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Examining the Impact of Rule of Law in Crime Prevention in Nigeria

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Abstract. This study examined the impact of rule of law on crime prevention in Nigeria. It focused specifically on the aspect of perceived fairness. Ninety-five (95) participants were surveyed and administered with the questionnaire measure. They include forty-seven (47) males and forty-eight (48) females who are residing in the Kaduna metropolis. The selection of participants was done using convenience sampling. The age range of the respondents ranged from 22-28 years of age with a mean of 24.94 and a standard deviation of 2.05. Two instruments were used for data collection: Fairness subscale of Attitude towards the Criminal Legal System Scale (ATCLTS) (Martin & Cohn, 2004) and criminal intention subscale of Measure of Criminal Attitudes and Associates (MCAA; Mills et al., 2002). The study used a cross-sectional design and Pearson correlation was used as the statistics. The result showed that perceived fairness showed a significant negative relationship with criminal intention ($r = -.70$, $p < .001$). It was therefore recommended that the legislative arm of government should amend certain aspects of the law that are not fair to the common man and encouraged the Nigerian justice system to be free from external influence in order to increase perceived fairness.

Keywords: Crime, Prevention, Nigeria, Perceived fairness, Rule of law

1. Introduction

In every society, the rule of law is very important. Onwanibe (1989) defines the rule of law as that part of law which envisions a political arrangement where life is unionized in agreement to laws that warrant a good degree of objectivity in serving justice, defending freedom, promoting peace and prosperity because law is a reasonable expression of justice. If law is an imposing rule of action prescribed by the utmost power of a state, then the rule of law means that every citizen shall not be vulnerable to the impulse desire of the ruler and that the use of the powers of government shall be determined by law.

No one can be lawfully held back or punished except for a definite break of law defined before the courts in customary legal manner (John, 1999). Garner (2004) further states why it is called "rule", because in doubtful or unforeseen cases it is a guide or norm for any decision. The rule of law is sometimes seen as the supremacy of law. It provides that decisions be made by the application of known principles or laws, without the intervention or discretion in their application. As a socio-political requisite, the rule of law is something brought about in the agreement of the society and government in view of equality or inequality of men.

The concept of the rule of law also specifies that all are equal in the eyes of the law. The rule of law as was stated by Dicey (1939) has three basic principles:

- There is the unlimited supremacy of regular laws as opposed to the control of heavy-handed power. That means, a man may be tried and punished for a break of the law, but he cannot be punished for anything else;
- The rule of law clearly ensures common equality before the law of the land executed by the ordinary law courts. That can be elucidated to mean that no man, regardless of his social or official position, is above the law. Everyone is duty-obliged to obey the same law; and
- The rule of law holds that the legal rights of the subjects are protected not by guaranteed rights proclaimed in an official code but by the operation of ordinary cure of private laws obtainable against those who unlawfully interfere with his freedom of action, whether they are private or official citizens.

Several countries in sub-Saharan Africa have prioritized the advancement of the rule of law and enhancing access to justice in order to meet the desire of their citizens for a just, harmless and secure society. This study however concentrates on the principle of equality before the law which is conceived as fairness, and how it impacts decline in crime rates in Nigeria. A growing literature recommends that perceptions of fairness may be predictive of involvement in violent crimes. Gottfredson, Gottfredson, Payne, and Gottfredson (2005) found that perceptions of the fairness of societal rules were negatively associated with rates of violence against other members of the country. Consistent with this research, Welsh (2000, 2001) found that not only was perceived fairness of rules associated with self-reported offending, but two additional fairness measures - respect for individuals and clarity of rules were also negatively associated with offending (Way, 2011).

