courts. The table below shows the crime typologies in the criminal justice system (or code).

*Table 1.1*: Crime Typologies in the Criminal Justice System

S/N	Major categories	Sub-categories
1.	Offences against	- Treason
	order	- Treachery
		- Sedition and the evil seditious or
		undesirable publications
		- Offences against the legislative
		and executive power
		- Unlawful societies
		- Unlawful assemblies (breach of
		the peace).
2.	Offences against the	- Disclosure of official secrets.
	administration of	- Corruption and abase or office
	law and justice and	corporate or winite contained
	against public authority	- Offences in relation to the
	aumority	administration of justice
		- Escapes, obstructing officers of
		the court.
		- Offences relating to the currency.
		- Offences relating to posts and Telecommunications
		- Miscellaneous offences against
		public authority.
3.	Acts injurious to the	- Offences relating to religious
	public in general	worship.
		- Witchcraft, juju and criminal
		charms.
		- Obscene publications
		- Nuisance, gaming houses,
		lotteries, misconduct relating to
		corpse.
		- Offences against public health
		- Idle and disorderly persons,
	0.00	rogues and vagabonds
4.	Offences against the	- Assaults and violence to the
	person and parental	person generally.

	rights and duties and against the reputation of individuals	<ul> <li>Homicide, suicide, infanticide, concealment of birth, unlawful possession of human head.</li> <li>Offences endangering life or health.</li> <li>Assault</li> <li>Assaults on females, abduction</li> <li>Offences against liberty, slave dealing.</li> <li>Offences relating to marriage and parental rights and duties</li> </ul>
5.	Offences relating to property and contracts	<ul> <li>Defamation.</li> <li>Stealing</li> <li>Offences analogous to stealing</li> <li>Stealing with violence and by tricks.</li> <li>burglary, house breaking; and like offences.</li> <li>Obtaining property by false pretences, cheating.</li> <li>Frauds by trustees and officers of companies and corporations; false accounting.</li> <li>Injuries to property</li> <li>Forgery and like offences</li> <li>Impersonation</li> <li>Offences connected with trade and breach of contract.</li> <li>Offences in relation to copy right.</li> <li>Secret commissions and corrupt</li> </ul>
6.	Miscellaneous offences	<ul> <li>practices.</li> <li>Cruelty to criminals</li> <li>Miscellaneous offences in relation to shipping and warehouse (wharfs)</li> <li>Offences by members of a crew</li> </ul>
7.	Preparation to commit offences	<ul> <li>Conspiracy, accessories after the fact.</li> <li>Attempts and preparation to commit offences</li> </ul>
L	i.	

[Source: Federal Republic of Nigeria (2004). Criminal Code Act CAPC 38: Abuja ]

Table 1.1, above, is self explanatory. It helps the layman to understand the processes in which criminal justice determines cases and disposes them. Even though the law follows its course, the judges and the prosecutors or attorney usually listen to pleas. The essence of criminal justice is to save lives and property and also to encourage peaceful coexistence.

## SELF-ASSESSMENT EXERCISE

What gave rise to criminal justice system?

## 3.2 Differences between Criminal Justice and Social Justice

Criminal Justice System is a legal entity of the interrelationships of criminal justice elements comprising the police, courts and prisons or what the Americans would rather refer to as the correctional facilities. It is a loose federation of agencies, each separately budgeted, each drawing its manpower from separate wells and each profession unto itself. Criminal justice involves the procedure of processing the person accused of committing crime, from arrest to the final disposal of the case. It is characterised by dispensation of judgment after arrest, investigation, trial and sentence of the offender to prison and determination of the nature of crime and relate it with punishment as directed by applicable law.

Social justice, according to Karl Marx, in Kendall (2007), is an economic system characterised by public ownership of the means of production, the pursuit of collective goals and centralised decision-making. Like pure capitalism, pure socialism does not exist. Theorists of socialism view business cycles and the economic system differently. When the system is no longer up-held, alienation sets in and conflict occurs because of greed. Social justice is a symbolic interaction between the producers of implements and the suppliers of labour in terms of the welfare of the people in the country. Social justice involves verifying all the facets responsible in organising the production of goods and services. It is a system where nobody owns the goods and services. The structural facilities and functionaries are detected by the national conscience.

That is, all institutions are not protected by individual motives. The laws are made to protect all and sundry, no matter the status in the society, contrary to criminal justice in which laws are to protect the property of the capitalists. Social justice can be seen in the Iraqi-America conflict. America as a capitalist nation, wanted the international community to support her in her pursuit of searching for alleged weapons of mass destruction amassed by Iraq. Russia and a few

other countries practicing social justice did not welcome that idea of invading Iraq and did not share in it even though some sent their troops as observers.

## SELF-ASSESSMENT EXERCISE

List two differences between criminal justice and social justice.

# 3.3 Criminal Justice in Diverse systems

The two terms, criminal and justice can be defined separately; from the legal point of view, a criminal is someone who has committed crime(s) and has been found to commit the crimes(s) through a criminal justice process involving the police and the criminal court, leading to conviction. In order to ascertain that an individual is legally a criminal, the persons must have violated a known criminal law, must have been processed through the criminal courts and found guilty and subsequently convicted and punished.

However, not all persons who violate the criminal law are processed through the criminal justice system. The law, for example, excuses certain categories of persons from criminal responsibility, such as the insane. Similarly, by virtue of the positions certain persons occupy, they have immunity against criminal action, and in this category are heads of government and diplomats serving in foreign countries. In recent years, the case of the former American President, Bill Clinton is a typical one of those with immunity by virtue of their positions. Though he was accused of perjury and deliberate obstruction of justice, the worse that could have happened to him was impeachment, but not criminal conviction. Nigeria has of recent also experienced the immunity controversy in respect of some state executives alleged to have been involved in criminal activities, including money laundering. Such suspects could only be prosecuted after leaving office.

Justice, according to Rawls in Dambazau (2009), is defined as the first virtue of social institutions- as truth is of system of thought. He notes that 'justice as fairness simply means the observance of right, duties and obligations on the part of both the governor and the governed'. It is the ability to strike a balance between guaranteeing the fundamental rights of citizens by the governor and the observance of duties and obligations by the governed. In criminal justice, the sum total of justice is equal to the fair application of rulers, with the effect that "... laws should be fair and reasonable in themselves". Relating the type of justice in criminal law, Denham (1983) notes that:

Justice is concerned with content. Laws should be fair and reasonable in themselves. It is not just a matter of applying the rules reasonably, whatever those rules might be, it is also about making society a fair and more reasonable place in which to live. Such justice may be called distributive justice since it is about the distribution of obligations and opportunities in society.

Equality is the very essence of justice. The law should be applied equally to all persons without fear or favour, whether a person is rich or poor, ruler or ruled, master or servant. It is natural, according to Hamilton (1923), "to enjoy seeing virtue rewarded and wrong doing punished, provided always that one is in a position to view these awards impartially".

Therefore, criminal justice is the machinery through which the criminal or someone suspected to have committed a crime, is processed and subsequently disposed of. The criminal justice system is responsible for the regulation and control of criminal behavour. It is said that the criminal justice system is valuable in two ways. First, the system is an instrument of practical purposes, accountable for the efficient and effective reduction of crime, largely, through three distinct mechanisms such as deterrence, incapacitation and rehabilitation as mentioned earlier on. Secondly, the system is also an instrument of justice, as a means of holding criminals accountable for their crimes and simultaneously protecting their constitutional rights which means that it is designed to produce justice.

However, criminal justice system does not work in isolation. That is, its diversity implies involving the relationships of all its agencies in the operation or use, functions and decision-making process of the police; the structures of the courts system and how judges reach decisions; and the intricacies of penal institutions. Criminal justice agencies are the main actors in the fight against crimes classified under minor and serious crimes, the police is responsible for detection of crimes and apprehension of people who violate the criminal law, while the courts decide guilt or innocence, and sentence those who are convicted or those who plead guilty, and the prisons or correctional institutions carry out the sentence of the court and rehabilitate criminals.

All countries in the world have law enforcement officers who are responsible for assisting the different courts with different criminals for trials and application of necessary methods of restoring sanity in the society. There are different criminal justice categories of dispensing justice and correcting criminals. For example, in Nigeria, there are customary, magistrate, high, appeal and supreme courts. There are

similar courts in USA, Canada, United Kingdom, Ghana, South Africa and others.

# SELF-ASSIGNMENT EXERCISE

Define Criminal Justice.

## 4.0 CONCLUSION

In this unit, we may conclude that:

- criminal justice deals with legal matters based on laws made to safe-guard people and property.
- social justice refers to a means to unify all the facets responsible for production of goods and services for human consumption.

## 5.0 SUMMARY

In this unit, you have learnt that:

- criminal justice refers to the agencies that interpret and implement laws made to protect people and property.
- laws are capitalist oriented.
- social justice refers to free, cooperate and social co-existence of all facets of production of goods and services.

## 6.0 TUTOR-MARKED ASSESSMENT

Is it true that criminal justice and social justice have some differences? Discuss.

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# UNIT 2 CRIMINAL JUSTICE IN DEVELOPING COUNTRIES

#### CONTENTS

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
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# 1.0 INTRODUCTION

Criminal Justice is lauded for curbing the numerous crimes people commit daily. In this unit we shall look at it from different perspectives in developing countries.

## 2.0 OBJECTIVES

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

- define the concept of criminal justice
- explain the advantages of criminal justice.

## 3.0 MAIN CONTENT

# 3.1 Overview of Criminal Justice in Developing Countries

We earlier stated that sociologists noted that a number of laws are made to protect capitalists' property. Haralambos et al. (2004) remarks that legislation on criminal laws in England and many other civilised countries in the world show that excessive prominence was given by the law to the protection of property. Furthermore, William Chambliss in Haralambos et al. (2004) notes that laws were unnecessary in feudal society where land, unmovable property was the main source of wealth and land owners were the undisputed masters of the economic resources of the country. However, the increasing importance of trade and commerce including movable property and the eventual replacement of feudalism by capitalism resulted in a vast number of laws protecting the property and interests of the emerging capitalist class.

It is in this regard that criminal justice has been defined as a legal entity, the interrelationships of criminal justice elements comprising the police,

courts, and prisons- or what Americans refer to as correctional facilities. Criminal justice involves the procedure of processing the person, from arrest to the final dispensation of the case. It is characterised by dispensation of justice after arrest, sentence the offender to prison and determine the nature of crime and relate it with punishment as directed by law which applies. Furthermore, countries are classified as developed and developing nations. Developed countries include the United States of America (USA), Canada, Britain, France, Germany and many others. While developing countries include, Nigeria, India, South Africa, Ghana, Cameroon and many others in the third world.

While developed countries have adequate facilities to dispense justice, the developing countries lack these facilities. Facilities include human or manpower and the modern materials. For instance President Bush signed Executive Order (2001) which approved appropriate tools required to intercept and obstruct terrorism under the *US Patriot Act*. This was to improve methods of dealing with terrorism in USA. Law enforcement officers were given unprecedented ability to search, seize and eavesdrop in their attempt to arrest a possible terrorist. From this indication, one would understand that there is spirit of development, protection and dispensation of criminal justice fairly; whereas in Nigeria, the police "discretion" may affect criminal justice. Bribery and corruption seem to have over-taken justice.

