

*Review*

# Education criminality, graduates employability and the Maicibi's formula: Friends or foes?

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**A goat, a hyena and grass are dangerous bedfellows and thus cannot be friends. This analogy is similar to when one asks whether criminality in the education sector can enable or disable graduates to earn the necessary skills needed by employers; and further if Maicibi's formula can be a moderating variable in this relationship. Studies in Europe (most likely with similar results in Africa) have indicated that employers very much value sector – specific soft and hard skills in graduates from international ranking reputation institutions. One does not need a degree to know that where a graduate had obtained a degree certificate through fraudulent means, such a graduate does not possess the requisite quantity and quality of knowledge that the obtained certificate is expected to symbolise. Maicibi's formula (B1-4 < C1-4) is a multi-functional and multi-generic tool that uses psychological and sociological constructs to illustrate and emphasise the need for the relevant authorities to make committing an offence/crime a prohibitive and a costly behaviour with very unfavourable least benefits. We must reverse criminality in the education sector right from employment/admission through teaching and examination to certification. It is the belief of the author that when this situation obtains, in this case in the education sector, then there is high potency of having the right lecturers and students in institutions of higher learning; the right teaching and learning experience; the right employment-oriented curriculum; the right transcript/certificates awarded, and the right graduates with pertinent competencies and competences that are ready for employment.**

**Key words:** Criminality, Maicibi's formula, employment, education.

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## INTRODUCTION

This author urges the reader to bear in mind that the potent formula under analysis is a generic multi-functional and multi-sectoral tool aimed at addressing crimes and criminal behaviours generally in every sector. It can thus be segmentally applied on any sector such as the educational sub sector. It is pertinent to also note that

crime in the education sub sector has multiplying secondary implications on most sectors. This is in line with the opinion of Maicibi (2005), when he stated that a country that witnesses examination malpractice in its education system should anticipate corrupt practices in its civil service after 10 years.

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Literature is awashed with data that the global crime rate has soared to escalating status. Crime is still a phenomenon that strikes fear into people's hearts, producing a deep sense of powerlessness. A combination of risk factors including inappropriate skills, budgetary deficiencies and traditional prejudices, complicates a difficult situation and makes crime prevention appears like a gamble for potential activists – acting without certainty, ill-equipped, ill-informed and generally ill-motivated. This assertion is true globally, but very true in Africa. So what is the future of crime prevention? Analysts contend that the impulse against crime is gaining momentum at a global level, but sporadic precision attacks and proliferation of transnational organised crimes still impose formidable difficulties which make contemporary interventions look short of a decisive impact. This fact is applicable to all sectors including the education sub sector. Africa will have to break from the tradition of prosecution- a reactive approach and invest in possible proactive approach of prevention options perceivable in local, regional and international innovative and dynamic attempts made to combat the dangers of crime. Education planners will have to show interest and engage in career planning and development, mobilise resources, utilise innovative ideas, technological developments, and change the mindset of their communities to realise its potentials. The vulnerabilities of Africa in the fight against crime because of weak and outdated laws make the region a favourite area of interest for trying and adopting available and emerging strategies for criminal activities. In a related view, according to AU in 2011, Africans should constantly review their laws and contribute solutions to crime challenges that afflict the world today. Africa and indeed the world must win the war against crime. The circumstances for global cooperation are improving at dramatic dimensions and information sharing is taking a leading role in the efforts to pursue criminal groups. Among the developed tools by Africans for consolidation of knowledge to fast track crime prevention measures is Prof Maicibi's formula for fighting crime. Inspired by the on-going search and need for effective crime prevention a reality, Maicibi has designed a blue print focused to deliver the world from the jaw of crime problem through a combination of sociological and psychological aspects. His main aim is to instil an enduring culture of non tolerance to crime, to liberate communities and empower agents of change with the understanding of the causative issues responsible for crime in society. As a guide, his formula recognises the huge potential for agents of crime prevention in concert with each other to interface more than ever before in making necessary adjustments in ratios of variable factors leading to targeted goals and showing the way to their peers for implementation. The formula strengthens the notion that Africa should no longer be seen as a consumer of theories and strategies for crime prevention

from other regions, or as a source, conduit and destination of crime, rather Africa and her scholars can showcase her own contributions towards effective crime prevention.

Scholars have assessed the negative effect of crime and have concluded that the impact of crime has lately caused global concerns due to the devastating effect it imposes on the level of socio-economic development (Ndiaye, 2014). Crime has pervaded all sectors of society and broken through physical and non-physical barriers. The escalation of crime has ignited a series of actions, debates, theories, and initiatives, making its prevention a preferred safety option to be adopted as an integral part of every planning process. Primarily, this means that crime prevention is fundamentally related to policing, crime control and social order. Deliberate policy programmes today emphasise proactive action plans which are tailored to facilitate a stable social order free from the infiltration of crime (Marks et al., 2005). Responding to crime with reactive actions is costly since it has major destabilising effects on the budget, level of development and safety of the population (UNODC, 2011). It is this preventive proactivity, rather than reactivity, that the Maicibi's formula stresses and strongly advises on the need to severely punish the perpetrators of crime.