The term fair is defined by the Merriam-Webster Dictionary (2009) as "single by fairness and honesty". Free from selfishness, predestination or partiality. “Related words include fair, impartial, disparaged, and objective, all of which means" free from either party or favor of either party. “An additional term that is important to understanding fairness is "Desert." Refers to the desert to get what you want as rewards or punishments. When considered in the context of a victim (Karmen 2009) and social justice (Miller 2003), it is unfair when people convicted of harmful behavior are not held accountable for their actions. One goal of the criminal justice system is to reduce crime. The offense can be elicited through reactive means (such as answering a call for service, making an arrest, obtaining a criminal tendency and completing a sentence imposed by a court), or through active means (e.g. end Criminalizing Conditions) (Fuller 2005).

The former type of crime reduction is known as crime control and accurately depicts the majority of criminal justice activity in most countries (World 2008).The latter type of deficiency is referred to as crime prevention, and is far less emphasized in most countries (Lab 2007). Criminologists have long held that social inequality plays an important role, both in a particular individuals engaging in criminal activity and determining the level of crime within particular societies. Criminal Theory, of various theories, has focused on social disadvantage as central to the explanation - at least as a result of the fact that criminal justice systems are primarily focused on the crimes of the underprivileged rather than the 'crimes' of social privilege . Indeed, according to Rainer (2007) notes, the etymology of the words 'villain' and 'rogue' - the former derived from medieval French for peasant and the latter from Latin for beggar - is an indicator of the fact that it is An age-old association. In fact, some scholars now recognize a degree of strictness in criminal punishment beyond mere retaliation and are more consistent with retaliation (Elliken 1996; Ellsworth and Grosse 1994; Ho, Forsterley, Forster Lee, and Croft 2002). That is, criminal punishment is sometimes disgusting and degrading. Harm caused by criminal acts rather than motive, torture, or rationalization (Welsh and Harris 2004). For example, according to Ho et al. (2002), jury research has indicated that gamblers sought to take vengeance on capital killers and hoped to "pay" offenders.

"Serious crime" - is not reserved for the acts that cause the most harm to society. Instead, "street crimes" (Part I index crimes of the Uniform Crime Report) are those crimes that our federal government considers the most serious. These crimes - murder, forcible rape, aggravated assault, robbery, burglary, theft, motor vehicle theft, and arson - were originally the most dangerous, most frequently occurring and most geographically widespread crimes in the United States were claimed in the 1930s, which made them "serious" (Robinson 2009). Other offenses, not listed in UCR's index offenses, are currently considered serious, including terrorism, drug offenses and certain weapons offenses. Acts of white-collar crime

and corporate crime are generally viewed as less severe, possibly because they are believed to cause less physical and financial damage, they are less frequent than street crimes, and they are less widespread (Stylianou 2003). These assumptions are demonstrably false. Acts by the rich and powerful and corporations cause far more damage to human life and property than all street crimes. Lynch, McGurrin, and Fenwick (2004) state that, in 1990, the amount of annual property losses from traditional street crime amounted to approximately $5 billion. Losses from savings and loan scams over time savings of anywhere from $200 - $500 billion, although one estimate costs $1.5 trillion (Frederick 2003); Reiman 2006; Rosoff, Pontell, and Tillman 2003; Sheldon et al. 2008).Several examples make it clear that corporate crime is also more deadly than street crime. Over 20,000 people in Nigeria are killed every year by defective products.

Additionally, Simon (1999) indicates that, although there are about 20,000 housewives in any given year, the number of deaths related to job-related injuries and illnesses is five times greater than that number, although Reiman (2006) notes that hazardous working. Puts the number killed at 55,000.Because criminal law generally does not define these acts as crimes (and usually not as serious offenses), very little criminal justice system activity focuses on these acts. For example, more than 75 percent of police officers work for governments, which rarely investigate acts of white collar and corporate crime. Surprisingly, only 1 percent of all police officers are accused of investigating white-collar and corporate crimes (Robinson 2009). Criminal law, when it ignores the most harmful acts against Nigerians, is unfair because in these cases it does not hold the perpetrators of such acts responsible, as required by corrective justice (justice as a result).