Another aspect is the under-development tendency whereby people prefer personal interest over and above the general public good. Nigeria's criminal organisations known at international level may influence the aims of justice. For example, the Judge is poorly paid and a criminal of narcotic trade is brought to his/her court. If the organisation responsible for the business bribes him with a heavy amount, definitely, the suspect will be discharged and acquitted. Developing countries are poor and cannot promote criminal justice, sincerely. This is why a lot of problems of criminal justice persist in the country. Furthermore, in developing countries, there is a lot of political interference in the dispensation of criminal justice.

In contrast, there is the saying that there is no crime without law, as represented by the Latin maxim- "ruleum crime sine lege"; this makes it important to examine the cause and functions of the criminal law or criminal justice. Criminal justice is the dispensation of law to attain peace, order and safeguard human beings, as well as materials or property. The question now is how can this peace and order that safeguard humans and property be achieved in this circumstance of disparity between the different classes of social life? The capitalists control the machinery of wealth in the world and the other classes (developing and under developed) and the labour force. For example, in

United States of America there are many causes of crimes which necessitate criminal justice. These crimes range from street crimes, violence, murder, robbery, burglary, corporate or white collar crimes. There are also crimes such as age, gender occupational and social and racial crimes.

Criminal justice is most fundamental in social crimes in developing countries in the world. The root cause is socio-economic. When there is class distinction in terms of economic disparity, crime would manifest. Warr's (2000) study on national crime and victimisation in *USA* shows that the criminal justice rate is higher in socio-economic offences. Every human being needs food, clothes, prestige and responsible. If these desires are not accomplished in the individual, there is bound to be dissatisfaction. From this feeling of non-accomplishment, the victims revolt and commit crimes. This is more eminent in developing countries. For example, the law forbidding narcotic trafficking seems to be violated by both men and women throughout the world. Fire arms and other weapon of mass destruction are forbidden by international and national laws.

Since countries of the third world are poor, the citizens and some authorities are victims of criminal justice. The current America – Iraq war is traceable to socio – economic factor. The international community led by the well-to-do nations like USA, Britain and Germany (to mention but a few), team up to discipline Iraq. Discipline, here, connotes a criminal justice. Another example is the trial of former Iraqi Head of State, Saddam Hussein for violating human rights and refusing to destroy weapons of mass destruction. Furthermore, Charles Taylor, the warlord of Liberia is facing similar charges at the International Criminal Court. The next question is, "are the capitalist countries not having weapons of mass destruction"? This brings to mind the deadly bomb used by America (USA) in Japan, in 1945 (Hiroshima bomb, 1945). Currently, France tested one of her nuclear weapon in a lake in Cameroon. Which court has sanctioned her? Is there any criminal justice against France?

This explains the rationale of organised crime and transnational trade. Since the wealth of any nation is in the hands a few, the masses are in this scam trying to meet their needs without considering criminal justice actions. The borders of countries are porous and a shift from political desires to socio-economic activities. The young men and women involve or take risk in participating in these obnoxious activities because they have nothing to lose even if they are arrested, tried and punished by criminal justice. Similarly, developing countries see no harm in taking a bold step to revamp their socio-economic status. This is to enable them be in line with the developed or industrialist nations.

It is worthy of note that criminal justice at times, is the weapon of the rich nations to threaten people or countries trying to measure up with them. Criminal justice at all levels is the mouth-piece of the well-to-do to safeguard themselves and their property such as industries and other equipment. Criminal justice restricts poor countries from violating the set of rules and regulations in terms of criminal justice functions. However, criminal activities thrive on a global basis through networking and strategic alliances. Criminal justice works in collaboration with law enforcement agencies, prosecutors and intelligence services across geopolitical boundaries throughout the world.

The Copenhagen World Conference (2009) on world climate change revealed the true position of the industrialised nations (USA, Japan, Germany, France, Canada, and Britain) and the developing nations (Nigeria, India, Ghana, South Africa etc). While the finding of the conference is that there should be a reduction in carbon emissions to protect the ozone layer, the capitalist countries prefer to aid the developing countries financially so that they (third world countries) may stop drilling of crude oil in their own countries. In other words, the capitalist countries may enforce this at the international court of justice towards prohibiting crude oil exploitation. Criminal justice may incriminate poor countries trying to find solutions to their socioeconomic problems. It would be recalled that the organised criminal trade must have followed this principle. Critically, the developed nations started human trafficking through slave trade and the buying of species. They imposed sanctions on these trade items later on the developing countries. Today, the criminal justice system handles defaulters and punishments are imposed to curb the excesses and as deterrent to future offending developing countries.

## SELF-ASSESSMENT EXERCISE

Why is criminal justice not fairly dispensed in Nigeria?

## 4.0 CONCLUSION

In this unit, we have established that:

- criminal justice is the brainchild of capitalism
- criminal justice is not fairly dispensed in developing countries, due to lack of manpower and modern facilities
- bribery and corruption seem to influence criminal justice due to the poverty

# 5.0 SUMMARY

In this unit, the following has been made clear to you:

criminal justice system is established to protect persons and property

 developing countries like Nigeria cannot dispense criminal justice, fairly, because of lack of facilities, poverty and political interference.

# 6.0 TUTOR-MARKED ASSIGNMENT

- 1. What is criminal justice?
- 2. State two components of criminal justice.
- 3. How is the Nigerian criminal justice system defective?

## 7.0 REFERENCES/FURTHER READING

Dambazau, A. B. (2009). *Criminology and Criminal Justice*. Ibadan: Spectrum Books limited.

Haralambos, M., Holborn, M, & Robin, H. (2004). *Sociology: Themes and Perspectives*. London: Harper Collins Publishers Limited.

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## UNIT 3 THE GLOBAL CRIMINAL ECONOMY

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Overview of the Global Criminal Economy
  - 3.2 The Police in Diverse Systems
  - 3.3 Punishment in Diverse Systems
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

#### 1.0 INTRODUCTION

There are many causes of global criminal activities in the economy. Economic crunch or melt-down may be one of the causes. Due to difficult times, some people tend to indulge in trades which are not legally acceptable, but very rewarding. In this unit, you will be exposed to the nitty-gritty of global criminal economy.

#### 2.0 OBJECTIVES

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

- define global criminal economy
- highlight those illegal trades which have affected world economy and their scope
- outline different means of punishment.

#### 3.0 MAIN CONTENT

# 3.1 Overview of Global Criminal Economy

As long as racism, sexism, classism and ageism exist in our society, people will see deviant and criminal behaviour through a selective lens. This unit shall address this problem of global criminal economy. Consider this scenario when men operating out of Amsterdam sell bogus U.S securities by telephone to Germans residing in Monaco, with his profits in Panama. Which police force should investigate? In which jurisdiction should their prosecution be mounted? There can be or may even be a question about whether a crime has been committed. If all the actions had taken place in a single country like in Nigeria, there would be little doubt (United Nations Development Programme, 1999: 104).

This example gives an overview of global or international activities which pose new and interesting questions not only for those who are the victims of such actions but for governmental agencies mandated to prevent and control crime. Global crime is defined as the networking of powerful criminal organisations and their associates in shared activities around the world. It could also be described as a relatively new phenomenon (Castells, 1998). However, it is an extremely lucrative endeavour or business as criminal organisations have increasingly set up their operations on a transnational basis, using the latest communication and transportation technology.

Furthermore, globalisation features along with political, economic and social interdependence, improved communication and information technology such as the internet, greater mobility of people, goods and services, and the opening of borders resulting in free trade which influences the emergence of "crimes without borders". These are known as transnational organised crimes. These crimes are post cold war dividends. The end of the cold war made international borders to mean less and economic issues to mean more. This condition made transnational crimes to flourish. It means that the global environment brought about change in the nature of the organised areas of interest to become a transnational phenomenon. It also changed the nature of its operations, since the boundaries no longer inhibit the growth of criminal networks.

The collapse or weakening of some states and the emergence of new ones created an enabling environment in which criminal organisations can operate parallel to existing business and government institutions. The items involved in this trade are drug trafficking, advance fee fraud (i.e. 419), cyber activities and corporate or white collar crimes. In Nigeria, the Economic and Financial Crime Commission (Establishment Act, 2004), Section (46) defines organised or transnational crimes as the non-violent criminal and illicit activity committed with the objectives of earning wealth, illegally, either individually or in a group or organised manner, thereby violating existing legislation or law governing the economic activities of government and its administration; and includes any form of fraud, narcotic drug trafficking, money laundering, embezzlement, bribery, looting and any form of corrupt practices, illegal arms deal, smuggling, human trafficking and child labour, illegal oil bunkering and illegal mining, tax evasion, foreign exchange malpractices- including counterfeiting of currency, theft of intellectual property and piracy, open market abuse, dumping of toxic wastes and prohibited goods. The global organised criminal organisation include a myriad of regional and local criminal groupings in all countries that come together in a global, diversified network that permeates boundaries

and links up ventures of all sorts. The regional and local criminal groups operate under the following principles.

- Regional hierarchy- it is a hierarchically structured group with strong internal lines of control and discipline, but with relative autonomy for regional components. For example, these are found in Australia, Japan and United States of America.
- Cluster hierarchy- this is a set of criminal groups which have established a system of coordinating and controlling, ranging from weak to strong, over all other or their various activities. These are found in South Africa, Russia, Italy and Germany.
- Core group- this is a relatively, tightly organised but unstructured group, surrounded in some cases by a network of individuals engaged in criminal activities; example are found in the Netherlands, Germany and Australia.
- Criminal network- this is a loose and fluid network of individuals
  often drawing on individuals with peculiar skills, who constitute
  themselves around and ongoing series of criminal projects; For
  example, these are found in the Netherlands, the Caribbean and
  West Africa.

These transnational organised criminal groups' activities affect the global economy, adversely. The study of the United Nations Development Programme (1999) on global organised crime revealed that only drugs trafficking amounted to about \$500 billion U.S dollars per a year. The study further revealed that the activities are estimated to range from \$750 billion to over \$1.5 trillion per year (US Currency). The world economy is affected because the profit or financial flow in the different countries is depleted and this affects the economic growth of those countries to the advantage of privileged few. The international trade is affected since the bulk of the resources are in hands of these transnational organised criminal groups, all over the world.

The highest income producing activities of global criminal organisations include trafficking in drugs, credit card fraud, weapons and nuclear materials, smuggling of things and people including many migrants, trafficking in women and children for sex industry, and trafficking in body parts such as corneas, and major organs for medical industry. Undergirding the entire criminal system is money laundering and various complex financial schemes and international networks that make it possible for people to use the resources they obtain through illegal activity for the purposes of consumption and investment in the expected legitimate formal economy (Kendall, 2007).

### SELF-ASSESSMENT EXERCISE

In three sentences, give an overview of global criminal economy.

