**DEFINITION OF CONCEPTS**

**Crime**

Crime is defined as any act that violates the law. Hence, it is defined relative to laws, and varies from society to society or omission, from state to state, from time to time, and from strict enforcement to none. According to Curzon (1973) “Crime is any act or omission resulting from human conduct which is considered in itself or in its outcome to be harmful and which the state wishes to prevent, which renders the person responsible liable to some kind of punishment; the result of the proceedings which are usually initiated on behalf of the state and which are designed to ascertain the nature, extent and the legal consequence of that person’s responsibility”. To Emile Durkheim, crime is a category which can be defined only by reference to the specific social norms and values of the society in which it occurs. Durkheim does not regard some actions as crime absolutely – he recognises that given the whole total of human social experience, crime should be that which contradicts the collective sentiments of the social group.

There are categories of terms. Among them are;

(1) moral order (victimless crimes) – violation of law in which there are no readily apparent victim such as prostitution, gambling, vagrancy, purchasing illegal drugs like cannabis or marijuana;

(2) property crimes – common crimes committed in industrial societies, including robbery, burglary and larceny, and

(3) violent crimes – involve threat of violence, include murder, manslaughter, infanticide, Assault, sexual Assault, Abduction and robbery.

**The Components of Crime**

Technically, crime is composed of two elements:

(1) the act itself (or, in some cases, the failure to do what the law requires) and

(2) criminal intent (in legal terminology, mens rea, or” guilty mind”) intent is a matter of degree, ranging from willful conduct to negligence in which a person does not deliberately set out to hurt anyone but acts (or fails to) in a manner that may reasonably be expected to cause harm. Juries weigh the degree of intent in determining the seriousness of a crime and may find the person who kills another guilty of first-degree murder, second-degree murder, or manslaughter.

**Criminal Law**

According to Curzon (1973), criminal law is a branch of public law which deals with the relationship between members of the public and the state. It spells out clearly the trial and punishment of offenders. Sutherland and Cressey (1974) define criminal law as “a list of specific forms of human conduct which has been outlawed by political authority, which applies uniformity to all persons living under the political authority, and which is enforced by punishment administered by the state”. From this definition, Sutherland and Cressey brought out some fundamental characteristics of criminal law such as polity, specificity, uniformity and penal sanction.

**Polity**: The criminal laws are usually enacted by the political authority, e.g. the national or state assembly.

**Specificity**: Criminal laws are usually specific in regard to those behaviours that are termed as deviant and at the same time in which conditions such behaviour may not be regarded as crime.

**Uniformity**: Criminal law as an instrument of rule of law, it is expected to apply to all persons irrespective of class, sex, ethnicity and religious or political affiliation.

**Penal Sanction**: Criminal law usually prescribes a specific punishment for a particular deviance. Any law that does not prescribe a punishment for its violation should not be regarded as a criminal law. The definition of criminal law has a historical antecedent. The historical roots came from two early sources: first is (a) the Babylonian code of Hammurabi (b) the mosaic code and (c) the Roman twelve tables justinian corpus Juris Civilis (body of civil law). The second source was the English common law, the source of the present-day legal system. The common law developed in England after the introduction of feudalism (the monarch was the supreme land lord; All title to real property was ultimately traced to the crown) following the Norman Conquest in 1066. It was in the law that crime was not seen as an act against the whole society, therefore compensation was paid to the victim rather than the state. Criminal law deals with criminal behaviour, it is that branch of law, which lists the various criminal offences, identifying the elements or ingredients, which make up the offences, and specifying the punishment for each or group of offences accordingly. A major objective of criminal law is the prevention and control of crime. Crime, as we have explained, is considered a public wrong, or wrongs against the society.

**Norms**

Norms are standards that define the obligatory and expected behaviours of people in various situations. They reflect a society’s beliefs about correct and incorrect behaviours. Norms help society control appropriate or harmful behaviours. For example, driving under the influence of alcohol and drugs is now normatively defined as unacceptable, as are other harmful behaviours such as rape, murder, and drug trafficking. And smoking in public places is increasingly frowned upon, if not defined as illegal in some setting.

At the same time, a norm defining appropriate behaviour of a student in a classroom situation looks on him to sit down, open a notebook, have a pen or pencil ready to take notes. He should not chat on a cell phone during class; he should raise his hand to speak. He ought to know all these without receiving a written list of rules from individual teacher. These are the standards that define the obligatory and expected behaviours of people. When people’s expectations of behaviour are suddenly violated, they experience culture shock (Neubeck, 2005).

Broadly speaking, norms are obeyed for two reasons:

First, members of all cultures develop mechanisms for internalisation – the social processes by which norms and values become thoroughly ingrained and are largely unquestioned as ways of thinking and acting “normally”.

Second, when socialisation fails to produce the desired behavior mechanisms/traits, “social control” comes in to enforce conformity. These range from such informal punishments as gossip and ostracism, to official forms of sanctions such as imprisonment. There are three types of norms, based on their level of importance to the dominant members of the society.

They are (1) Folkways, (2) Mores and (3) Laws.