Logically, criminal justice activity would also be inappropriate because police, courts, and corrections satisfy criminal law. By not pursuing criminals who are truly the most dangerous, criminal justice procedures do not achieve desert, an important component of fairness. When police, courts, and corrections inadvertently enforce unfair laws, it is called innocent prejudice (Robinson 2001).The presence of innocent prejudice does not require impaired police officers, dishonest court personnel, or unethical correctional staff. In fact, even if every employee of criminal justice is just, equitable, impartial, dispute-free and objective, Nigerian criminal justice procedures will still be unjust because of innocent prejudice (Robinson 2009). Innocent prejudice is not the only form of unfairness in the criminal justice system, but it is the most important and most dangerous, because its effects are widespread and not easily implied as there are more obvious forms such as police brutality or corruption, prosecution malpractice, bribery and so on.

However, what procedural fairness research has taught us is that when citizens are given the opportunity to be respected, informed and listened to, a greater benefit is realized (Paternster et al., 2000). Compliance with court orders, such as court summons, go up (Bornstein et al., 2011); And again, the offending, even among the most violent criminals, goes down (Papacristos, 2012).

The same is true for victims - victims who are ignoring their thoughts and concerns are less likely to witness again and are likely to know that idea for others in a similar situation (Ministry of Justice, 2011) As recently stated in the Ministry of Justice research: "The fair and respectful handling of people, treating them with respect, and listening to them, all turn out to be important predictors of legitimacy, and Thus there is a readiness to cooperate with and comply with legal authorities.

Law, in other words, procedural fairness can not only be valuable in itself, but it can actually be a precondition for an effective justice system. " (Hough et al., 2013). The average citizen, who is aware of the crimes committed by top government officials, and yet is not punished by the law, justifies the crime of kidnapping, robbery and even crime against these individuals in the government. Can be seen as a reference to prove. Murder as retaliatory justice (Makers & Sellers 2003).
This suggests that the crime rate may be influenced by the citizens' perception of fairness of the criminal justice system.

1.1 Objective(s) of the study.

To find out whether the perceived impartiality of the law would show a significant relationship with crime prevention.

1.2 Research Question(s).

Will there be a significant relationship between the perceived fairness of the law and the prevention of crime?

1.3 The hypothesis.

There will be no significant relationship between the perceived impartiality of the law and the prevention of crime.

2. The Relevance of the Study in the Nigerian Context.

The Nigerian legal system has recently come under strong criticism from both its citizens and international bodies. The Nigerian criminal legal system is seen by the public as a tool to woo the poor and protect the interests of the elite. Prisons are overcrowded, and statistics show that more than 90% of prisoners are from the lower and middle classes of society. Does this mean that nobles do not commit crimes? The answer is no. Most of the nobles have been implicated in criminal acts such as embezzlement, murder, rigging of elections, torture, kidnapping etc. However, most of them still roam as free men, and even as candidates for top political offices.

Even when convicted, most of them are asked to pay a fine less than the amount they were convicted of embezzlement. The cases mentioned as these and others have not diminished the trust of citizens in the legal and justice system of the country. There is a high rate of perceived unfairness of the law among citizens. Some other members of the country feel that the law is ineffective, and if these elite people can get away with their crimes, they can too. Due to this, the criminal cases registered in the country have skyrocketed, which has made the country vulnerable to both the poor and the rich. This study therefore intends to establish whether the perceived impartiality of the law would show a significant relationship with crime prevention.

3. Conceptual Review

3.1 Percent fairness

The term fair is defined by the Merriam-Webster Dictionary (2009) as "marked by fairness and honesty ... free from self-interest, prejudice, or partiality". Related terms include just, fair, impartial, disparaged and objective, all of which means "free from any party or any party."

An additional term that is important to understand fairness is "desert." Desert refers to what you want, as rewards or punishments. When considered in the context of victim science (Karmen 2009) and social justice (Miller 2003), it is inappropriate when people convicted of harmful behavior are not held responsible for their actions.