# 3.2 The Police in Diverse Systems

The role of police in criminal justice system of diverse systems continues to expand. Police is responsible for control of crimes and maintenance of order. Police is found in the community. Their department now serves numerous other human services functions in the community which include improving community relations, solving family disputes and helping people during emergencies. The police department in municipality performs different functions. Some of the duties include, patrolling the streets, arresting street crime offenders, search suspects, seize unlawful goods such as marijuana, cocaine, heroin, and other hard drugs (Kendall, 2007). Transnational trade or organised crime can be reduced if not stopped throughout the world through the cooperation of law enforcement agencies, prosecutors and intelligence services, across geopolitical boundaries.

This means that the different nations need to activate their law enforcement agencies. Police activities must be diversified to meet the challenge of the various tactics employed by the different criminal groups. One aspect is very important, to maintain a disciplined police, motivation should be the antidote to cure the chronic malady which is corruption. Castells (1998) investigated the cause of police corruption in low-income countries and found out that the police are not motivated. Motivation means regular payment, promotion, in-service training and providing the necessary tools required for their operations. It is true that the criminals are equipped with sophisticated weapons to resist police attack. Police should be on patrol all the time. They should disperse mobs or gatherings. Police officers should be seen in markets.

The Financial Intelligence Unit in Nigeria (FIU) runs a service called "Risk Wire"; this evaluates the safety of a number of countries for foreign business. Out of fifty-nine countries evaluated, Nigeria is rated as the riskiest country for business. It implies that Nigeria is not secure for commercial operation. This is as a result of the security risk which arises in three levels. The first comes from crimes such as armed violent attacks. The second series is direct attack or blackmail which leads to vandalisation and staff kidnap. Other incidences include inter-communal violence which comes from Nigeria's ill-equipped police force that has been ineffective in stemming the crime wave.

Police in diverse systems connotes diversity of activities. It includes repatriation of criminals to their homeland for trials. Different countries have different law enforcement officers. For instance in *USA*, there is

the Criminal Investigation Agency (CIA), and the criminal Investigation Bureau and in Britain there is M16. Also in Nigeria there is State Security Service and Nigeria Intelligence Agency. Each of these formations plays diverse roles in the police force in diverse systems.

Police in diverse systems also refers to their performance in different areas of the society. For example, they are found in the criminal justice system. Before a suspect is found guilty, the police will arrest, search, seize, investigate and charge the criminal to court. They also prosecute the offender in court. At the international level, they are involved in international criminal justice. They investigate criminal organisations such as, the Sicilian Costa Nostra and its associates, La camorra Ndrangheta and Sacra Corrona Unita, the American Mafia, the Colombia cartels, and a myriad of regional and local criminal groupings in all countries (Castells, 1998).

The police, in international capacity, link up with police in different countries about these criminals in terms of their method of communication, operational strategies, transportation techniques etc. In Nigeria, the Nigeria Police Force (NPF) and State Security Service (SSS) are affiliated organs of International Police Organisation (INTERPOL). These organs work in collaboration to help prevent and control these global criminals. In the United States of America, we have the Central Intelligence Agency (CIA), the Federal Bureau of Investigation (FBI), and in Britain, we have the MI6 and Metropolitan police which are responsible for both internal and external surveillance. Every country in the world has a police force to enforce both internal and international laws made to safe-guard her citizens and to check those infiltrators across the borders of countries. The defaulters are arrested and tried according to the international criminal justice system. Police in diverse systems connotes participation in all internal and external or global criminal justice to safe-guard national and international economy.

## SELF-ASSESSMENT EXERCISE

State three functions of the police in diverse systems.

# 3.3 Punishment in Diverse Systems

Punishment denotes correction. Criminals are punished so that they would not continue in such behaviour. Punishment serves as deterrent to others. For instance, if those organizing the aforementioned global crimes are arrested, tried and imprisoned, it will curb the excesses. Imagine that large sums of money get transferred from country to country without helping in the balance of trade internationally, but end in a few individuals hands.

Some of these criminals should be confined in one place, that is, given life jail and their wealth confiscated. Furthermore, their punishment, all over the world, should be uniform- i.e. the same type of punishment in relation to the crime. Punishment in diverse systems connotes the various ways of punishing culprits or offenders of the law. Punishment is a deterrent to future criminals. It acts as a reformatory procedure, otherwise corrective measure. When people are guilty, they should compensate for their crime so that the victim will be pleased. There are different ways to punish criminals. For example, retribution is a form of punishment which the criminal or offender receives after being found guilty in the criminal justice. Another type is general deterrent; this helps to reduce criminal activities by instilling fear in the general public once the offender is punished. Incapacitation is a process in which the offender is either executed or imprisoned for life. This is related to life imprisonment. Under this form of punishment, the method is called selective incapacitation. This means that a person who repeats the crime may be given a longer sentence.

Rehabilitation seeks to return offenders to the community as law abiding citizens by providing therapy or vocational or educational training so that they can acquire the skills to enable them fit into the societies in which they belong. This is similar to restoration punishment. However, restoration justice perspective stresses that peaceful co-existence should be given priority, after the offender has pleaded guilty, he/she should be pardoned.

#### SELF -ASSESSMENT EXERCISE

Why do we say that an international crime is serious?

## 4.0 CONCLUSION

In this unit, it has been elucidated to you that:

- a crime is global if its operation cuts across many countries
- trade on narcotics, human trafficking and hijacking are deemed as criminal offenses
- the international community should intensify efforts to make laws that will make the offenders fear and stop obnoxious businesses
- countries should have their police to enforce the rule of law. They should be affiliate members of international justice system through International Police (INTER-POL)
- global criminals should be given severe punishment like death sentence or life jail.

# 5.0 SUMMARY

In this unit, you learnt that:

- the items for global crimes include narcotics, human trafficking, and money laundering.
- punishment of for criminals should be severe and commensurate to serve as a deterrent to others.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. Mention illegal trades and how they affect global economy.
- 2. State one reason why money laundering is an international crime.
- 3. Compare punishment of offenders in two countries.

## 7.0 REFERENCES/FURTHER READING

Castells, M. (1998). The Urban Question. London.

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- Haralambos, M., Holborn, M. & Robin, H. (2004). *Sociology: Themes and Perspectives:* London: Harper Collins Publishers Limited.
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# UNIT 4 INEQUALITY AND CRIME

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Functionalist Perspectives
  - 3.2 Conflict Perspectives
  - 3.3 The International Perspectives
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

#### 1.0 INTRODUCTION

In this unit, our focus will be on inequality as a fundamental factor of crime. Dissatisfaction and discontentment seem to build attitudes in people which may lead to crimes.

#### 2.0 OBJECTIVES

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

- define inequality
- explain why some people are functioning and others are not
- relate inequality with crime.

# 3.0 MAIN CONTENT

# 3.1 Functionalist Perspectives

According to Kendall (2007:24):

Functionalist perspectives are based on the assumption that society is a stable, orderly system. This stable system is characterised by societal consensus, whereby the majority of members share a common set of values, beliefs, and behavioral expectations. According to this perspective, a society is composed of inter-related parts, each of which serves a function and (ideally) contributes to the overall stability of the society. Societies develop social structures, or institutions that persist because they play a part in helping society survive. These institutions include the

family, education, government, religion and the economy. If anything adverse happens to one of these institutions or parts, all other parts are affected and the system no longer functions properly.

Inequality seems to be based on the philosophy that "the rich will get richer and the poor will get poorer". The world has experienced slave trade, World War I and II and economic depressions of 1929, 1945 and Slave trade brought about man being made unequal among people. World wars were caused by greed and selfishness and disorganised people's ability and thinking. The economic depression was man-made since wars were raging in most parts of the world. Even the current financial melt-down is caused by fraudulent practices such as collecting money under false pretense and money laundering. There has been no time for the displaced people to recover from the insanity of willful damage made on their cultures, their institutions and development. Why would there be no inequality in the face of these facts when income and wealth are in the hands of a small powerful group. This powerful group becomes the supplier of instruments for production.

Functionalist perspective, according to Davis and Moore (1945) is the opposite of inequality, which is not only inevitable but also necessary for the smooth functioning of the society. In other words, he defined inequality as a tool for smooth functionalism. This definition of functionalism explains social inequality and can be summarised as follows.

- 1. All societies have important tasks that must be accomplished and certain positions that must be filled
- 2. Some positions are more important for the survival of society than others.
- 3. The most important position must be filled by the most qualified people.
- 4. The positions that are the most important for society and that require scarce talent and extensive training or both must be highly rewarded.
- 5. The most highly rewarded options should be those that are functionally unique (i.e. no other position can perform the function) and on which other positions rely for expertise, direction or financing.

In other words, functionalism is social stratification or class system that results in meritocracy, a hierarchy in which all positions are rewarded based on people's ability and credentials. Apart from people's ability and credentials Tumin (1953) studied social inequality and found out

that economic rewards and prestige are not the only effective motivators for people. He pointed out that there are other aspects of the work such as integration or belongingness, and self-fulfillment. The problem in the world today is based on social inequality. Social inequality stems from racial discrimination. For example, there are issues of colour disparity in USA, Europe and Canada. In USA, there are three distinct classes or races, namely, the Native Americans, the WASP (White Anglo-Saxon Protestants) who migrated from Britain, Central Europe and parts of Russia, and the African-Americans were the slaves brought from Africa. The groups are constantly at variance with one another. There is racial clash not only on the ability and credential parade but on social integration, acceptance and recognitions. The intrinsic motivation may be one of the major factors in social inequality.

#### SELF-ASSESSMENT EXERCISE

Define functionalism.

# 3.2 Conflict Perspectives

Dissatisfaction and discontentment may be the cause of conflict in our societies. For instance, when a small powerful group of people with economic and political power is able to shape and distribute the rewards, resources, privileges and opportunities in the society for their own benefit. Conflict theorists do not believe that inequality serves as a motivating force for people. They argue that powerful individuals and groups use ideology to maintain their favoured position at the expense of others. For example, if you do not support the ruling political structure, you do not derive benefits from the system. In USA some people tend to support the incumbent government also for their survival.

Conflict perspectives are based on the assumption that social stratification is created and maintained by one group, typically the capitalist class, in order to enhance and protect its own economic interests. For example, they influence the laws to suit themselves. Conflict theorists measure class according to the people's relationships with others in the production process. Karl Marx's theory on production remarked that production determines people's class position. For example, where the workers go on strike it shows that the ruling class is a capitalist one full of domination tendencies and conflict proneness.

In other words, authority and power are the instruments of class in every stratum in the world. The machinery of wealth is in their custody. This class would shape the distribution of resources to suit their aspirations. Since the majority remains in the low cadre of production, they have no say than to obey or disobey. Since the poor classes cannot swallow

every law, line-hook-and-sinker, conflict ensues as a sign of dissatisfaction. This has given birth to criminal groups throughout the world. Some of those groups are transnational to show that the mafia (capitalist) is found everywhere. Equally, the oppressed group (low-income) is also found everywhere. The different criminal actions throughout the world are signs of conflict showing non-acceptance of the policies of the ruling class. The disparity is found in every aspect of human endeavour.