The Uganda Police in their Annual Crime Report of 2011 emphasised, 'It is imperative that apart from getting the perpetrators of these offences to face justice, we urgently, design programmes aimed at preventing their occurrence. We plan to use Community Policing to identify the root causes, and launch a serious campaign in the homesteads, and neighbourhoods to prevent these crimes'. Significantly, it should be recognized that crime prevention by police, community or other agencies imposes and has its own opportunity costs - the alternatives that would have been realized from the cost of policing. Crime prevention compels police to utilize matching strategies and operational tactics with covert and overt security measures and technology, complicating the fragile economic situation in most countries. Therefore, deterrence to crime commission such as severe penalties could be a right step in the right direction for Africans. This is in line with the opinion of the Nigeria Arewa Northern Forum (ACF) – a highly powerful lobby group in Nigeria- as reported by Ameh Comrade Godwin in September 2014 about the Boko Haram of Nigeria, "persons found to have been involved in such crime (killing of innocent souls) against the State should be brought to book and be seriously prosecuted to serve as deterrent to others", (Daily post, 2014). Similarly, Byachi (2014), writing on strikes in the Ugandan education sub sector, advocated that strikes should be made costly for both students and lecturers, when he stated that, "The number of strikes in our tertiary institutions is on the increase and it is business as usual....Institutions closed

teaching – learning, calendar readjusted, country counts losses, committees set up to investigate with no final deterrent punishment on the people who wrong behaviour caused the strikes”. This encourages would-be or repeating offenders to commit offenses and crimes.

In the case of corruption, for example, forfeiture of stolen property is provided for in the UN Convention against Corruption. The effort should be directed at encouraging countries to ratify it and domesticate the law in their respective countries. A broader context is now being integrated in this formula for crime prevention to define and understand the commission of crime as an integral component involving psyche; desire; circumstances; profile of the criminal; and physical settings. All these coordinate and work to produce monetary pleasure and economic satisfaction irrespective of the legitimacy of the means. This compliments well with the Masamba (2004)’s analysis that several factors must come together for a crime to occur: 1. An individual or group must have the desire or motivation to participate in a banned or prohibited behavior; 2. At least some of the participants must have the skills and tools needed to commit the crime; and, 3. An opportunity must be acted upon.

This implies and implicates that for crime to occur; there are family, primary, secondary, tertiary and situational factors; therefore, such factors must be used in preventing occurrence of crime.

Primary prevention factors address individual and family level factors that are correlated with later criminal participation. Individual level factors such as attachment to school and involvement in pro-social activities decrease the probability of criminal involvement. Family level factors such as consistent parenting skills similarly reduce individual level risk. Risk factors are additive in nature. The greater the numbers of risk factors present the greater the risk of criminal involvement. In addition, there are initiatives which seek to alter rates of crime at the community or aggregate level.

Secondary prevention factors use techniques focusing on risk situations such as the youths who drop out of school or get involved in gangs. It targets social programs and law enforcement at neighbourhoods where crime rates are high. The use of secondary crime prevention in cities and urban settings is bound to achieve large reductions in crime and violence through the integration of the youths themselves and the rest of community members in programmes that are focused on youths at risk (Wikipedia.org/wiki/Crime\_prevention, retrieved, May 20th, 2013).

Tertiary prevention is used after a crime has occurred in order to prevent subsequent similar incidents. Such measures can be seen in the implementation of new security policies following acts of terrorism such as the September 11, 2001 attacks.

Situational crime prevention uses techniques focusing on reducing on the opportunity to commit a crime. Some

of the techniques used include increasing making committing crime the difficult and costly, increasing the risk of crime, and reducing the rewards of crime.

It is important to reiterate here that the Maicibi’s formula is in line with the tertiary and situational crime prevention factors as the preceding discourse holds.

### **Crime in the education sector**

Let us begin this section with a pertinent question: Are there crimes in the education sub sector? Yes; there are several cited criminalities in the education sector ranging from crisis (Ajibade, 2008; Byachi 2014), cultism (Oni, 2009), exam malpractice (KNEC Act 2012), transcript/certificate forgery, award of/change of marks for favours, to outright bribery of lecturers and examination officials (Maicibi, 2005). These criminal behaviours have foiled secondary crises and put a near halt to countries’ quest for development. For instance, the Kenyan Examination Body, KNEC, in 2012 warned; (Sexual violence and forms of harassment against female students in universities are a major obstacle to the advancement of women higher education and their employment equality with their male counterparts”. Further, Oni (2009) stated that; “a lot of people’s (including students’) dreams have been shattered in the nation’s (Nigeria) educational institutions as a result of violent cult activities”.

But, if there is crime in the education sub sector, does it have any impact on the graduates? Yes, it does, on both the concerned graduate and the society at large. Too many examples can be given. If a graduate completed a circle of education with excellent results obtained through criminality such as examination malpractice, forgery, fraud, etc; such a graduate will live with guilt at employment and will constitute a waste, if not direct danger, to the community around them. But, are African graduates employable? Yes, few are while the majority are not. Africans will not be much different from their European counterparts as will be illustrated shortly.