After two hundred years, researchers have identified major dimensions of procedural fairness. In particular, researchers have identified four elements that drive citizens' perception of fairness. These include:
Fairness - Do citizens feel that decisions are made in a fair and reliable manner?
Respect - Does the citizen feel that he was treated with respect and dignity?
Understanding - Do citizens understand how decisions are made and what is expected of them?
Voice - Has the citizen had the opportunity to listen?

These elements define what we mean by procedural fairness. It is the assumption that citizens' perceptions about the legitimacy of state authority correspond to their behavior (namely, the above dimensions exist). To be fair, it is not enough; Citizens should understand that this process is appropriate (LaGratta & Bowen, 2014).

Crime is an intentional act in violation of criminal law (statutory and case law), which commits an offense without defense or excuse, and is punished by the state as a crime or misdemeanor. In studying the offender there can be no inference that individuals are criminals unless they are convicted beyond a reasonable doubt of a particular crime (Tappen, 1947).

This perspective transforms the subject matter of criminology into a set of crimes or suspended by criminal law that only includes those behaviors successfully processed by the criminal justice system. It encompasses behavior that is not criminalized, traced or reported to law enforcement officers and successfully prosecuted. All contemporary criminologists view this as a highly restrictive definition. Criminology has rejected such a rigid legal definition of the province of its study. Edwin H. Sutherland, widely regarded as the dean of American criminals during his early years, introduced the concept of white-collar crime, which significantly widened the boundaries of the region. Sutherland maintained, explaining the revised legal definition:

The essential feature of the crime is that it is behavior that is prohibited by the state as an injury to the state and against which the state can, at least as a last resort, react by punishment. Two abstract criteria, generally regarded by legal scholars as essential elements in the definition of crime, are legal statements as socially harmful to the act and legal provision of the act's penalties (1949: 31).

Sutherland stated, however, that "an unlawful act is not defined as a criminal by the fact that it has been punished, but by the fact that it is punishable" (1949: 35), and in this way, K challenged the notion that the study should be blamed. Criminal. He argued that white-collar crime resembles such a legal definition because it is punishable (fines, injunctions, etc.); Even though less punitive and stigmatizing procedures have been developed by powerful individuals to soften the consequences of illicit behavior. Sutherland stated that white-collar crimes were actual crimes, both in the behavioral and legal sense, but that they were being transformed by legislative fiat into a different category of behavior that provided for "differential implementation of the law" (1949: 42).
From the standpoint of society as a whole, the best and most useful activity by law enforcement agencies is crime prevention. If the crimes are prevented before they happen successfully (and appropriately), the social costs and suffering associated with the effects of the crime are completely eliminated. The police participate but are not responsible for crime prevention in any way:

Most crime prevention comes from informal and formal practices and programs located in seven institutional settings. These institutions appear to be "interdependent" at the local level, in one of these incidents this institution may influence events in others that may in turn affect local crime rates. these . . . Communities, families, schools, labor markets, places, police and criminal justice (Sherman et al., 1997).

4. Empirical Review

Tyler and Fagan (2008) conducted a survey research and found that police perceptions of fairness and good interpersonal treatment - rather than being effective in responding to police, and detection, crime - were found to increase trust and confidence To what extent are the police considered legitimate. In addition, people were more likely to say that they would help the police in dealing with crime in their neighborhood if they considered the police to be legitimate

Using data from two waves of phone interviews in the Chicago area (1984 and 1985), Tyler examined the extent to which normative factors affect compliance with the law, independently of deterrent decisions (Tyler, 1990: 4)

This longitudinal study asked questions about normative and critical views about law as well as people's behavior towards law. Tyler found that the legitimacy and perceived fairness of legal entities is related to compliance with the law: weak perception of fairness, non-adherence to respondents more consistently and severely. As Tyler states, "People obey the law because they believe it is appropriate to do so, they react to their experiences by evaluating their justice or injustice, and in evaluating the justice of their experiences they Consider factors as unrelated, such as whether they have been given the opportunity to state their case and be treated with respect" (Tyler, 1990: 178)