In most African countries, the ruling political party dominates, and suppresses other parties. Their laws are always according to their whims and caprices. The ongoing anti-terrorism campaign throughout the world is connected with conflicting ideology. When people think that the order of the capitalist is too stringent, they turn to rebellion. For instance, the law against of smuggling and trading on narcotics seems to debar the low-income nations to remain poor. Due to the discrepancies between the capitalist influence and the labour suppliers, the rate of downward mobility is increasing. That is, the capitalist remain the authority and power while the rest are obedient servants. In the final analysis this gives sabotage to future economy. It has been said that a chain cannot be stronger than its weakest link.

#### SELF-ASSESSMENT EXERCISE

Define conflict according to your society or setting.

# **3.3** The International Perspective

The international community is a universal body. The United Nations Organisation Charter came into operation in order to re-unite the world which was torn by conflicts. Having realised that man needs man in all ramifications, nations need to come together. This can be possible if:

- racial discrimination is no longer a practice
- the rich or industrialised nations would help the under-developed countries in terms of education, medical services, and in many other areas
- capitalist tendencies are relaxed for the interest of humanity
- the various organs of UN such as UNESCO, UNICEF, WHO, FAO and many others are effective in all countries of the world
- countries advanced in science and technology would prefer dialogue rather than confrontation. For example, the war between the USA and Iraq was uncalled for, knowing her military strength. Men and other resources have been destroyed.
- people bury their individual differences
- people stop amassing weapons of mass destruction

- people come together to stop crimes such as human trafficking, war crimes, hostage taking, terrorist attacks, trading on narcotics and money laundering.

- the international perspectives aim to have a state of world peace, where no oppression, wars, and divisions should be encouraged. International community is abstract, but it becomes visible through man's resolute action for its worth and integrity.

#### SELF-ASSESSMENT EXERCISE

State three international perspectives to world peace.

## 4.0 CONCLUSION

In this unit we can conclude that:

- inequality arises when people do not perform like their counterparts
- functionalists hold that those who can perform better because of credentials should be rewarded and given positions
- conflict perspectives are based on the assumptions that social stratification is created and maintained by one group
- international perspectives are to resolve world conflict among nations and establish world peace.

#### 5.0 SUMMARY

In this unit, the main points of discussion center on inequality and crime. To achieve this, the unit examined the functionalists' perspectives, the conflict perspective and the international perspective. We saw that the functionalists reward inequality, the conflict perspective feels that inequality breeds conflict, while the international perspective proposes approaches to world peace.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. Define functionalism and inequality.
- 2. Why are some people considered functional and others are not?
- 3. Define conflict.

## 7.0 REFERENCES/FURTHER READING

Davis, K. & Moore, W. (1945). 'Some Principles of Stratification'. *American Sociological Review*, 7, pp.242 – 249.

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# MODULE 5 POLICE SCIENCE AND SOME CRIME RELATED THEORIES

Unit 1	Overview of Police Investigation (Modus Operandi)
Unit 2	Durkheim's Theory and Police in Social System Unit
3	Understanding the Social Class System
Unit 4	The Place of Police Science
Unit 5	The Relationship between Low Income Class, Prestige and
	Power

# UNIT 1 OVERVIEW OF POLICE INVESTIGATION (MODUS OPERANDI)

## **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Crime and Investigation
  - 3.2 The Roles of Intelligence Agencies in International Terrorism
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

# 1.0 INTRODUCTION

Science, in itself, varies because there is physical science, social science, etc. When we talk of police science we refer to the methodology of investigating complex problems or cases. In this unit, we are going to look at the modus operandi of the police in the attempt to carry out their investigations.

## 2.0 OBJECTIVES

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

- define Science
- highlight the modus operandi adopted by the police in an attempt to give correct information after investigations
- list reasons why police must adopt different scientific strategies to arrest suspects.

# 3.0 MAIN CONTENT

# 3.1 Crime and Investigation

Crime is any action that breaches the law of a society. It is an offense and it is an atrocity such as extermination or enslavement that is directed against an entire population or part of a population on serious grounds and without regard to individual's quality or responsibility even on such a ground (Merriam Webster Collegiate Dictionary, 11th edition). United Nations Research Institute, as cited by Dambazau, (2009), defines crime as a:

"breach of legal prohibition. It is a universal concept, but what actually constitutes a crime and how serious it should be regarded, varies enormously from one society to another. Perceptions of crime are not determined by any objective indicator of the degree of injury or damage but by cultural values and power relation".

Investigation is the process of finding out what has been said about a The modus operandi may include, arresting the suspect, detention, opening a file and taking his/her statement, making a search on the suspect's home, car or any confined environment of the suspect and if the accusation made seems to be correct, the accused can then be charged to court. Crime can be investigated by interception, obstruction, search and seizure of property. The United States of America's Executive Order (2001) adopted these principles. enforcement officers were given unprecedented ability to intercept, obstruct, search and eaves drop in an attempt to arrest a possible criminal. Evidence has shown that this authority was intensified in USA especially after the terrorists attack on U.S on September 11, 2001. It helped the law enforcement agencies to expand their operations and a suspect was arrested in connection with the terrorists attack in the person of Zaccarias Moussaoui (Kendall, 2007).

Crimes vary and the methods or modus operandi vary too. For example, street crimes, age, social and racial crimes may be investigated through various methods. Also, crimes like murder, hijacking, human trafficking and trading on narcotics have diverse methods or modus operandi, since the operators may use overt and covert tactics. Crimes therefore cannot be investigated by one method. The aforementioned processes constitute some strategies police on investigation could adopt. Furthermore, a criminal could be disarmed by torture. Teargas could be applied where a mob is made of suspects to disperse them and reduce their might so as to arrest the criminal. The word investigation is derived from the Latin word 'vestigare' meaning to track or trace. Investigation

by itself means to follow step by step, by patient inquiry or observation to trace or track, to search into, to examine and inquire into, with care and accuracy to find out by careful inquisition, examination, the taking of evidence that is legal inquiry.

Criminal investigation seeks all facts associated with a crime to determine what happened and who is responsible. The branch of criminology dealing with aspects of criminal investigation is known as *criminalistics* and it involves document analysis, forensic investigation of genetic codes and DNA analysis using blood samples, fingerprint analysis, voice and handwriting analysis, photographic analysis and so on. When a crime is committed or suspected to have been committed, the police conduct the investigation with the assistance of some specialists, depending on the nature or type of crime. The purposes of investigation are to:

- determine whether a crime or an offence has been committed
- legally obtain information and evidence to identify the person(s) responsible
- arrest suspects
- recover stolen property
- present the best possible case to the prosecutor.

In carrying out this function, of criminal investigation, the police would usually capitalise on the fact that crimes are committed by human beings, and of course, they are always likely to leave traces, make mistakes and almost certainly leave behind evidence on the scene of crime. Such as footprints, hair, pieces of paper, clothes and clothing fibers and body stains, etc. The police investigator searches for such physical evidence at the scene of the crime and this may involve the search of the suspected person's residence, and vehicles. Knowing what to search for is indispensable to an effective crime scene search. Evidence is anything material and relevant to the crime being investigated. Since the ultimate aim of criminal investigation is to determine the truth by ascertaining facts to establish the guilt or innocence of persons suspected of crime, police investigators are responsible for preparing cases and presenting testimony in court. This role is critical in the quest for justice and of course police investigators play a key role in the entire criminal justice system.

#### SELF-ASSESSMENT EXERCISE

Define crime.

# 3.2 The Roles of Intelligence Agencies in International Terrorism

There are different intelligence agencies around the globe, set to track terrorist activities. For example, in the United States of America (USA), there are home agencies under the supervision of Federal Bureau of Investigation (FBI). They include the Investigative Services Bureau (ISB), and the New England State Police Information Network (NESPIN) as well as Joint Terrorism Task Force (JTTF) and also including the United States Attorney's Anti-Terrorism Advisory Council (ATAC). Others include the Terrorism and Intelligence Unit which continues to be the liaison division with the Financial Crimes Enforcement Network (FINCEN) and also the National White Collar Crime Centre (NWCCC). The International Police Organisation (INTERPOL) in New York liaises with other internal agencies and other countries on the modus operandi of investigating terrorist activities around the world.

In Britain, Canada, Israel and Germany, there are agencies to check the activities of terrorists. For instance, in Britain there is a body of trained intelligence personnel with their state security service known as MI6. In most African countries like Nigeria, there are similar agencies to check terrorist activities. Asia, China, Japan and North and Southern Korea are not left out in the formation of agencies to track terrorism. However, the USA holds an upper hand in terms of agencies and security against terrorism, since she has been victimised. The roles of the narcotics and investigations unit of the Investigative Service Bureau is to identify, investigate and ultimately apprehend individuals and/or organisations involved in the illicit trafficking of controlled substances in violation of state and Federal laws. The activities of this unit include the control of buying of illegal drugs. Along with control of buying of illegal drugs, the unit also performs surveillance on suspects to apprehend them.

The Narcotics and Investigation unit is also made up of specialised sections responsible for auto theft; organised crime; gambling; and fugitive apprehension. Investigative Services Bureau (Terrorism unit) was established on October 1, 2001, alongside the formation of Hampshire State Police Terrorism Intelligence Unit. The responsibility or role of these units is to collect information relating to criminal and terrorist activities and to coordinate the dissemination of this intelligence among federal, state, country and local law enforcement agencies. They also ensure compliance with the guide lines set forth within 28 CFR, part 23 of US Federal Statutes. The unit also maintains the link with local, state and federal law enforcement agencies throughout the nation and the world including FBI's NH Joint Terrorism

Task Force (JTTF) and the United States Attorney's Anti-Terrorism Advisory Council (ATAC).

This process of information follow the chain from internal to external i.e. International Police Organisation (INTERPOL). Another role of the Terrorism intelligence unit is that it provides critical terrorist updates and offer safety information to all her members and approximately 190 local law enforcement agencies through an internet based site. The activities of Central Intelligence Agency are more external than internal. It carries out the intelligence mission of U.S overseas and encourages other countries to emulate her programmes leading to prevention and control of terrorism in the world. One of her principles is that terrorism should be regarded as a heinous crime and terrorists should face severe measures of punishment such as death sentence or incapacitation. Furthermore, in its crusade against terrorism emphasis has been that countries sponsoring terrorism should be black-listed, face economic sanctions and military attack by other countries.

The USA-led attack on Iraq and Afghanistan may not be unconnected with terrorism. Other countries the world over have their respective roles to combat terrorism. Most countries in Europe, Asia and Africa may have resolved to prevent and control terrorism. A case in point is Nigeria's public disassociation with her youth who was caught for attempting to bomb a plane in December, 2009. The Islamic nations throughout the world are being persuaded to expose terrorists in their countries and stop sponsoring terrorism throughout the world. Libya was sanctioned for refusing to handover her citizen who was involved in the bombing of a plane in mid 1980s.

#### SELF-ASSESSMENT EXERCISE

Why is USA leading in the war against terrorism?