Employability is about the candidates having the requisite competence and competency (Maicibi, 2007). Competency is a work-related personal characteristic/attributes of an applicant or a position holder (Robberts, 1997); while competence is the ability of a person to perform a task in a satisfactorily way (Boyatzis, 1982). Relating the two concepts, competency can enable competence; that is the product of competency and training (Maicibi, 2007).

### **Employability of graduates: What do employers look for? Any research findings?**

Employers, particularly in the private sector, engage people as labour to add value to their investments. In

other words, the salaries paid for service are expected to be generated from the service rendered. Needless to remind that satisfactory service can not be rendered by people who do not possess the requisite skills expected for the positions they occupy. Further, such desired skills are, expectedly, acquired from the educational institutions. Now, the pertinent questions are: 1. Are these desired skills being acquired by our graduates? 2. Can they be acquired from institutions that are experiencing crime and corruption in their practices? Below, are answers to the preceding questions.

There are several cited studies from outside Africa that are very relevant to the issue of employability of graduates. Allow the author to cite such relevant studies from outside Africa to buttress this discussion. A research by Archer and Davidson 2008, on behalf of the Council for Industry and Higher Education (CIHE), UK, says, "Research by the CBI shows that almost a third of employers (30%) have problems with graduates generic employability skills such as team working, communication and problem solving. Employers are also disappointed with graduates attitude to work (25%), self-mismanagement (33%) and business awareness skills (49%)". The pilot report of 2008 on the same study holds that, 'there is the need for action by universities, employers, students, and government to address both the reality and perception of the skills deficit in our graduates' (CIHE, 2008:4). Specifically, on what employers look for in graduates, the research summarised the conclusion thus: "86% of employers consider good communication skills to be important; soft- skills such as team working are also vital even more important than most hard skills".

Similarly, there are other studies on the perception of employers on employability of graduates for European organisations such as the 2010 study by The Gallup Organisation that was commissioned by the EU conducted on the 27 EU Member States in 2010 says, on employers' response as to what skills they look for when recruiting higher education graduates: "Almost all skills and capabilities listed in the survey such as the ability to work in a team or Computer literacy were considered to be important when recruiting higher education graduates," because between 88 and 98% of respondents ranked these skills as very or rather important.

In terms of rating certain skills and capabilities as being 'very important', graduate recruiters highlighted the importance of team working (67%), followed by sector-specific skills, communication skills, computer literacy, being able to adapt to new situations, first-class ability in reading/writing, and analytical and problem-solving skills (all 58-62%).

Graduate employers appeared to be less likely to highlight the importance of foreign language skills: 33% rated these skills as "very important" and 34% as "rather important".

Employers who had recruited higher education

graduates in the past five years were also asked to rate their satisfaction with new graduates in their company in terms of having the skills and capabilities. Their response was: "A large majority of employers appeared to be at least rather satisfied when evaluating the skills and capabilities of the higher education graduates that their company had hired in the past three to five years. The overall satisfaction levels (i.e. the sum of 'very satisfied' and 'rather satisfied' responses) ranged from 38% for decision-making skills to 91% for computer skills. Graduate employers satisfaction with their employees' foreign language capabilities was lower as just two-thirds (67%) said they were satisfied".

A pertinent question was asked the respondents that relate very closely with criminality in the education sector. It was on the importance of institutional reputation when recruiting graduates. It is noteworthy that an institution that is renowned for educational malpractices has a poor reputation. Following is the opinions of the respondents:

"While about one in seven (13%) graduate recruiters said that it was very important for their company to hire graduates from higher education institutions with high international rankings and a good reputation, somewhat more than a quarter (27%) just felt that this was rather important. A majority of respondents, however, disagreed with this proposition: 35% said it was rather unimportant, and 23% said it was not at all important, to recruit graduates from higher education institutions with a good international reputation".

Graduate recruiters with international contacts more frequently said that it was very or *rather important* for their company to hire graduates from higher education institutions with high international rankings and a good reputation (48% of those with "frequent" international contacts vs. 32% with no such contacts).

The proportion of employers who said that it was very or rather important to recruit graduates from higher education institutions with high international rankings and a good reputation ranged from less than a quarter in Germany, Sweden and France (20%-23%) to more than two-thirds in Greece, Turkey and Cyprus (69%-77%). Respondents in the latter countries were also the most likely to say that a qualification from an institution with a good international reputation was very important: 33% in Greece and Turkey and 41% in Cyprus". One does not need a research to conclude that any institution that is notorious known for education criminality cannot and will not be listed among institutions with good reputation.

On responding to the challenges that employers face when recruiting, the following were reported: "A shortage of applicants with the right skills and capabilities, in their country, was most frequently mentioned as one of the greatest challenges in filling graduate vacancies by graduate recruiters with international contacts (54% of those with "frequent" international contacts vs 38% with

no such contacts). A shortage of applicants with the right skills and capabilities, however, was less frequently seen as an obstacle by respondents working in public organizations (38% vs. 49% in the private sector); respondents in such public organizations, however, were more likely than their counterparts to refer to other obstacles listed in the survey, such as limited resources to allow adequate marketing of graduate vacancies (29 vs. 21%).”

