

RATING OF CRIME SERIOUSNESS: AN EMPIRICAL TEST

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Abstract

The study investigated the public ratings of crime seriousness. The principal objectives of the study were to investigate whether the public actually grades crimes in terms of levels of seriousness and to find out the comparative seriousness ratings assigned to five criminal offences by the Nigerian public. Two findings emerged from the study: a) there is high consistency among sample subgroups, and between sample subgroups and the total sample, on the relative seriousness ranking of the five surveyed, this meant that in the public view, the five crimes surveyed are rated unequally in terms of seriousness. Based on the rank-ordering, the crime of drug trafficking was rated as the most serious crime out of the five criminal acts surveyed, followed by counterfeit and fake drug, fraud, stealing, and receiving stolen property in that order.

Keywords: Crimes, Crime seriousness, Five factor crime rating, Nigeria.

INTRODUCTION

In all modern society, criminal codes and the penal codes proscribe and penalize quite a number of acts. The criminal penalties assigned to these criminal acts are presumed to match the seriousness of the acts under proscription. The presumption underlying the criminal justice practice of matching

punishments with offence seriousness is that acts vary in the degree or extent to which they constitute threats to society, or otherwise actually harm public good. That is to say that acts differ in their comparative seriousness and as such, should attract varied degrees of punishments that fit the gravity of each offence. So many contemporary penal systems including that of Nigeria combine this classical doctrine of "just desert" in their operative principle. In this study, attempt was made to empirically validate the classical assumption that offences are generally graded by members of a society in terms of level of seriousness. Furthermore, the study also set for itself the secondary task of investigating the seriousness ratings of five criminal offences by the Nigerian public.

THEORETICAL BACKGROUND

The research problem, from the point of view of this paper, can best be explained within the theoretical framework of classical thought. Classical theory assumes the existence of consensus by members of societies over the definitions of good and evil. It argues that laws are an expression of the general will (the social contract) and that crime constitutes a violation of this social contract freely entered into by all men (Rousscau, 1762 cited In Appadorai, 1975, p.27.) Classical theories contend that laws operate to benefit society as a whole. They

ascribe to punishment the role of helping to prevent crime in society. This is based on their belief that the individual is inherently selfish and will be apt to "take away from the mass of deposits of individual liberties not only his own portion, but to encroach on that of others" (Vold, 1979, p.23). To forestall this, classical theory argues that punishment becomes necessary. Thus, from this standpoint, the role of punishment is that of defending the public liberty from the usurpation of the individual.

A parallel view with the classical position on the social function of punishment advances, is that the deprivation created by punishment should be commensurate with the perceived seriousness of the crime. That is, that punishment must fit the crime, i.e. match the seriousness of offence committed, as the society merely seeks to harm the criminal to the extent that the criminal harmed the collective interest (Vold, 1979; Morris, 1966). From the classical perspective, offences are generally graded by members of society in terms of level of seriousness. According to this theory the seriousness of any crime is determined by the degree to which it threatens the public good; that is, the degree of harm or injury produced by the act. These propositions are based on the classical doctrine of "just desert", and on a general assumption that members of the society share similar standards of morality against which offences seriousness are judged. These standards of morality commonly shared by all permit the members of a society to hold similar perceptions and judgment of offensive (or level of offensiveness) or particular acts. It also makes possible the existence of considerable agreement among members of society on the sanctions that are appropriate for those who engage in various types of offensive behaviours.

The present study affords us opportunity of empirically verifying these classical assumptions and propositions especially in regard to whether the public actually make-orders offences in terms of seriousness, and whether considerations of crime seriousness are thereby rated.