#### 4.0 CONCLUSION

In this unit, it has been mentioned to you that police science connotes methodology or modus operandi used in tracking criminals. Some of such crimes include terrorism, plane hijacking, human trafficking and narcotic trade as well cyber crime and murder. Also in US, there are many agencies used to track terrorism. Some countries like Britain, Canada, Israel and Germany have their own agencies; and Nigeria, South Africa, Ghana and many other developing countries have their agencies to combat terrorism also.

Punishment should be seen as an attempt to make an offender suffer for his/her wrongful act. According to Dambazau (2009),if "justice and

righteousness perish, human life would no longer have any value in the world". Criminals should be punished to create fear in others.

# 5.0 SUMMARY

In this unit, you learnt that:

- the police use some modus operandi in investigation
- some crimes are both covert and overt
- most nations have more agencies to investigate and track terrorism.

# 6.0 TUTOR-MARKED ASSIGNMENT

- 1. List, at least, three modus operandi you can use to investigate a crime
- 2. State the roles of CIA to foster universal arrest of terrorists.

# 7.0 REFERENCES/FURTHER READING

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# UNIT 2 DURKHEIM'S THEORY AND POLICE IN SOCIAL SYSTEM

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Durkheim's Theory and Police in Social System
  - 3.2 Over-View of Max Weber's Theory on Wealth, Prestige and Power
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

## 1.0 INTRODUCTION

This unit will focus on some theories that have relevance to the understanding of crime and performance of police duties. The two theories selected are Durkheim's and Max Weber's. These theories are relevant because they offer explanations on the causes of discontent and crime in society.

## 2.0 OBJECTIVES

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

- draw meaning from Durkheim's theory as applied to policing
- explain how this theory as a social theory is meant to prevent and control crime.

# 3.0 MAIN CONTENT

# 3.1 Durkheim's Theory and Police in Social System

A theory begins as a hunch, it is a guess work. It is a proof of information gathered in the form of data, analysed and proved after testing the hypothesis. Durkheim (1858-1917) propounded a theory which became very popular in Europe and the world at large. He proposed that crime in society is normal, and that the facts have to be investigated in order to understand that crimes are social, rather than individual. Therefore control depends upon changes in social conditions. According to Durkheim:

Crime is normal because a society without crime is utterly impossible. To classify crime amongst the normal phenomena of sociology, is not merely to say it is inevitable, though regrettable, phenomenon due to the incorrigible wickedness of man, it is to affirm that it is a factor in public health, an integral part of all healthy societies.

Durkheim made it clear that the fundamental conditions of social organisation, logically, imply that "crime is not due to imperfection of human nature or society and more than birth or death". A society exempted from crime, according to Durkheim, would necessitate a standardisation of the moral concepts of all individuals which is neither possible nor desirable. Durkheim maintains that crime is not only normal for society, but that it is necessary; without crime, there could be no evaluation of law. To him:

The opportunity for the genius to carry out his work affords the criminal his originality at a lower level --- aside from this indirect utility, it happens that crime itself plays a useful role....According to Athenian law, Socrates was a criminal and his crime, namely, the independence of his thought, rendered a service not only to his country but to humanity - - - (crime) must no longer be conceived as an evil that cannot be too much suppressed.

For Durkheim, therefore, the fact that crime occurs in all societies and in all stages of their development, means it must be scientifically regarded as normal. While it does not mean that crime should be condoned, it does indicate that if people are controlled to the point where no crime exists, serious consequences may result in the whole society. A major contribution of Durkheim to the understanding of criminal behaviour is how suicide relates to an individual's lack of integration into stable social groups. He proposed that many suicides result from anomie, a social condition of "normalness" in which people experience an acute lack of meaningful roles and purpose in their lives.

Robert Merton cited in Dambazau (2009) further explains the concept of anomie in which he observes that deviant behaviour is a product of social structure and attempted to demonstrate how the socio-cultural structure of society pressurises people into committing crimes. With regards to punishment, Durkheim viewed it as a reflection of group solidarity. Any act, which violates the social code, has to be punished in order to restore and reaffirm the violated code. In this way, group solidarity is maintained. Durkheim's analysis of punishment has the advantage of placing attention on the normative structure relating to acts

and not on the act itself. In relation to police in social system or context, the law enforcement agents implement what the society accepts as normal. For instance, Socrates' crime was his thought about independence in the society. It would not have been a crime in today's world.

Therefore punishment is a social injustice inflicted on the citizens. For example, you are arrested for not being able to pay tax as laid down by law of taxation of taxable adult. You have been reconditioned by the society's high demand of a tax receipt from you. This reconditioning principle may force you to defraud someone so as to pay tax. In an attempt to commit this crime, you are caught, detained, tried and imprisoned for a crime initiated by the society. Police like other workers, are performing their civil responsibility in a social context of maintaining social order, otherwise the society will be a lawless jungle.

A second school of thought was developed by a sociologist, Kendall (2004: 154 – 155). The school discussed Durkheim's mechanical and organic solidarity. The researcher pointed out that the theory was concerned with cohesion, that is, how societies manage to hold together by strong traditions and members share moral benefits and values. He holds the views that social solidarity is a fundamental pivot for societies to specialise economic activities. He said that this is rooted in the members' shared dependence on one another. From Durkheim's perspective, his philosophy is based on the society's social structure which in turn is based or derived from the society's division of labour. Division of Labour refers to how the various tasks of a society are divided up and performed. People in diverse societies in the world or within the same society at different points in time divide their tasks somewhat differently based on their own history, physical environment and level of technological development.

Durkheim categorised societies into two forms. The one having mechanical solidarity refers to the cohesion of pre-industrial societies in which there is minimal division of labour and people feel united by shared values and common social bonds. He believed that people in such pre-industrial societies feel a more or less automatic sense of belonging. Social interaction is characterised by face to face intimate, primary-group relationship, since everyone is engaged in similar work and little specialisation is found in the division of labour. The second was the organic. It refers to the social cohesion found in industrial and post industrial societies in which people perform very specialised tasks and feel united by their mutual dependence.

Durkheim chose this term "organic solidarity" because he believed that individuals in industrial societies come to rely on one another in much

the same way that the organs in human body function interdependently. Social interaction is less personal, more status-oriented and more focused on specific goals and objectives. People no longer rely on morality or shared values for social solidarity instead they are bound together by practical consideration. The law therefore, is the society's bond for social solidarity. It is a method of promoting confidence and hope for the commonwealth of all.

#### SELF-ASSESSMENT EXERCISE

Outline Durkheim's theory in relation to crime and punishment.

# 3.2 Overview of Max Weber's Theory on Wealth, Prestige and Power

Economic factors seem important in understanding individual groups. However, no single, factor between capitalists and working class is sufficient for defining the location of categories of people in the class structure. In other words, Weber recognises the importance of economic conditions in production, since they own land, factories and fund, thus, they maintain political influence or prestige and power. This is the group of people that automatically become the ruling class. Apart from owning industries and business, their prestige and power come from the huge income from the profits of their wealth scattered throughout the world. This is because they have access to important societal resources. To highlight the importance of life chances for categories of people, Weber developed a multidimensional approach to social stratification that reflects the interplay among wealth, prestige and power.

In his analysis of these dimensions of class structure, Weber viewed the concept of "class" as an ideal type that can be used to compare and contrast various societies, rather than as a specific social category of "real" people (Bourdieu, 1984). Wealth, according to Weber, is the value of all of a person's or family's economic producing property. Weber, therefore, placed categories of people who have a similar level of wealth and income in the same class. For example, he identified a privileged commercial class of entrepreneurs such as wealthy bankers, ship owners, professionals and merchants. He identified another class known as *rentiers* comprising individuals who live by their investments and do not have to work. Weber identified their similarities (i.e. entrepreneurs and *rentiers*) to include:

- both are able to purchase expensive consumer goods
- they control other people's opportunities to acquire wealth and property

- monopolise costly status and prestige such as education that provides contacts and skills for their children.

The second dimension of Weber's system of stratification is prestige; and it is defined as the respect or regard with which a person or status position is regarded by others. For example, fame, respect, honour and esteem are the most cherished levels of prestige. A person who has a high level of prestige is assumed to receive deferential and respectful treatment from others. Weber classified these individuals in the same class of prestige and their level of wealth since they belong to the same group of social equals, spending their leisure time together, many from the same group and safeguard their status by restricting outsiders from joining their ranks (Beeghley, 2000).

The third dimension of Weber's theory is power; this is defined as the ability of people or groups to achieve their goals despite opposition from others. It should be noted that power can shape society in accordance with their own interest and direct the actions of others (Tumin, 1953). According to Weber, social power in modern societies is held by bureaucracies while individual power depends on a person's position within the bureaucracy. Weber suggested that the power of modern bureaucracies should be strong so that even workers' revolution as predicted by Marx would not lessen social inequality (Hurst, 1998). However, Weber states that the wealth, prestige and power are separate continuums in which people can be ranked from high to low.

Sociologists often use the term Socio-Economic Status (SES) to refer to a combined measure that attempts to classify individuals, families or households in terms of factors such as income, occupation and education to determine class location. Although these three levels have been widely employed in prestigious sociological research, status attainment models have several serious limitations- such as the focus on occupational prestige of traditionally male jobs and the exclusion of women's work which has often been unpaid. This study has shown the high rate of African-American being unemployed. A significant limitation of prestige ranking of occupations is that the prestige accorded to a position may not actually be based on its importance to the society. The highest prestige in our society may be given to physicians, lawyers and engineers as well as other professions because they have spent many years in training not because these positions contribute the most to society.

**WEALTH POWER PRESTIGE** High level Rentiers Positions of high High social status, Entrepreneurs power within entitled bureaucracy able to deferential and carry out own respectful goals treatment despite opposition Midrange Middle class skilled labour, skilled semi labour Low level Unskilled **Positions** Lacking Low social status, labour authority, receives very little must carry out the goals respected of others treatment

*Table 2.1*: Webber's Multidimensional Approach to Social Stratification

**Source**: Kendall (2004). Weber's Multidimensional Approach to Social Stratification pp.254.

Table 2.1 above is the summary of Weber's three multidimensional classes of social stratification; this is further elucidated below.

- Wealthy class- this class comprises *rentiers*, wealthy individuals who live on their investments and do not work and entrepreneurs are equally *rentiers* (bankers, ship owners, professionals and merchants). Their commonality includes ability to buy expensive consumer goods, control other people's opportunities to acquire wealth and property and monopolise costly status privileges as education, and also ability to provide contact as well as skills for their children. This means the wealth of the family can place one into this class. The middle level is made of professionals.
- Powerful class- this class has skilled labour and the low level has unskilled labour. They shape society in accordance with their own interests and directions of other. The modern social societies is built or held by bureaucracies, and individual power depends on a person's position within the bureaucracies. This class does not have a middle class in its continuum. At the low level it consists of people who lack authority of their own but must carry out the goals of others (i.e. those in power). Those in this class include local government chairmen and councilors. Then those in the house of representatives, lecturers, lawyers, engineers and architect. These individuals are professionals who should be classified under wealthy class too due to their long study time. However, their power is limited in decision making.