Further, the respondents were requested to express their views on what action that higher education institutions should take to improve the employability of graduates can be more employable; they stated: action that higher education institutions should take to improve the employability of their graduates, 36% of graduate employers said that sector-specific work-placements should be included as an integral part of study programmes. Including practical experience in such programmes was selected by 30% of graduate employers and 18% said there would be most benefit if courses were more relevant to employers’ needs.

The above findings, though generalisable to the Europeans, most likely depict very similar situation in Africa based on the fact that our educational systems are copied from the western world, and many of our graduates obtained their higher degrees from the same western world. Nonetheless, it is urged that African scholars should replicate these studies on our continent. The results/findings could be worst premised on the fact that educational criminality, though a global curse, are more pronounced in Africa (Maicibi, 2005). Should this obtain, then our graduates are a source of danger and potential bomb to the survival of our industries. What really would one expect from a doctor who ‘doctored’ his result? The answer is killing rather than reviving the sick. What about an Architect or Engineer who ‘reconstructed’ his marks or certificate? The answer is designing faulty and collapsible buildings. What do we say of a civil servant that ‘uncivilizedly’ graduated? The answer is unruly/unlawful conduct in office. And a teacher who ‘cheated’ to graduate? The answer is cheating instead of teaching the students and inflicting/contracting the disease to all other sectors.

#### **The Maicibi’s formula: $B1 - 4 < C1 - 4$**

Crime prosecuting and prevention authorities are keen to identify, respect and possibly adopt relevant clues which are emerging from across the academia, experts, practitioners and institutions which are intended to add new impetus to their efforts (Kisembo, 2011). Crime prevention is and should be a collaborative effort, drawing the relevant contribution from a variety of players. A clearer understanding of crime will be a function of the law which is going through rapid transition

from a highly rigid instrument to a dynamic tool of social control, changing with the circumstances and experiences of various regions which record crime incidents; and yet to establish the updates required in respect of the law, will largely depend on the amount of assessment carried out on existing systems of prosecution (ICCRCJP, 2011). The approaches of various agencies to crime prevention may vary, depending on the circumstances, causes and environment surrounding the commission of crime, but they all focus on one major principle: the effectiveness based on improved quality of innovations such as new formulae leading to new understandings of phenomena. Analysts believe that crime prevention will continue to be a dynamic subject revolving around a vibrant mechanism for legislation coupled with an integrated system of peoples’ perception and involvement as well as expert guidance in crime prevention frameworks (Masamba, 2007). Indeed, such legislation needs to involve legislation on penalties for committing crimes. Crime prevention strategies will continue to grow in dimension and intensity, consistent with the growing sophistication in emerging trends of crime; new strains of crime calling for new strategies of intervention (UNODC, 2011). As we look around for the prospects of crime prevention, it is expected that we will see many players in networks of agencies that symbolize the delicate balance of expertise and operations and how the relevant crime prevention policies will endure, with long-lasting impact, the challenge of commission of crime in the future. It is indeed the risk as ‘challenge of commission of crime in the future’ as put by Waller (2013:125) that the Maicibi’s formula contribution should interest the reader. The value of expert intervention helps to inform and reform policies relating to crime, in the process undoing prejudices and streamlining justice delivery.

Attainment of socio-economic development is the focus for all global systems of government. However, dysfunction to the realization of this ideal comes through crime which undermines development efforts. Because of the soaring cost of crime prevention, its realization calls for careful planning based largely on the need for innovations to facilitate effective dissemination of knowledge and easy understanding of the sources and causes of criminal behaviors. In these efforts we are going to have a close analysis of one of the contemporary initiatives developed by Maicibi in detailing the pathways for deterring the prevalence of crime. The initiatives agree that governments must go beyond mere law enforcement and criminal justice to tackle the risk factors that cause crime because it is more cost effective and leads to greater social benefits than the standard ways of responding to crime. When these issues of risk factors in commission of crime are addressed, it would mean that crime prevention will be a mass movement, rooted into the population and will take ‘less law, more order’ in specific measures to reduce crime.

### Maicibi generic formula for fighting Crime B1- -4 < C1 - 4

In:

B1 = mb

B2 = pb

B3 = sb

B4 = ec

And

C1 = mt

C2 = fa

C3 = pc

C4 = lo

Where:

B => Benefits

Mb - Monetary & economic benefits to the criminal

Pb – Psychological & physiological benefits to the criminal

Sb- Sociological benefits to the criminal

Ec- Ease & level of success in committing the crime

C => Costs

Mt –Monetary & time to commit the crime

Fa – Fear & probability of being apprehended & arrested

Pc – Probability of conviction & its harshness

Lo – Lost opportunities & stigmatization

Key: B Vs C

$B > C$ : Mb+Pb+Sb+ Ec > Mt+Fa+Pc+Lo means that benefits outweigh the costs.