In a study of more than 1,600 Los Angeles and Oakland residents in 1997 and 1998, Hu and Tyler (2000) found that people want fairness in the process of rendering justice, whatever the outcome, although a positive result has There is undoubtedly increased self-reported compliance among all ethnic groups (Hue and Tyler, 2000). Results showed that perceptions of inappropriate behavior were more prevalent among African-Americans and Latino than whites, although they shared an understanding of what fair treatment entails. For all three groups, the notion of fair treatment was the most important factor for the police and the courts in forming their response, and was even more important than concerns about the outcome of the process. As such, Hue and Tyler (2000) suggested that efforts to act more impartially on behalf of legal authorities would lead to more positive responses and higher rates of compliance among residents of minorities.

In a Canadian study, more than 500 urban youth attending schools in neighborhoods known by police were surveyed in 2001, using a targeted sampling strategy. Bonds, acceptability of shame and pride expressed by criminals) were prophets of gang membership. Even after peer culpability and definitions favorable to law violations in multinational analyzes, legitimacy and pride remained associated with the likelihood of gang membership (Brownfield, 2006).

In 1993, Baron and Hartnegal (1997) conducted a six-month study of 200 street youth in Edmonton, Alberta to examine the role of family, school, labor market, and street factors in their criminality. He argued that those who blame themselves for their future may be less likely than those who are not willing to accept responsibility to engage in crime. Baron and Hartnegal found that individuals who attributed their unemployment and poverty to external forces - including government policies and corporate decision-making - were much more likely than those who found themselves to be involved in

criminal activity Convicted of (Baron and Hartnagel, 1997).

McCord and Ensinger (2002) investigated the association between discrimination and crime. Although this study found that self-report of discrimination for violent crime was related to arrest, it was criticized for using a dialectical measure of discrimination, which did not allow analysis to any extent, leading to That the greater the risk of crime the greater the risk of discrimination. In addition, the study failed to control factors such as delinquency or affiliation with preexisting peers, which is necessary to establish whether it is stress (discrimination that causes procrastination) or labeling procedures (discriminatory reputation that discriminates Leads to) for the association between discrimination and crime.

5. Theoretical Review

5.1 Neutralization Theory

The neutralization theory of Sykes and Matza (1957) suggests that, like most people, criminals are committed to traditional beliefs. They claim that "the juvenile delinquent will at least partially commit to an effective social order, in which he often violates or is ashamed when he violates his indictments, approving some concrete figures. Gives, and distinguishes between proper and unreasonable goals for it. Divergence "(Sykes & Matza, 1957). According to Sykes and Matza, the rules and rules of society are flexible based on time, place, person, and social circumstances. , And this is reflected in the "defense for crimes" (ie, such pleas) as provided for in criminal law., Insanity, self-defense, etc.) Thus, they argue that "too many crimes. It is based on what is essentially an unrecognized extension to offenses for offenses, thus as a justification for disorientation that is seen as not valid by the perpetrator but by. Legal system or society at large "(Sykes and Matza, 1957). These arguments more or less protect the individual from self-blame and from blaming others after the fact, and sometimes these reasoning precedes truly deviant behavior, which makes it more possible. In this way, "rejection flowing from internal norms and conforming to others in the social environment is neutralized, reversed, or deflected in advance" (Sykes and Matza, 1957).

Sykes and Matka is an important point that ignores research on deviant behavior: during the process of learning these techniques of neutralization (before or after committing a crime), criminals often consider themselves to be more sinful than sin (Sykes) And Matja, 1957)). They also note that "on the basis of priorities it can be assumed that these justifications for devaluation will be easily seized by sections of society for which the discrepancy between general social ideals and social behavior is most evident" (Sykes and Matza, 1957). In other words, at some level, delinquent individuals believe that a person or group of individuals has done injustice to them. Then, using techniques of neutrality, they are able to simultaneously maintain society's core values and still see their violations as "acceptable" if not "correct" in the given circumstances. Sykes and Matja identify five major justifications: denial of responsibility, denial of injury, denial of the victim, condemnation of slanderers, and appealing for high loyalty (Sykes and Matza, 1957).