Prestige class- according to Weber, this class refers to people who attain their firmness, honour and respect from others (e.g. boxers, renowned football players, politicians, educationists, doctors and professors). They socialise within themselves and would not want other people to be in their gatherings. Their high social status means deferential and respectful treatment. Those in the low cadre receive little respectful treatment.

In the same vein, every individual in the society is stratified in one class or the other. For example, the wealthy at high level is not skillful as such he cannot do the work of a professional. It means that the president (powerful position) cannot perform at the lower level. It is true that those in the prestigious category (high level) are still in need of the services of those in lower social level.

Weber's multidimensional approach to social stratification in a continuum is to reveal that no individual is indispensable. He proved this theory in his study of religion and the protestant ethic and spirit of capitalism. He evaluated the role of the protestant reformation in producing social climate in which capitalism could exist and flourish. However, he acknowledged that economic interests are important in shaping human action. He envisaged that economic systems are heavily influenced by other factors in the society. Division of labour, according to him, is the thrust of his multidimensional approach to social stratification. It was important for industrial revolution if the wealthy (capitalists) who constitute the powerful class and have all the privileges (prestige) to improve living standard of the masses, could do something may limit crimes throughout the world.

#### SELF-ASSESSMENT EXERCISE

Weber's continuum has three multi-dimensions; name them.

# 4.0 CONCLUSION

In this unit, you learnt that:

- Durkheim's theory is a social dimension of understanding crime
- society initiates crimes
- Weber's theory or multi dimensional continuum categorises people according to wealth, prestige and power.

# 5.0 SUMMARY

In this unit, you have been exposed to the following:

- that Durkheim propounded a theory named after him
- that the theory is a societal-based theory
- that Durkheim's theory and Weber's theory help in understanding why people commit crimes in society and how the society can prevent such occurrences.
- that Weber's multidimensional continuum consists of wealth, prestige and power and that people are categorised according to these dimensions.

#### 6.0 TUTOR-MARKED ASSIGNMENT

- 1. Why is Durkheim's theory relevant to the police?
- 2. Discuss the relationship of wealth, prestige and power within Weber's multi dimensional continuum.

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# UNIT 3 UNDERSTANDING THE SOCIAL CLASS SYSTEM

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Class System
  - 3.2 The Social Class
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

## 1.0 INTRODUCTION

In every setting, there are some people blessed with material things; and there are some too, who are not blessed with material wealth even though they may live in the same society and may also work as their counterparts. So, in this unit, we are going to do an introductory discussion of the class system- with particular reference to the social class system.

## 2.0 OBJECTIVES

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

- define class
- classify the people in the society
- highlight the differences between the classes.

## 3.0 MAIN CONTENT

## 3.1 Class Systems

Class system can be defined as a type of stratification based on the ownership and control of resources and on the type of work people do. In the class system people may become members of a class other than that inherited from their parents through both intra-generational and intergenerational mobility, either upward or downward. Horizontal intra-generational and intergenerational mobility occurs when people experience a gain or loss in position and/or income that does not produce a change in their place in the class structure. For example, President Obama of USA has become a member of upper ruling class through intergeneration mobility, while President Yar'Adua of Nigeria

became a member of the ruling class through intra-generational mobility.

In other words, Obama's upward mobility is through a dint of hard work on his part and not by inheritance. However, Yar'Adua might have been moved by inheritance, since his father, and later, elder brother were prominent politicians. President Obama's move is vertical while President Yar'Adua's is horizontal. Many lecturers in Universities and in other institutions of higher learning come from the lower class and by their educational attainment are within the middle class.

In many countries in the world, a lot of differences exist. Some of these differences include racial, ethnic, gender and religious and they influence people's social mobility. In USA, there was racial discrimination between the whites and other races or coloured people. In India the class system is known as caste which divides members of the society into upper, middle and lower classes. No matter the level of personal achievement, one who is in the lower class cannot gain entry into the upper class, though things are changing for the better today. The apartheid era in South Africa then encouraged class distinction also, where the blacks were treated as sub-humans. The blacks in South Africa slaved for the whites while schools, hospitals, shops etc. were segregated on racial lines between the Black Africans and the whites.

The capitalists dominate the political structure in the world. For example, the democratic ideology in U.S, Nigeria, Ghana, etc seems to favour those in power since they control the resources of the state. Religion too is plays a vital role in intergenerational mobility. For example, in Northern Nigeria, Islam is the main organ of social and political influence and ethnicity is found everywhere. Except one belongs to a dominant ethnic group, he or she may not enjoy certain privileges. However, there are other elements to identify class system in the world. Dennis Gilbert and Joseph A. Kohl (2003) cited in Kendall (2004: 252-260) developed a widely used model of social classes based on three elements, namely, education, occupation of family head and family income. These classes include the following.

- The upper (capitalist) class- the upper class is the wealthiest and most powerful in the USA, Britain, Germany, France and Canada, for instance; in fact, all the developed nations inclusive. However, similar classes exist in developing and under countries such as India, Nigeria, South Africa, Brazil, Togo, Ghana etc. About one percent (1%) of the population is included in this class, whose members own substantial income producing assets and operate on both the national and international levels. Gilberts (2003) study revealed that people in this class have an influence on the economy

and society far beyond their numbers. Some models further divide the upper class into upper-upper (old money) and lower-upper (new money) categories. Kendall's (2004) findings show that members of the upper-upper class come from prominent families which possess great wealth that they have held for several generations. Family names such as Rockefeller, Mellon, Dupont and Kennedy are well known and often held in high esteem in USA. Similar families are found in many of the developed countries. Persons in the upper-upper class have strong feelings of in-group solidarity. They belong to the same exclusive clubs and support exclusive culture such as the opera, symphony orchestras, ballet and art museum. Their children are educated at prestigious private schools and universities. Many acquire strong feelings of privilege from birth as upper-class.

- The upper-middle class- persons in the upper-middle class are often highly educated professionals who have built careers as physicians, attorneys, stock brokers or corporate managers. Others derive their income from family-owned businesses. According to Gilbert (2003), about 14 percent of the US population is in this category. This is equally the case in Germany, China and hosts of developed countries. A combination of three factors qualifies people for upper-middle class. These are university degrees, authority and independence on the job and high income. Of all the class categories, the upper-middle class is the one that is most shaped by formal education. Over the past fifty years, Asian-Americans, Latin Americans, and African Americans have placed great importance on education as a means of attaining the American Dream. Many coloured people have moved into the upper-middle class by acquiring higher levels of education.
- The middle class- this class was made up of those with high school diploma in the past. Today, two-year or four-year college degrees have replaced high school diploma as entry level requirements for employment in middle class occupations including medical technicians, nurses, legal and medical assistance, lower level managers, semi professionals and nonretail sales workers. An estimated 50 percent of US population is in the middle class. Even though most people in the country think of themselves as middle class it is more prevalent than in television situation comedies which for decades have focused on idealised notions of the middle class or debunking of those myths. Occupations for the middle class are scattered everywhere and are relatively secured and provide more opportunities for advancement with relative increasing levels of education as well as experience than working class positions.

This issue of education, occupation and family income as parameters for measuring class structure is universal. The middle class is predominant in developing countries such as Brazil, South Africa, Ghana, Nigeria and India.

The upper class (capitalists) control resources and these resources can change hands from one generation to another. Education is always fundamental for those families. In developing countries, this has always been the trend.

## SELF-ASSESSMENT EXERCISE

Explain the concept of class system.

### 3.2 The Social Class

Social class, according to Marx Weber, symbolises collective unity in the same manner as the nation in Hegel's theory. Each class produces its own idea and beliefs and operates within a particular economic and social system. The idea of Karl Marx articulating this view is for human liberation, distinct from political emancipation. The aim of human liberation is to bring forth the collective, generic character of human life which is real so that society would have assumed a collective character and coincide with the life in the society. However, in today's world, wealth and income owners, or the capitalists want monopoly because they control production, valuing the price system to favour them thereby maintaining inequality.

This manipulation of the capitalists gave rise to class conflict between the capitalist class (bourgeoisie) and the working class (proletariat). The capitalist or bourgeoisie comprise those who own and control means of production such as tools, land, factories and money for investments that form the economic bases of a society while the working class or proletariat is composed of those who must sell their labour because they have no other means to earn a living or livelihood. From Marx's point of view, the capitalist class controls and exploits the masses of struggling workers by paying less than the value of their labour. This exploitation results in workers' alienation which is a feeling of powerlessness and estrangement from other people and from themselves. Marx predicted that the working class would become aware of its exploitation, overthrow the capitalists and establish a free and classless society known and called a social society or class.

Since commodities are products of the workers, Marx believed that they have a use value and exchange value. Use value refers to objects people produce to meet their personal needs or needs of those in their

immediate surroundings. In contrast, exchange value refers to the value that a commodity has when it is exchanged for money in the open market. In turn, this money is used to acquire other use values and the cycle continues. According to Marx, commodities play a central role in capitalism but the workers who give value to the commodities eventually fail to see this fact. Marx coined the phrase *the fetishism of commodities*, to describe the situation in which workers fail to recognise that their labour gives the commodity its value and instead come to believe that a commodity's value is based on the natural properties of the thing itself.

Although Marx's ideas on exploitation of workers cannot be fully developed into a theory of consumer exploitation, it has been argued that a form of exploitation does occur when capitalists devote increasing attention to getting consumers to buy more goods and services. However, Marx's theory provides a springboard for Neo-Marxist analysts and other scholars to examine the economic, political and social relations embedded in production and consumption in historical and contemporary societies. Marx is regarded as one of the most profound sociological thinkers, one who combined ideas derived from philosophy, history and the social sciences into a new theoretical configuration.

However, his social and economic analysis has also inspired heated debates among generations of social scientists. Central to his view was the belief that society should not just be studied, but should also be changed, because the status quo (the existing state of society) involved the oppression of most of the population by a small group of wealthy people. Those who believe that sociology should be value free are uncomfortable with Marx's advocacy of what some perceive to be radical social change. Scholars who examine society through the lens of race, gender, and class believe that his analysis places too much emphasis on class relations often to the exclusion of issues regarding race/ethnicity and gender.

In recent decades, scholars have shown renewed interest in Marx's social class theory. The theory has some elements in common with Aristotle (384-322) who saw the state as the highest form of political union, for it represented the pinnacle of social evolution, and provided a framework for the satisfaction of basic wants and also ensured a means to secure and realise good life in a uniquely human sense. Furthermore, Mill (1806-1873) was a liberal who made a transition from *laissez-faire* to an active role for the state to a positive conception of liberty, and from an atomistic to a more social state conception in which existed social class.

#### SELF-ASSESSMENT EXERCISE

According to Marx's theory, what gave rise to the conflict between the classes?

## 4.0 CONCLUSION

In this unit, you have been made to know that:

- people can transcend from one class to another, and it could be either intra-generational or intergenerational
- some people may move through a dint of hard work and others by inheritance
- some people are denied their mobility due to discrimination.
- some factors of discrimination are racial, religious and ethnic
- capitalists dominate the society's economy because they own the sources of production
- Marx's theory analysed three factors hindering social class, namely wealth/production, commodity and exploitation
- class distinction should be avoided so that changes could occur and dissatisfaction which is the cause of deviance and terrorism be averted.