$B < C$ : Mb+Pb+Sb+Ec < Mt+Fa+Pc+Lo means that costs outweigh the benefits

$B > C$  has a slim chance of deterring crime to commit crime

$B < C$  has a high chance of deterring crime to commit crime

**Target and strategy should be to increase the Cs and decrease the Bs**

### Analysis of the formula

Permit the author to begin the analysis of this formula with a conceptualisation: Any act or omission, for which punishment is provided by law, constitutes an offence. Ignorance of the law does not afford any excuse for any act or omission which would otherwise constitute an offence unless knowledge of the law by the offender is expressly declared to be an element of the offence (Uganda Penal Code Act). Such offence attracts sanctions. Agencies for crime prevention have used several strategies ranging from harsh punitive sanctions to persuasive, conciliatory and fraternising perspectives

in this regard. The Maicibi's formula tilts towards appropriate deterrent penalties for people who are found on the wrong side of the law; and thus calls on the relevant authorities to regularly review laws along with their sanctions. It is the belief of the formula that lenient penalties breed repeat of crime leading to more crime translating to recidivism

The formula addresses the questions of how and why criminals acquire criminal behaviour; what motivates them to commit crime; and to serve as an asset in helping to combat criminality. Human rights issues notwithstanding, the formula advocates for balance between rights and justice as postulated by Easton and Piper, "...criminals should be treated with humanity and justice, yet with strictness by striking a balance between security, control and justice," (Easton and Piper, 2005:297). It is not only Maicibi that calls the attention of the world to decisively act on perpetrators of crimes irrespective of but also for human rights. For instance, please recall the views of Byachi (2014) earlier cited on the need to severely punish people whose behaviour causes incessant strikes in the Ugandan education sub sector. Further, Robert (2014) lamented,

*"The world has plunged into a period of brutality with impunity for the perpetrators of violence. Syria is suffering untold civilian casualties as a divided UN Security Council sits on the sidelines. Gaza was pummelled to dust yet again with the world watching on. Iraq is in flames with no end in sight. Atrocities are mounting in South Sudan and Central African Republic, which are also being swept by sexual violence...Even after the establishment of the ICC, shockingly, little is being done to stop these abuses and the prospects of the victims ever getting justice, let alone bringing the perpetrators to account, seems more remote".*

In a related call for decisive enforcement of penal laws on criminals, Mr Ndiaye, the World Bank manager for Uganda in 2014, in reference to corruption, said:

*"...corruption is widespread in Uganda, and remain major constraint to economic development...The Government has demonstrated its willingness to address the challenge, but the full implementation of the anti-corruption laws and accountability remains a challenge... The efforts in the fight has focus mainly in detection... there is more work needed on actions such as recovery of the misappropriated assets...Uganda requires the implementation of measures that will deny the culprits the proceeds of their crimes".*

It is the wake-up call to bring perpetrators to justice to serve as deterrent that Maicibi and like-minded colleagues are calling upon the world to act before crime consumes humanity.

The formula uses a theoretical approach to shed some light on how criminal behaviour is acquired, focusing mainly on the realities of cost-benefit analysis. It reveals that there are economic, sociological and physiological benefits in crime; and at the same time there are costs in monetary terms and risks of committing crime. By this, long term security plans have to be realised for development to be realised. The benefits referred to in the formula include financial accumulations and acquisition of property; psychological satisfaction derived from these acquisitions, including the feeling of conquest by the criminal on successfully accomplishing of illicit programmes; sociological benefits refers to the 'status' given to the criminal by the community regardless of the means by which s/he acquired the wealth. As expected, there is a cost to this realisation. This cost is expected to be a variable factor depending on the dimension of crime.

The deterrence factor should be to make the costs/risks very frightening and higher than the benefits, thus:  $B < C$ . In the education sector, the costs for crime should be seen to be greater than the benefits derivable from such acts; in other words, for example, when a lecturer is caught engaging in 'Sexually Transmitted Marks' (sex-for-marks), he or she must be rusticated. In recent time, it appears that countries are towing this line; for instance in Kenya, the Chief Executive Officer of the national examination body roared; "we will enforce the KNEC Act 2012 recently signed into law by the President...that imposes a ten-year jail term fine for exam cheats including students, parents and fraudsters who con students"-Sex attacks fuels students drop outs;- retrieved August, 2014.

Maicibi's formula decries impunity and denies criminals any prospect of safe haven, prevents the glorification of illicit activities and enjoyment of proceeds of crime, and thus stresses that those who commit crimes on a large or systematic scale should be held accountable and face the full wrath of the laws.

In African countries legislators back proposed enhanced legislation to have the properties of officials guilty of corruption confiscated (Daily Monitor 12/04/13). Legislation, surveillance, international cooperation and collaboration as well as criminal justice administration will have to be improved to focus on the realisation of the policy. A code of good practice based on a framework of knowledge backed up with constant updates and relevant expertise to reveal crime causes and consequences will help to disrupt and weaken those causes and thereby deny criminals sanctuary.

As a generic tool, the formula has the advantage of multi-functionalism, applying to a multiplicity of situations to realise the destined goal of crime prevention and control. For example, the constituent factors of the formula implicitly define the path of sanity and instil discipline into the manner of getting work done according to ethical conduct. In organisations, communities and

departments, there is a mechanism to regulate conduct of behaviour with emphasis on the universal need for total compliance. Criminal justice systems are seeking means to streamline their operations to resolve controversies currently hampering the effective administration of justice and attend to the backlog of cases. Most forms of crimes have significantly evaded prosecution responses; and as such, they have grown in impact basically because of the severe handicap of missing out on quantitative and qualitative information on not only the nature but the causes of criminality (Masamba, 2004). But here is a formula that undertakes to avoid proliferation of crime through emphasising on the need to increase the costs of crime by sensitising the public to the problem of crime. This is the centrepiece for global coalitions against crime. There is now a clear case for world-wide condemnation of illicit proceeds. Denying the perpetrators of crime enjoyment of economic benefits would substantially outweigh the temptation to commit crime.