Perceptions of injustice can be added to the list of neutralization techniques. If offenders believe the system is unjust, and that their chances of success are blocked, they may be less likely to trust the authorities and more likely to lose faith in the system and resort to crime . It is plausible that perceived injustice inevitably becomes rationalization or justification for criminal behavior. In fact, working in the field of legitimacy and compliance shows that those who believe that life is unfair, and that their best efforts are blocked by external forces such as racism or class interests, are more willing to break the law. There is a possibility.

5.2 Normative Theory

Why people obey the law is contrary to Tyler's (1990) critical and normative view of compliance. The instrumental view suggests that people obey the law because of the risk of punishment if they do not do so. This is consistent with detention literature. In contrast, the idealistic approach has to do with personal beliefs about morality and legitimacy. Ethics is related to obeying the law as you think it is just, while legality is related to obeying the law because you believe that the law enforcer is right and the right to determine the behavior (Tyler, 1990). If compliance is appropriate to people's beliefs about how they should behave, they will voluntarily assume an obligation to follow legal rules. Tyler argues that criminal justice authorities that primarily focus on the preventive aspects of law have long ignored aspects of compliance-immorality and norms of legitimacy.
There are very practical implications of Tyler's principle of standard compliance with respect to law. While bad experiences have been found to have a significant impact on quality perceptions of the police service (Skogan, 2006), Tyler (1990) found that if police officers and judges are more sensitive to

people's normative concerns (legitimate and ethical), Will be able to use their authority more effectively - their rules will be accepted and voluntarily followed. Tyler argues that legal authorities benefit when they receive cooperation from the public, and the important factor shaping public behavior is the fairness of the procedures used by legal agents (2003). However, when procedural justice expectations are not met, citizens may experience abuse, which has the potential to create conflict between police and communities. If members of disadvantaged communities, for example, feel marginalized by the police, they may stop cooperating with legal authorities and rely on informal methods to address the conflict, which may escalate violence (Kane, 2005). In a study of compromised police legitimacy, Kane (2005) found that violent crime rates in predecessors characterized by high or excessive harm predicted police misconduct and greater enforcement.

5.3 Defiance Theory

Shivering, combining the concepts of Braithwaite (1989), redefines Tyler's (1990) study of compliance, and the Sociology of the "master emotions" of Scheffe and Retrizers (1991), a specific and general theory of the Sherman defense. Provides, under which conditions are understood from which punishment increases. Guilt is based on four important concepts (legitimacy, social bonding, shame, and pride), in the emotional response to accepting experiences: disregard, event, or future seriousness against a community accepted by an arrogance. Is a net increase for., Shameless response to the administration of a criminal approval. Specific or personal disregard is a person's response to that person's own punishment. Common disregard is the reaction of a group or collectivity to the punishment of one or more of its members. (Sherman 19 Sh: 459).

This theory argues that both specific and general disregard results from punishment perceived as inappropriate or excessive, unless harmful effects (such as social bonds, shame, and pride) disregard and sanctions render the net effect of irrelevant. (Sherman, 1997). In short, when offenders experience the conduct as illegitimate, future disregard occurs, but if they accept it as legitimate, sanctions are more likely to disrupt the future (Sherman, 1997). Thus, Sherman concluded, "Crime can be reduced by the police and the courts and all citizens can be treated with fairness and respect."

5.4 General Strain Theory

GST is one of the leading theories on crime and delinquency, and it essentially argues that stress or negative treatment by others leads to negative emotions, especially anger and frustration, which require coping strategies . One possible response is to the pressure created by these negative emotions (Agnew, 2002). GST identifies three main sources of stress: 1) conditions that inhibit positively valued goals (eg, money, status, autonomy); 2) conditions that positively elicit valuable stimuli (eg, loss of spouse, theft of valuable property); And 3) conditions that cause negative stimulation (eg, verbal or physical abuse). In response to stress, some individuals feel negative emotions (eg, anger) and show their aggression on people, while others engage in inappropriate behaviors such as drug use and property crime (Agnew, 2004).