## 5.0 SUMMARY

In this unit, you learnt the following:

- people's social mobility can be upward or downward, intergenerational or intra-generational
- professionals like bankers, merchants, and estate holders are entrepreneurs; while owners of personal businesses are *rentiers*; their mobility is vertical, since they have no change of status or place
- that education may move some to the middle class
- that social class denotes a society where people are responsible to the society and not to a group of people
- that capitalists class connotes owners of lands, industries, factories, money and they direct the affairs of the state; while the working class is called proletariat.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. Define class system?
- 2. State two major types of class system.
- 3. How can the proletariat succeed in establishing social class?

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## UNIT 4 THE PLACE OF POLICE SCIENCE

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 Brief History of Positivism Theory
  - 3.2 Importance of Positivism
  - 3.3 The Law, Law Breakers and Law Enforcement
  - 3.4 The Science of Finger Print, Autopsy, Forensic and DNA
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 Reference/Further Reading

## 1.0 INTRODUCTION

Earlier on, you learnt Durkheim's theory and related it to the *modus* operandi needed to appreciate the influence of society on crime and on the role of police in administration of law in terms of punishment as corrective measure. In this unit, we shall look at positivism theory, its importance and other modus operandi that law enforcement uses on law breakers.

### 2.0 OBJECTIVES

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

- define positivism
- relate the theory to police science and concepts such as finger print, autopsy, forensic analysis and DNA
- describe how the theory is useful to law breakers and law enforcement.

## 3.1 Brief History of Positivism Theory

The French writer, August Comte (1798-1875) was the first person to use the word sociology, and he also coined the term "positive philosophy". He first published in 1844. He believed that there was a hierarchy of scientific subjects with sociology at the pinnacle of that hierarchy. He had confidence that scientific knowledge about society could be accumulated and used to improve human existence so that society could be run rationally without religion or superstition getting on the way of progress.

On social facts and as a positivist, he believes that scientific study of society should be confined to collecting information about phenomena or happenings that can be objectively observed and classified. Comte argued that sociologists should not be concerned with the internal meaning, motives, feelings and emotions of individuals, since these mental states exist only in the person's subconscious, they cannot be observed and so cannot be measured in any objective way.

On statistical data, the positivist, Comte, posited that it is necessary to use statistical data. He believed that it will be possible to classify the social world in an objective way. In this way, it is possible to count sets of observable social facts and so produce statistics. For example, Durkheim (1970) collected data on social facts such as suicide rate and membership of different religion. The relationship of this study showed that Protestants had a high suicide rate.

## SELF-ASSESSMENT EXERCISE

Why did the positivist, Comte, not use empirical findings?

## 3.2 The Importance of Positivism

The positivist methodology involves a search for causal connections. For example, if there is a strong connection or correlation between two or more types of social phenomena, then a positivist sociologist may suspect that one of these desires (phenomena) is causing the other to take place. For example, a class of criminality may have a high chance of being convicted or punished. Merton, cited in Haralambos, Holborn and Robin (2004) speculates that being a working class may cause people to commit criminal acts. This is explained by the diagram below.

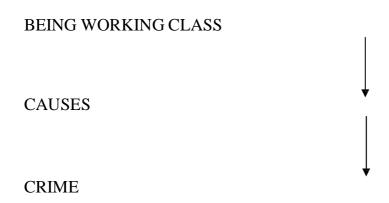


Figure 4.1

In another illustration below, it could mean that a similar proportion of criminality comes from all social classes; but conviction for a crime of

middle class origin could lead to downward social mobility and the criminal becomes a working class. Since their criminal records lead to rehabilitation and restoration to the society, crime therefore, causes that group or class of persons to become working class.



#### A PERSON TO BECOME WORKING CLASS

Figure 4.2: Illustration of the Positivist's View

#### SELF-ASSESSMENT EXERCISE

How does crime cause a person to become working class?

# 3.3 The Law, Law Breakers and Law Enforcement

The capitalists or the ruling class make laws to protect themselves and their property, since they control the resources necessary in production, such as land, factories, capital and other infrastructures. In another circumstance, laws are made to protect human beings, property and the society. When members of the working class are deprived of their wages, salaries and other social welfare services such as transport and leave allowances, they become dissatisfied with the ruling class. Furthermore, when produced, commodities are sold to them exorbitantly, and when all effort to settle the problem fails, there is bound to be dissatisfaction and discontentment among the working class. The law therefore will be violated as the people revolt against the authority.

This is evident in Durkheim's theory which states that a social structure or socio-cultural structure of the society influences crimes. Offenders are the law breakers, hence, the laws are set to protect, and carter for the smooth governing of the society, since the individual is reconditioned by the society and imperfection must be prevented and controlled. The law enforcement must take its course so as to enable people live according to the established standard. The duty of the Police is to implement the

laws set by the state or society. Offenders therefore are law breakers who should be punished as a measure of correction.

For some crimes like unlawful gatherings, racial, age, gender crimes and loitering, the offenders must be arrested, detained, and cautioned to desist from such actions. Crimes such as murder, trafficking on hard drugs, plane hijacking, smuggling, cybercrimes and human trafficking may face harder penalties such as incapacitation, death and repatriation from the country where the crime was committed to the offender's country of origin for trial. In the event of an international crime, the police at the scene must liaise with the police of the country of origin of the offender.

However, if the crime committed is serious, the criminal may be transferred to international criminal court of justice in the Hague. For example, the former head of state of Iraq was interdicted by international criminal court of justice for crimes against humanity in his country and was accused of amassing weapons of mass destruction, contrary to the international law on armament. Equally, the former Liberian head of state- Charles Taylor, had to be prosecuted for war crimes. Other crimes like terrorism and narcotic trade are hideous. Osama bin Laden was declared wanted for his involvement in the September, 11, 2001 terrorism attack on the World Trade Centre and the Pentagon. After a decade, American marines later found and killed him in a commando-like operation, in Pakistan, where he was hiding.

Countries which violate international laws face punishment. For instance, Libya was sanctioned some years ago for refusing to handover her citizen who was involved in bombing a plane. Iraq and Afghanistan are facing severe military attacks for violating international law and for sponsoring terrorism respectively. Different countries throughout the world liaise with the international community through their police. For instance, Nigeria has state security service (SSS) and Nigeria Intelligence Agency (NIA) doing the same work performed by the USA's CIA and FBI. England, Germany, South Africa and a host of other countries have their law enforcement agencies and courts to determine crimes and punish offenders as a measure of correction.

## SELF-ASSESSMENT EXERCISE

What causes dissatisfaction among the working class?

# 3.4 The Science of Finger Print, Autopsy, Forensic Science and DNA

Police science has taken a pride of place and with proper education, crime depiction and prevention, apprehension and prosecution of offenders will be better enhanced. Police science may include a combination of physical, general and social sciences. Police have to use scientific *modus operandi* because societal or world crime rate is increasing daily because of science and technology. Furthermore, the different crimes require the use of science in investigating them. Crimes such as unlawful gathering, gender crimes and loitering, murder, burglary, robbery, etc could be apprehended with the application of sophisticated methods.

The police have to apply different scientific *modus operandi* in order to track and arrest the criminals. For example, the bombing of the world trade center in New York by terrorists would not have been traced to Al Qaeda if several scientific *modus operandi* were not used. The science in thumb print is that no two persons have the same tissue circle on the flesh of their thumbs. Police use finger prints in some cases to detect covert and overt crimes. It could be used to detect crime as evident in the case of Zaccarias Moussauri cited in Kendall (2004) who was arrested in connection with September, 11, 2001 terrorist attack on USA's famous world trade centre.

Autopsy is another scientific technique usually used by police when investigating the cause of death or what killed a person. Autopsy is a process whereby the corpse is operated upon to authenticate the cause of death. It is, usually, carried out by a medical expert authorised by the police for the purpose of investigation or fact finding. For instance, in the course of investigation of assassination by gunshot, the bullets which killed the person will enable the police through autopsy on the corpse to identify the manufacturer of the bullet(s), so as to give clear information on the cause of death and trace possible suspects.

Forensic science is another technique the police use in investigation. However, forensic science has much to analyse, but we shall concern our study with criminology. That is, its uses in police activity relating to investigation. Forensic science dates back to 12 BC; and the earliest account of using finger prints for the purpose of establishing identity can be traced to as far back as the 7th century. The primary function of forensic science is crime investigation. That is to collect, identify, document and preserve physical evidence left at the scene of a crime, with the ultimate goal of presenting a court with evidence to identify and apprehend the perpetrator.

There are different functions of forensic science; for example, criminality- this is the application of combination of impression evidence i.e. finger prints, impressions left by foot wear and tracks, trace evidence, and controlled substances. It is a science which recovers human remains. It is evidence collected from a wide range of science to determine the answers to questions relating to the examination and comparison of criminal investigations. This evidence, typically, is processed in a crime laboratory. It could be forensic biology, because it includes performing *DNA* and sociological analysis of bodily items- i.e. physiological fluids, for the purpose of individualisation and identification.

There is forensic entomology. This type of forensic process assists the police in determining time and location of death, by examining how insects relate to human remains and can, often times, determine if the body being examined was moved after death. Police can use forensic pathology (which combines the disciplines of medicine and pathology as applied to a legal inquiry) to determine the cause of injury or death. Forensic science assists them in investigation, for example, the DNA. It is the genetic material of all cellular organisms and the molecular basis for heredity. It stands for *deoxyribonucleic acid* and it is compared to a blue print or a recipe. It is packed with information which is encoded in chemical form or fluid, stored in a molecular environment that is capable of interpreting the code and acting on it. Police use this scientific technique to investigate crimes which are associated with different groups. In other words, crimes may be associated with heredity. Police use the chemical acid or fluid to detect the group from which the offender comes from.

From literature of criminology, there is increase in global political, economic and social interdependence, improved communications and information technology such as the internet, greater mobility of people, goods and services and the opening of borders and free trade. These are factors that contribute to the emergence of what could be described as crime without borders. In other words they are known as transnational organised crimes. In short, post-cold war situation has made international borders to mean less and economic issues to mean more, a condition which has made transnational crimes to flourish. The table below shows the drugs commonly trafficked throughout the globe (in kilograms) from 2001-2004.

Year	Cannabis	Cocaine	Heroin	Others
2001	531,255.53	89, 2735	34,950.6	312,925.6
2002	506,846.09	353,471.26	55,626.35	791,365
2003	535, 593, 75	134,742.7	87,579.5	937,405
2004	685, 62.76	119,021	86,543	485,825

<sup>&</sup>quot;Others" -these include diazepam, librium, dapson, bromazepam, ephedrine, amphetamine and other psych-stimulants.

**Source**: National Drug Law Enforcement Agency (NDLEA)

These drugs are otherwise known as hard drugs prohibited by international law. Economic crunch must have been the cause of the involvement of individuals and organisations in this illicit trade. However, Nigeria, and other African countries; countries from Latin America and Asia are, particularly, noted for production, since most are agrarian in nature. These commodities are trafficked around the world, but their consumption concentration seems to be prominent in US and Europe. This is prompted by the flow of money which is the ultimate of the trade. However, France, Germany, Canada, Japan and other industrialised countries may influence the trade.