Over the years a considerable body of United Nations Standards and Norms related to crime prevention and criminal justice has emerged, covering a wide variety of issues such as juvenile justice, the treatment of offenders, international cooperation, good governance, victim protection and violence against women (Jones, 1998). Sentencing guidelines as well as other related penal reforms have been proposed in the overall developments expected to cause a more meaningful and responsive behaviour from the community, professionals and agencies.

These standards and norms are a chance for harnessing a global vision of how criminal justice system, especially prosecution, should be structured to significantly promote more effective and fair criminal justice structures in three dimensions. Firstly, they can be utilized at national level by fostering in-depth assessments leading to the adoption of necessary criminal justice reforms; secondly, they can help countries to develop sub-regional and regional strategies; and thirdly, globally and internationally, the standards and norms represent "best practices" which can be adopted by States to meet national needs (UNODC, 2011). In this regard, the formula works to reinforce the internationally recognised framework for effective crime prevention consistent with the Compendium of United Nations Standards and Norms in crime prevention and criminal justice. It is crucial therefore that it should be internalised by the relevant crime prevention agencies to give weight to prospects of effective prevention against crime in all its forms.

Related to this global cooperation, the International Criminal Court (ICC) is largely seen as a working arrangement to call to order and end impunity caused by crime in all countries. The fear of possible prosecution is growing with interesting realisations. The former international prosecutor at ICC, Mr L. Ocampo is said to have expressed satisfaction that out of the court's protracted

fight against impunity, several countries were conducting their businesses better than before and following the rule of law to keep the level of victimisation and vulnerability to under check. Despite the existing challenges, such as policing by the court, efforts are being made to hasten delivery of criminal justice at the highest level (BBC, April 2013).

It needs to be stressed here again that the formula under analysis is a whistle-blower requiring the alertness level of all criminal justice agencies to the requirement to, through stiff prosecution, make commission of crime a risky enterprise, with known consequences in terms of sanctions and the fear of being held responsible for wrong-doing. It is a tool of contemporary practice, transcending theory and rhetoric largely stripped of practical. At a glance, Maicibi envisaged a relatively new dispensation where criminal justice is an interplay of various attributes destined to uphold the values of integrity and orderliness at a time of economic crisis which impact on other aspects of life. The relevance of constitutional obligations incumbent on nations to create systems of government which have checks and balances to oversee any excesses and prospects of abuse of power are now getting well entrenched in activities in most countries (Bayley, 1996).

The formula provides a useful revelation of the ingredients found in causative factors in most situations and it brings a unique and formal lease of faith in expert analysis to explain and guide crime prevention action. The formula also helps to demystify the monopoly of crime prevention by formal systems alone, disregarding the integrated approach at a time of awakened collaboration by a whole range of players. A monumental task in realising this goal will be the attainment of relevant skills and formulae to meet general and specific interventions, with particular focus on defusing the mindset of people to the effect that crime prevention is the preserve of only police, judiciary and corrections; but that academics can assist the judiciary to achieve this task.

The significance of the formula is that it provides an insight into prospects to improve and strengthen collaboration at a time when new trends of crime are threatening the integrity and sovereignty of nations, escalating costs of prevention and slumping peoples' confidence in available criminal justice systems. The formula will lift the mood of the relevant agencies, and with increased sensitisation, might even have a positive impact on global economies, peace and stability.

On the evidence of increasing sophistication in the commission of crime and the global concern to check the proliferation of crime, authorities especially in Africa are in the search for a strategy that will enable the continent to win the confidence of the people in judiciary so that the population does not just see justice but see that justice is being done on offenders.

### **Critique of the formula**

The critiques cited below are not publications per se; they were submitted by colleagues and friends of the author and directly to the author, but the author finds them relevant to include here in order not to confuse the reader assume that the formula is foolproof.

### **The formula and unemployment**

Does this formula calling for review of laws to update stiff penalties for offenders aware that many crimes are committed by unemployed persons? What is there in this formula that can increase employment of the youths? ( Salisu, in 2012).

### **What is the long-term impact of the formula?**

It is expected that there will be general consensus on definitions and perceptions of criminal behavior. When this is established the formula provides a universal standard of application. But some crimes are embedded in value systems which makes it exceedingly impractical to use a uniform benchmark for pursuit of such crimes. For instance, controversy hangs on issues of same sex interactions. In some regions, it is taboo and is highly criminalized to practice same sex relations while in others it a human right. In this case, the formula will be strained to apply universally due to differences in values in various regions. It would add to the efficacy of the formula if perceptions were to be aligned to generate social confidence. This would encourage new programs which would facilitate proactive interventions involving vulnerable groups such as the youth, women and children (Ssamula, in 2011).