The negative sanctions, or punishments, meted out to violators of norms vary in severity depending on the type of norm being transgressed.

**Law**

In its simplest meaning, law is a body of rules of conduct prescribed by an authority with binding legal force, the violation of which may attract punishment. Law is a term derived from the Anglo- Saxon word ‘lagu’, meaning to determine. There are, however, some variations in the definition of law.

**Salmond**, for example, defined law as ‘the body of principles recognised and applied by the state for the administration of justice’.

**Vinogradoff** defined law as ‘a set of rules imposed and enforced by a society with regard to the attribution and exercise of power over persons and things’. According to him, it is important for the society to recognise and respect the rules.

**Pound** defined law as a means of ‘social control through the systematic application of the forces of politically organised society, while

**Austin** defined it as ‘a rule laid down for the guidance of individuals by the individuals with power over them.

**Criminal**   
A criminal should be understood as a person who has violated the criminal law of the land and has been found guilty by a court of law and punished accordingly. This is the legal phenomenon of the definition of criminal. Another perspective, however, argues that anyone who violates the criminal law should be deemed a criminal ,regardless of whether or not they are apprehended ,tried ,and punished by a court of law .This argument is based on the fact that many acts defined by the criminal law as crimes e .g .murder ,robbery ,arson ,and car-theft are committed daily. A good number of these criminals are not known or reported to the police. Those who are reported may escape police prosecution or conviction by the courts on account of corruption or incompetence on the part of the police and court officials.

Those who are prosecuted may escape conviction as a result of procedural and other legal technicalities .yet , such persons have violated the criminal law by engaging in murder ,robbery ,arson or car- theft ,as the case may be .These are what Kora and McCorkle have referred to as ‘offenders –infacts’ as differs from ‘criminals by adjudication’. The latter are persons who have been tried and convicted for particular offences by courts of competent jurisdiction, whether or not they committed the offences alleged .It must be noted that some persons may be convicted in error just as many people who should be convicted escape the long arms of the law for whatever reason.

**Types of Criminals**

As Clinard notes, criminal offenders are often classified, from a legal point of view, by the type of the crime, such as murder, burglary, arson, rape or embezzlement. In these instances , such criminals will be classified as murders , burglars , arsonists , rapists or embezzlers respectively.

At other times ,criminals may be classified according to sex or age .But a good number of offenders belong to career types , in which group or cultural influences play a major role in the development of this offender-type ;e.g. property offenders.

**Deviance**

Deviance is a violation of norms of the land,-a deviation from or failure to conform to the norms. Deviance ranges from the trivial to the acute – from sleeping in class to committing murder. How others react to a deviant act indicates how serious the violation is or whether or not people ignore or disapprove of it. Some actions are regarded as deviant in some societies, and not in others, while other actions are regarded as deviant in all societies. For example, drinking of alcohol is a serious deviance in some states of Northern Nigeria.

**Distinction between Deviance and Crime**

Deviance is a violation of the norms held by the society’s members while crime is a particular form of deviance. That is, crime is a violation of a law. Law is the most formal of norms. Norms are the defined obligatory and expected behaviours of people in a given situation. That is, they are rules. They include the folkways, the mores, and the laws which are translated into a written legal code and enforced by the state. Therefore, the term ‘deviance’ refers to the violations of folkways and mores while ‘crime’ refers to those behaviours that violate norms in the criminal and penal codes. The punishments for crime are commonly harsh and more formalised. But not everyone who engages in the same behaviours is sanctioned, and not everyone who is sanctioned receives the same kind of punishment.

**Criminology**

Criminology is simply a science of crime. Criminology is best seen as a social science which deals so much on the aspects of human behaviour. Such study deals in conjunction with criminal law which prohibits such behaviour, together with aspects of socially deviant behaviours which is much closely related to crime. The fundamental focus of criminology is to ascertain the criminal behaviour. This includes the ways the criminologist perceives the offender. The criminologists have in addition, gone outside the strict legal definition of criminology to include a study of a particular type of behaviour such as robbery, violence, incest, and serious heterosexual offences.

To them, the study of such conduct in the society brings social control. They view them as anti-social, immoral and contrary to the public interest. So as criminologists, they condemn such behaviours publicly. It would be misleading to conclude that criminology can easily be laid out as an appraisal of individually distinct clumps of theory .But in the other side; it has been a borrowed idea from other academic disciplines.

**Penology**

Penology, as a major branch of criminology, deals with an important aspect of the criminal justice process, that is, punishment, correction, prevention and control of crime. In the new concept, penology must also consider “the causes of crime, the criminal in his physical and mental aspects as product of such causes, and punishment as a means to an end”. Law itself is defined on the basis of the punishment attached to its violation, therefore there is no punishment without law as depicted by the latin words – maxim nulla poena sine lege, there is hardly any law without punishment.

**Punishment** can be defined legally as simply the infliction of pain or suffering or deprivation of something of value in relation to someone who has committed crime, violated a rule, societal norms or regulations. For Emile Durkheim, punishment is the society’s responsibility to punish wrongdoers and it does so through a recognised body which exercises the authority to punish on behalf of the society.