The agnostic suggests that there are factors that influence the effects of stress on crime (eg, self-esteem, social support, positive relationships with adults, and attachment to school), which may reduce the negative consequences of stress, and this Help to explain why only a few become young offenders (Agnew, 2004; Morash & Moon, 2007). GST attempts to specify some factors that affect whether people cope with stress in a criminal way, and claim that when individuals have low tolerance for stress, poor coping skills, and some traditional support, And because of personality traits dealt with for crime, they are more likely to face stress through crime. In fact the research by Agnew et al. (2002) found that individuals with negative emotionality and low barriers were more likely to respond to stress with criminal behavior. Recent work on GST suggests that there are some strains that are more likely to result in crime. They share the following characteristics: 1) they are seen as unjust, 2) they are high in magnitude, 3) they are associated with low social control, and 4) they create pressure to combat criminal (Agnew, 2001). Agnew actually identifies experiences with prejudice and discrimination based on mentioned characteristics such as race / ethnicity, as there are many strains with these characteristics that increase the likelihood of crime (Agnew, 2004: 39).

6. Research Methodology

6.1 Participants

Ninety five (95) participants were surveyed and administered with the questionnaire measure. They include forty-seven (47) males and forty eight (48) females who are residing in Kaduna metropolis. The

selection of participants was done using convenience sampling because only those who were available and willing to participate in the study were used. The age range of the respondents ranged from 22-28 years of age with a mean of 24.94 and a standard deviation of 2.05. 46 (48.4%) of the participants were SSCE holders, while 49 (51.6%) were HND/B.sc holders. The ethnic groups involved were 40 Hausas (42.1%), 24 Yorubas (25.3%), 24 Ibos (25.3%) and 7 others (7.4%). Regarding their religious affiliation, 59 (62.1%) were Christians and 36 (37.9%) were Muslims.

6.2 Instruments

6.2.1 Attitude Towards the Criminal Legal System Scale (ATCLTS)

The ATCLS (Cohn & Martin, 2004) consisted of 38 items that were rated on a five-point Likert scale from Disagree Strongly to Agree Strongly (see Appendix A). Items were coded so that a high score indicated a positive attitude toward the legal system. Statements were included about seven aspects of the legal system of which it seemed people should have the most knowledge and experience. The categories chose included judges, police officers, defense attorneys, prosecuting attorneys, juries, punishment, and laws.

The ATCLS was also designed around three conceptual subscales: integrity, competence, and fairness. Each of the seven categories (judges, police officers, defense attorneys, prosecuting attorneys, laws, punishment, and juries) had two items that could be considered to fall under each of the three subscales. The exception to this was the laws and punishment categories, which could not themselves be considered to have integrity. For each category in each subscale, one item was worded positively and one item was worded negatively, leading to a balance of positively and negatively worded items on the ATCLS. The fairness subscale was used to measure fairness of the law.

6.2.2 Measure of Criminal Attitudes and Associates (MCAA)

The MCAA (Mills et al., 2002), consists of a 46-item attitude scale with four subscales. Each item is rated on a dichotomous 'agree' or 'disagree' scale. The four subscales are as follows: 12-item Violence subscale (e.g. "Someone who makes you angry deserves to be hit"), a12-item Entitlement subscale (e.g. "Only I should decide what I deserve"), a 12-item Antisocial Intent, (e.g. "For a good reason, I would commit a crime"), and finally, a 10-item Attitudes Towards Associates (e.g. "I have committed a crime with friends"). Individual item scores are summated (agree = 1, disagree = 0) to produce a total overall attitude score ranging from 0 to 46 to 4 individual subscale scores ranging from 0 to 12, or 0 to 10 in the case of the Attitude Towards Associates subscale. The antisocial intent sub-scale was used to measure crime prevention as research has indicated that a reduction in criminal intention is closely associated to a decrease in likelihood to commit crimes (Rowe, 2002). In the adult, male development sample (Mills et al., 2002) the internal consistency of the subscales was acceptable (α = .80 to .84)

6.2.3 Procedure

The researcher got his sample from amongst single adults living within Kaduna metropolis. The participants were informed of the objectives of the study and were also told they could withdraw from the study whenever they feel they cannot continue, therefore, participation was voluntary and with the informed consent of the participants. The study instruments were distributed to the questions and the researcher remained there to collect it after completion. There were no names or identifiers on the questionnaires, ensuring complete anonymity of the participants. The researcher thanked the participants after they completed the questionnaires.