### **Is the formula sensitive and applicable to education sector?**

The formula may not be applicable to all but to most situations, particularly where there is consensus. It cuts across the divide of education standards, race, status and geographical location. In the first instance this formula has a portent force to reduce criminality in education....What is crucial is to increase the level of awareness and to make the people realize the benefits of a crime-free society, as their major achievement fulfilled through the exercise of their civil responsibilities - a central objective of the rule of law and a legacy of good governance (Mwaita, in 2009). However, the law making can be hugely controversial. The process of enacting laws therefore should be democratic, transparent and widely acceptable. Complaints about the popularity of



views leading to legislation may translate into unattainable standards which may have a detrimental effect.

1. How does the formula relate with the underlying assumptions of crime prevention?

Crime prevention is based on the underlying presumption that every action taken will significantly raise the deterrent effect. It is expected that the severity of action taken will 'send a message' and people (potential criminals) are meant to learn from the lessons. The ultimate goal in all the undertakings is aimed at total eradication of crime in society. Obviously this may appear idealistic, since crime is said to be part of society and its life style. Reports indicate that crime is primarily the outcome of multiple adverse social, economic, cultural and family conditions ([http://www.preventingcrime.net/library/Causes\\_of\\_Crime.pdf](http://www.preventingcrime.net/library/Causes_of_Crime.pdf); [rootcausescrime.blogspot.com](http://rootcausescrime.blogspot.com)). There has been significant work attributed to the traditional mechanisms of preventing deviance and instilling cultural values relevant to the promotion of civility and harmony in traditional settings and local communities consistent with morals. By these traditions, approved acts of submission and compliance are rewarded with positive sanctions while violations of traditional norms are severely met with specific disapproval, with a view to discouraging continued violation of approved behaviour. The positive sanctions include self gratification and self fulfilment of individuals by which members of an educational system appraise themselves to be clear of any wrongdoing and operate at full capacity, legible for participation in all communal activities without fear of being restrained by sanctions, admonition and/or public ridicule. Conscious of their 'purity' in society, they are regarded highly by the rest of the members and assume responsibilities which they would not alternatively be privy to. By this act, they endeavour to keep and sustain their personal reputation and influence others. While it benefits them as individuals, in the final analysis, it is the system which gains from the impact of risk reduction and insulation from vulnerability to crime.

The fear of crime by the population coupled with the fear of victimisation by individuals propels the systems of enforcing sanctions in relevant population. Effective measures for crime prevention require inherent safeguards by the members of communities often perpetrated through oral guidelines, folklore, songs, drama, stories and rituals. In terms of religion faith inspires many believers to make self evaluation and self-regulated activities for fear of the consequences of sin (crime, deviance). According to Biblical teachings, the wages of sin is death, but God's free gift is eternal life (Rom 6:23). Religion and faith are seen as a major factor in protecting society from crime and any sort of wrong-doing. It would be a highly volatile situation if the world were not calmed

by the values of religion. For this reason, religious institutions are principal actors in crime prevention efforts. It is only after then that the man-made laws and formulae such that of Maicibi, can apply next. It seems it is in line with this principle, the UNODC has an international initiative to seize proceeds of corruption which may be banked offshore, making it highly unlikely that ill-gotten wealth should inspire further criminal activity. For this objective, UNODC works to establish partnerships with various agencies and governments, including the World Bank Group under the joint Stolen Assets Recovery (StAR) Initiative. The StAR initiative focuses on lowering the barriers to asset recovery; building national capacity for asset recovery; and providing preparatory assistance in the recovery of assets. In this way, property and financial crime is severely stemmed from affording the perpetrators the anticipated benefit of enjoying the proceeds of crime, as emphasised in Maicibi's formula (Ssesenga, in 2012).

Is the formula mindful of lucrative crimes including those in education?

The question is whether educational, corruption and economic crimes are actually being catered for by the formula. According to the formula, when sufficient effort is put in making commission of crime a risky and costly act, there will be significant success in curbing crime. Does this provide a satisfactory answer to all types of crime? Could there be exceptions to the formula? There are crimes such as human trafficking and drug smuggling which are known for their unique influences on the victims and law enforcement authorities. In the case of human trafficking, a UNAFRI study in 2007 found that the victims were often seen to be conniving with the traffickers to evade detection and prosecution. The circumstances of the victims made them ready accomplices whose perception of the crime of human trafficking was reversed – with the traffickers assuming a life-saving role while the law enforcers were the aggressors to be avoided. Some crimes such as human trafficking, drug trafficking, piracy and cyber frauds are so well planned and executed that risks are minimised and gains highlighted. In essence, although the risks are well-known, they are sidelined by the criminals as collateral issues. In certain cases, commission of crime (serial killers, sorcerers, ritualists) is a way of life to the criminals who seem to be immune to the interventions given in the formula. In such cases, the success of every criminal execution brings emboldened reaction. In the December 2012 attacks on churches in Nigeria, it did not matter what the response of law enforcement agencies was. Without any fear, the perpetrators declared themselves as the aggressors despite obvious government pursuit and global outpouring of support. Psychoanalysts consider that other crimes such as suicide bombings, aggravated rape/defilement, serial killing and terrorism are crimes committed by

psychopaths and personality disorders are known to be a major factor in their commission. In some cases, such as the jihads/faith-based and politically motivated crimes the cause of commission of crime can be so glorified that no amount of law enforcement will have a significant impact on the crime. The Boston bombings in Watertown, Massachusetts, on April 19, 2013 are examples of insensitivity to prosecution by the law enforcement agencies. The criminals were 'daredevils' despite the resolve of the authorities to mount a manhunt and lockdown of much of the Boston area. The charges could carry the death penalty if convicted (<http://news.yahoo.com/boston.bombing.suspect>, retrieved -16 May 2013 at 17.21).