METHOD

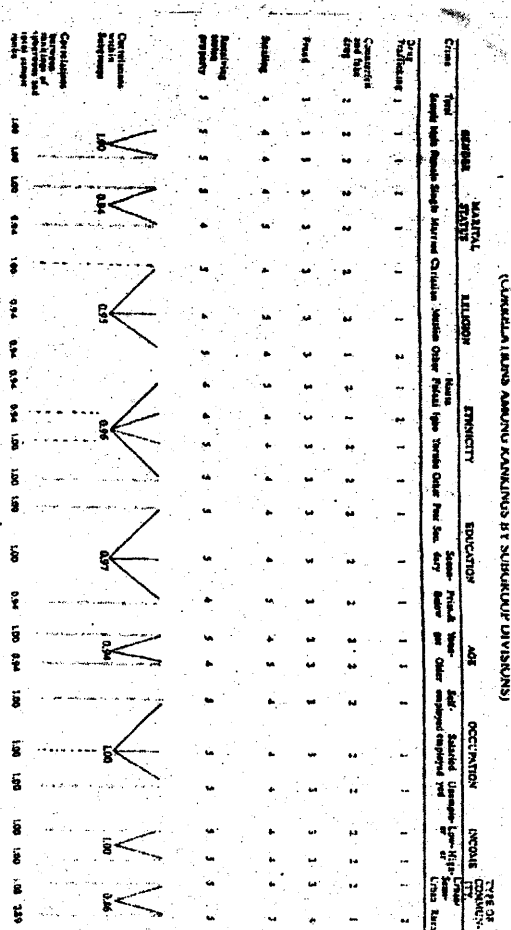
Data for this study was collected by means of field interviews. Adult respondents who were randomly selected through a multi-stage selection process were presented with a list of five criminal offences with scenario descriptions. They were requested to assign to each of the crimes, a maximum penalty which they believed adequately matched the seriousness or gravity of the offences. The penalty assignment for each crime was aggregated and an average

TABLE 1.1
MEAN PENALTY ASSIGNMENT (IN YEARS) BY SUBGROUPS AND THE TOTAL SAMPLE FOR OFFENCES

OFFENCE	Total Sample	GENERAL			MARRIAGE			STUDENT			EMPLOYEE			JOB			UNEMPLOYED			TOTAL				
		Mean	SD	SE	Mean	SD	SE	Mean	SD	SE	Mean	SD	SE	Mean	SD	SE	Mean	SD	SE	Mean	SD	SE		
STEALING	8.99	5.1	1.02	0.3	8.4	9.8	6.8	18.1	5.8	11.6	9.4	6.3	9.4	7.9	9.1	9.8	6.1	8.9	6.7	9.5	6.5	7.1	7.6	11.6
DRUG TRAFFICKING	22.41	12.4	2.2	22.1	22.5	16.4	20.8	18.1	22.6	22.7	19.8	21.2	22.8	24.7	23.4	21.5	20.8	21.6	21.1	22.3	19.8	23.9	18.3	
COUNTERFEIT AND FAKE DRUG	19.24	18.4	19.1	19.9	19.6	14.3	16.5	15.6	19.1	18.8	18.7	19.3	17.9	20.5	19.4	18.8	19.8	18.9	18.5	18.5	18.8	19.2	18.4	
RECEIVING STOLEN PROPERTY	6.06	8.2	7.5	7.6	4.3	4.1	7.8	4.2	7.5	7.8	9.4	5.1	7.2	7.8	6.8	8.0	8.2	8.4	7.9	6.8	8.5	6.9	7.3	11.1
FRAUD	11.40	14.8	11.0	11.7	12.1	12.1	10.8	11.2	10.8	12.0	11.5	11.5	11.8	12.1	12.0	11.1	11.6	10.9	12.4	11.7	10.5	12.1	10.5	

Penalty score calculated for each crime, for the total sample, and for each of the punishing subgroups within the sample.

Table 1.2



Based on these respective average penalty scores, a rank-order of crime seriousness was generated for each subgroup and for the total sample. The crime with the highest average score was ranked first in the order and the crime with the lowest average penalty score was ranked last. The ranking permitted the investigation of the comparative seriousness ratings of the crimes as judged by the respondents. To measure concordance between and among the various rank-orders, the Spearman's rank correlation co-efficient (rho) and the rank correlation co-efficient of concordance (for dichotomous ranks and k-ranks respectively) were used. Tables 1.1 and 1.2 above show the respective mean penalty assignments and the rank-order of crimes respectively.

RESULTS AND DISCUSSION

Look at table 1.1 clearly shows that all the crimes investigated are rated unequally both by the total sample, and by the component sub-groups. The fact that different crimes are assigned different mean penalty scores is indicative that the crimes differ among themselves in seriousness. Table 1.2 on the other hand, shows from the raw displays and from the correlations among the rankings by subgroups and the total sample, that the graduations of the seriousness of the crimes under investigation are very similar and significantly consistent across the subgroups.

CONCLUSION

There is thus significant agreement within the public about the nuisance level or seriousness level of each crime, the comparative seriousness of the set of crimes, and the appropriate level of comparative punishment that crimes should receive. The result thus confirms that the public actually grades criminal acts in terms of labels of seriousness. Furthermore, that the total sample rated the crime of drug trafficking as the most serious of all the offences, followed by counterfeit and fake drug, fraud, stealing, and lastly receiving stolen property.

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