6.2.4 Design and Statistics

The study used a cross-sectional design since data was collected within a short period of time and the participants consisted of persons with varying demographic characteristics. Pearson correlation was used to analyze the data collected. SPSS version 20 was employed.

7. Results

Table 1: Means, standard deviations, and Pearson correlations for demographic variables, perceived fairness of the legal system and crime prevention

	Mean	SD	Age	Gender	Ethnicity	Religion	Educ_Level	Fairness	Crime_Prev
Age	24.94	2.05	-	.011	-.032	-.067	.104	-.224*	.361***
Gender	1.51	.50		-	-.107	.008	-.200	-.012	.043
Ethnicity	1.98	.99			-	.755***	.043	.044	-.087
Religion	1.62	.49				-	.068	-.034	-.065
Educ_Level	1.52	.50					-	-.039	.033
Fairness	33.27	11.03						-	-.697***
Crime_Prev	5.41	3.10							-

N= 95 *p<.05, **p<.01, ***p<.001

The table above shows that perceived fairness (r = -.22, p< .05) and criminal intention (r = .33, p< .001) is significantly related to age. Ethnicity shows a strong positive correlation with religion (r = .76, p< .001). Finally, perceived fairness showed a significant negative relationship with criminal intention (r = -.70, p< .001). This implies that as perceived fairness increases, intention to commit crime reduces and vice versa.

8. Discussion

The study examined the relationship between perceived fairness of the law and crime prevention. Crime prevention was operationalized as a reduction in the intention to commit crime. The result revealed that perceived fairness of the law is negatively related to crime prevention. That is, when perceived fairness reduces, intention to commit crime increases and vice versa. This result is incongruent with the hypothesis which states that there will be no significant relationship between perceived fairness of the law and crime prevention. This result confirms the findings of previous studies; Gottfredson, Gottfredson, Payne, and Gottfredson (2005) found that perceptions of the fairness of societal rules were negatively associated with rates of violence against other members of society. Consistent with this research, Welsh (2000, 2001) found that not only was perceived fairness of rules associated with self-reported offending, but two additional fairness measures - respect for individuals and clarity of rules were also negatively associated with offending (Way, 2011).

This finding is also backed by the neutralization theory (Sykes & Matza, 1957). Work in the area of legitimacy and compliance suggests that people who believe that life is unfair, and that their best efforts are blocked by external forces such as racism or class interests, are more likely to break the law.

9. Conclusion

The study examined the impact of rule of law on crime prevention in Nigeria. The study however focused on the relationship between perceived fairness of the law and crime prevention. The result of the study showed that perceived fairness is negatively related to crime prevention. An increase in perceived fairness reduced intention to commit crimes and vice versa. The study is a proof that an interdisciplinary approach in investigating ways to reduce crime in our society should be adopted.

This study also established that increased perceived unfairness leads to an increase in criminal intentions. This finding makes it a matter of urgency for the criminal legal system to regain the faith of the people. This would go a long way to protect the fundamental human rights of all citizens, ensure equal treatment of all citizens, bring to the collective consciousness that nobody is above the law and finally lead to a decrease in criminal activities, making for a more peaceful society.

10. Recommendation

Based on the findings of this study, the following recommendations were made:

- The law court is the last hope of the common man; therefore, our justice system should be free from external influence in order to increase perceived fairness.
- Future studies should consider the other aspects of rule of law not attended to by this study.
- The legislators should amend certain aspects of the law that are not fair to the common man.

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