#### SELF-ASSESSMENT EXERCISE

How does forensic science differ from autopsy?

### 4.0 CONCLUSION

In this unit, it has been made known to you that the positivism theory has contributed a lot to the understanding of causes of crimes in the society. It is also safe to conclude that being a member of the working class can make one prone to commit crime due to dissatisfaction with the existing order. However, due to improvement in police science many scientific techniques are being employed today to solve crimes.

## 5.0 SUMMARY

In this unit, you have learnt the following:

- positivism is a scientific study of society
- that the study should be confined more to observable issues, than mental or abstract things or happenings since they cannot be measured
- that statistical data necessary for evidence should be treated as classification of objects or social world
- that working conditions and low wages can lead to dissatisfaction which in turn can lead to crimes
- that the police can use several scientific techniques such as finger print, autopsy, forensics, etc., to solve crime problems.

## 6.0 TUTOR-MARKED ASSIGNMENT

- 1. How does crime cause a person to become working class and vice versa?
- 2. Differentiate between finger print, autopsy and forensic science and how do the police use these techniques to solve crimes?

## 7.0 REFERENCE/FURTHER READING

Haralambos, M., Holborn, M. & Robin, H. (2004). *Sociology: Themes and Perspectives*. (6th ed.). London: Harper Collins Publisher limited.

# UNIT 5 THE RELATIONSHIP BETWEEN LOW INCOME CLASS, PRESTIGE AND POWER

#### **CONTENTS**

- 1.0 Introduction
- 2.0 Objectives
- 3.0 Main Content
  - 3.1 The Low Income Class, Prestige and Power
- 4.0 Conclusion
- 5.0 Summary
- 6.0 Tutor-Marked Assignment
- 7.0 References/Further Reading

## 1.0 INTRODUCTION

It seems that the world is divided into segments characterised by extreme differences in wealth and poverty. In the study of wealth stratification, there are high income, middle income and low income classes. In this unit, the discourse is on low income class and its relation to prestige and power.

#### 2.0 OBJECTIVES

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

- define low income class
- explain the relationship between income, prestige and power.

## 3.0 MAIN CONTENT

## 3.1 The Low Income Class, Prestige and Power

Low income countries are, primarily, agrarian nations with little industries and low national and personal incomes; the population has income that is only a slight function of the overall average per capita income for that country. For example, in Bolivia and Honduras, less than 3 percent of the total national income accrues to the poorest one-fifth of the population (World Bank, 2003 C). Just as differences between the rich and poorest people in the world have increased, the gap in global income differences between rich and poor countries has continued to widen, over the past fifty years.

This has led to social inequality and social inequality clearly relates to status and perhaps can best be defined as an extreme lack of social mobility and it severely hampers the possibility of comparing freely.

Economic inequality is related to differences in wealth and income; but there is a close relation between social and economic inequality. Social inequality stands as the main cause of economic inequality, while at the same time economic inequality causes social inequality. There are many factors responsible for inequality. Education seems paramount, because it leads to change in behaviour and enables people to transform natural resources for their consumption or usage. According to human development report (UNSP, 2003), education is fundamental in reducing both individual and national poverty. As a result, school enrolment is used as one measure of human development.

In other words, education is an art of being literate. Literacy is important for human development. The United Nations' Education, Scientific and Cultural Organisation (UNESCO), defines a literate person as "someone who can with understanding both read and write a short, simple statement on their everyday life" (United Nations, 1997: 89). Persistent gaps in human development are the major factor responsible for a small number of educated people in the world. This has given chance to class distinction. For example, there are the upper class (capitalist), the middle class (professionals or merchants) and the lower class (labourers or unskilled persons). Education is crucial to development. The question then is- why is it that a small fraction of the world's population is growing richer while the poorest 20 percent are, effectively, deprived of a moderate standard of living?

Social scientists have developed a variety of theories that view the causes and consequences of global inequality somewhat differently. Some of these theories are on global wealth and poverty. These two phenomena are linked to the level of industrialisation and economic development in a given society. Although the process by which a nation achieves industrialisation may vary somehow, industrialisation almost inevitably brings with it a higher standard of living in a nation and some means of social mobility for individual participants in the society. Specifically, the traditional caste system becomes obsolete as industrialisation progresses.

Family status, race/ethnic background and gender would become less significant in industrialised nations than in agrarian-based societies. As societies industrialise, they also urbanise as workers locate their residences near factories, offices, and other places of work. Consequently, urban values overshadow the beliefs and practices of the rural areas. A development framework typically views industrialisation and economic development as essential steps that nations must go through in order to reduce poverty and increase life chances for their citizens. To achieve this, nations must be given massive financial aid as was provided for the European nations during the post-world war II

Marshal Plan. This money is to assist the countries build infrastructure needed for education and industrialisation.

Another factor which influences low-income class, prestige and power is dependency. Dependency theory states that global poverty can at least partially be attributed to the partially be attributed to the fact that the low-income countries have been exploited by the high-income countries. Analysing events as part of a particular historical process from the expansion of global capitalism, dependency theorists see the greed of the rich countries as a source of increasing impoverishment of the poor nations and their people. This theory departs or disagrees with the notion or belief of the development approach and modernisation ideology, specifically, that economic growth is the key to meeting important human needs in societies.

In contrast, the poorer countries are trapped in a cycle of structural dependency on the richer nations of foreign capital and external markets for their raw materials, making it impossible for the poorer nations to pursue their own economic and human development agenda. For this reason, dependency theorists believe that developing countries such as Brazil, Nigeria, India and Kenya cannot reach the sustained economic growth pattern of more advanced capitalist economies. the Dependency theory has been most often applied to the Newly Industrialising Countries (NICs) of Latin America; whereas scholars examining the NICs of East Asia found that dependency idea had little or no relevance to economic growth and development in that part of the world. Therefore, dependency had to be expanded to encompass transnational economic linkages that affect developing countries, including foreign aid, foreign trade, foreign direct investments and foreign loans.

On the one hand, in Latin America and Sub-Saharan African, transnational linkages such as foreign aid, investment by transnational corporations, foreign debt and export trade have significant impediments to development within a country. On the other hand, East Asian countries such as Taiwan, South Korea, and Singapore have historically also had high rates of dependency on foreign aid, foreign trade and interdependence with transnational corporations but have still experienced high rates of economic growth despite dependency. Grey Gereffi (1994), cited in Kendall (2004) opines that differences are noticed in outcome and are probably associated with differences in the timing and sequencing of a nation's relationship with external entities such as foreign governments and transnational corporations. However, the transnational trader or corporation is seen to have been an organ of exploitation since it is seen to limit or retard economic growth and human development in some nations.

World System theory suggests that what exists under capitalism is a truly global system that is held together by economic ties. From this approach, global inequality does not emerge solely as a result of the exploitation of one country by another. Instead, economic dominion involves a complex world system, in which industrialised, high-income nations benefit from other nations and exploit their citizens. In this context, Wallerstein (1979 and 1984) believes that a country's mode of incorporation into the capitalist work economy is the key feature in determining how economic development takes place in that nation. According to the world system theory, the capitalist world economy is a global system divided into a hierarchy of three major types of nations: core; semi-peripheral; and peripheral in which upward or down mobility is conditioned by the resources and obstacles that characterise the international system. In the case of core nations, they are dominant capitalist centers, characterised by high levels of industrialisation and urbanisation.

Core nations such as United States of America (USA), Japan, Germany and China possess most of the world's capital and technology. Even more importantly for their position of domination, they exert massive control over world trade and economic agreements. For instance, some cities in core nations are referred to as global cities because they serve as international center for political, economic and cultural concerns. For example, New York, Tokyo and London are some of the largest global cities and they are often regarded or referred to as the command posts of the world economy.

Semi-peripheral nations are more developed than peripheral nations but less developed than core nations. Nations in this category provide labour and raw materials to core nations throughout the world system. These nations constitute a mid-point between the core and peripheral nations and promote the stability and legitimacy of the three tiered world economy. These nations include South Korea, and Taiwan in East Asia; and Nigeria and South Africa in Africa; Mexico in North America; India is South Asia. Only two global cities are located in semi peripheral nations; that is- Sao Paulo in Brazil, which is the center of the Brazilian economy and Singapore as the economic centre of a multi-country region in South-East Asia.

Most low income countries in Africa, South America and the Caribbean are peripheral nations that are dependent on core nations for capital and have little or no industrialisation other than what may be brought in by core nations and have uneven patterns of urbanisation. It should be noted that the wealthy in peripheral nations benefit from the labour of poor workers and from their own economic relations with core nations capitalists whom they uphold in order to maintain their own wealth and

position. At the global level, uneven economic growth results from capital investment by core nations, disparity between the rich and poor nations is increasing geometrically.

The United Nations Organisation should place these countries on the path of development, through a massive change in the culture of superfluity in order to place them on the path of counter development. The rich countries should reduce the vulgarity of their consumption habits. It is said that wealth is power, except a nation's per capita income is high, the country lacks the power to promote her prestige. For instance, the industrialised countries like the United States of America (USA), China, Japan, Britain, France and Germany have Their power is based on industrial development. This means that they control factories for production. Production does not lead to producing raw materials, but it culminates in finished products. Developed nations such as USA, China, Japan, Britain, France and Germany have power and prestige over the world's economy. This is because they have industrial power to transform raw materials exported to them. Since developing nations like Nigeria, Ghana, Liberia, Cameroon, and many others such as Brazil, Bolivia as well as other third world nations cannot use their raw materials, they export them to countries with the modern technology to transform them for human utilization.

These developed countries play over the developing countries in terms of price and distribution of commodities. They have the power to peg prices on the finished goods. Since developing countries need these commodities, they honour, respect and value (elements of prestige) those countries with ability of manufacturing the goods; and so, they buy them at an over-valued price. Except developing nations resolve and agree that the raw materials in these territories be transformed to finished goods in their place of origin, their economies will continue to be bleak. This, automatically, reduces their power and prestige. In other words, third world countries- endowed with raw materials, should encourage developed countries to bring their manufacturing factories or industries nearer to places where raw materials are found. This should be done through free trade agreements(s). When this is done the gap in power relations in the world will become narrow, and by extension, there will be a reduction in friction and global crime rate.

## SELF-ASSESSMENT EXERCISE

What is the relationship between income, prestige and power?

## 4.0 CONCLUSION

This unit has exposed you to the following:

- low income countries are agrarian and have few industries
- the UNO should help in developing third world countries by encouraging multi-national investments in manufacturing in the developing world
- developing countries should encourage developed or industrialised countries to bring their manufacturing industries or factories nearer to places of raw materials through free trade agreement(s).

## 5.0 SUMMARY

In this unit, you have learnt that:

- low income countries are described as agrarian with few factories or industries
- their per capita income is low with accompanying low prestige and power
- these low income countries include Bolivia, Honduras, Nigeria, etc.,
- the UNO is to assist these countries by putting them in development plan and supervise their excessive spending.

## 7.0 REFERENCES/FURTHER READING

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