### What is the author's critique on the formula?

Indeed, as rightly observed by critics to this formula, not all crimes can be handled using just this formula; yet the verse majority of crimes can be significantly reduced when this formula is applied. Consequently, this author holds strongly on the applicability and aptness of this potent formula; yet he has the following personal reservations as critique to his formula.

In some cases, ethnicity (tribalism/nationalism) has been cited as a factor in corruption, riots and xenophobia. Cases involving domestic violence and sex-related crimes have stunning revelations. It is usual for victims to grant their aggressive offenders unqualified amnesty and by this to withdraw charges from possible litigation. This is mainly after considerations for sustaining life in a relationship have been emphasised.

There are criminal cases in the education sector such as defilement, rape, sexual coercion and or forgery that the educational institutions mistakenly 'handle' ignorant that such criminal cases are outside of their jurisdiction. The cases are supposed to be handled by the appropriate organ of the State such as the police force. This be the case, how apt is this formula? If the institution handles, the aptness of the formula will be compromised, but the formula is apt when the appropriate State organ handles the crimes.

A serious impediment to the success of any anti-crime strategy is a corrupt judiciary. An ethically compromised judiciary means that the legal and institutional mechanism designed to curb crime, however well-targeted, efficient or honest, remains crippled (Alam, 1989). Unfortunately, evidence is steadily and increasingly surfacing of widespread corruption in the courts in many parts of the world. Consequently, in as much Maicibi's formula is portent, corrupt judiciary must be worked on for the successful implementation of the serious penalties for criminal behaviours. To confront the problem of judiciary corruption, the UN is taking a variety of approaches such as examining crimes of various dimensions and seeking

to identify means of addressing them, in higher and lower levels of court systems (Bamidele, 2009).

### Conclusion

Educational administration literature for and on Africa is littered with cited cases of criminality in almost all facets of educational activities from employment of the employees, the admission of students, through teaching/learning, examination processes to certification (Kola, 1998; Abdu, 2003; Bulus, 2003; Ssesenga, 2004; Maicibi, 2004, 2005; Adesoji 2006; Ajibade, 2008; Maicibi, 2012). This enemy of progress must be fought and be defeated if the economy of African countries is to witness any meaningful growth. The following pertinent questions and answers form the conclusion to this article: a) Are graduates from African higher institutions of learning employable? Yes and no. A few are; while the majority are not; possibly that is the reason that they are not employed because they are experiencing a dearth of the requisite competency and competence in terms of skills and capabilities required for performance of successful tasks. The deficiencies are most likely the results of poor curriculum as well as of criminal behaviours including unlawful strikes in institutions of higher learning. b) Can the graduates be employable? Yes; when the Maicibi's formula is applied and criminal behaviours are minimised in the institutions so that the right students are admitted; the right lectures are hired, the right teaching and examination are done; and the right and genuine certification done. Let us conclude that criminality in institutions are not an exclusive preserve of Africans; they are found in virtually a universal curse; thus the effort should be global in approach.

### RECOMMENDATIONS

Based on the preceding discourse, the following recommendations are made, and African countries, are strongly urged to adopt and adhere to them:

1. The Maicibi's formula is not reinventing the wheel (penalty for crime) but a clarion call as a reminder that the wheel (penalty for crime) is being forgotten and should be put to good use for the common good of the society, - please refer to the cited, above, Robert's (2014) and Ndiaye's (2014) views on this for more details; indeed, no day passes without such like-minded individuals crying out to the appropriate authorities to act while we still have life. Consequently the formula deserves its due attention; it should be acknowledged, accepted and utilised. This can be done through continuous review of Penal court laws to ensure that sanctions/penalties are commensurate with and serve as

strong deterrent to the offence committed. In the education sector, when this is applied, it has a high potency of ensuring that mainly are the right lecturers employed, the right students admitted, the right teaching/ learning undertaken, the right examination conducted, and the right, genuine and reliable transcripts/certificates that truly represent the quantity and quality of the knowledge possessed by the holders, are issued to graduates. This is achievable when policies are professionally made and judiciously applied.

2. Employers need to be involved in universities' activities and decisions including course units to be taught, the design of the curriculum, and that the sector-specific work placement should be an integral part of study programs. This is achievable when there are frequent cooperative activities between employers (users) of labour and the universities (creators) of labour. Workable and feasible fora to enable and guarantee this to happen should be created.

3. It is the recommendation of and an offer from this author that the two cited studies in Europe should, as a matter of priority, be replicated in Africa. How to do it, this author is very willing to offer the leadership.

### Conflict of Interests

The author has not declared any conflict of interests.

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