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CONTENTS

SOCIOLOGY AND SOCIAL WORK REVIEW

SSWR Volume 5 ∗ Number 1 ∗ 2021

LINKING LEADERSHIP AND PSYCHOPATHY: LOOKING FOR EVIDENCE IN TERTIARY INSTITUTIONS **6**
Ayotunde Adebayo

INEQUALITY, ECONOMIC DEVELOPMENT AND SOCIAL PROGRESS **21**
Salvatore Puglisi

THE ROLE OF THE EUROPEAN UNION IN A NON-RECOGNIZED CONTEXT. THE CASE OF SOMALILAND (1991-2018) **39**
César García Andrés, Pablo Arconada-Ledesma

ILLICIT DRUG USE AND CRIME **53**
Elena Manea

TREND ANALYSIS OF FEE-FREE POLICY ON QUALITY OF UNIVERSAL BASIC EDUCATION IN SOUTH WEST, NIGERIA **62**
Muhammed Lanre Akinloye, Anthonia Ayobami Oyelade, Sunday O. Adegbesan

BOOK REVIEW
CRISTINA ILIE, O ANALIZĂ SOCIO-ISTORICĂ A SISTEMULUI DE DETENȚIE DIN ROMÂNIA: ÎNTRE PREVENȚIE, PEDEPSIRE ȘI REINTEGRARE SOCIALĂ [A SOCIO-HISTORICAL ANALYSIS OF THE DETENTION SYSTEM IN ROMANIA: BETWEEN PREVENTION, PUNISHMENT AND SOCIAL REINTEGRATION], BUCHAREST, EDITURA PRO UNIVERSITARIA, 2015, ISBN: 978-606-26-0431-8 **71**
Andreea Mihaela Niță

INSTRUCTIONS FOR AUTHORS **73**

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- Google Scholar
- HEINONLINE
- INDEX COPERNICUS
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Linking leadership and psychopathy: Looking for evidence in tertiary institutions

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Abstract
The paper examined the established view of leadership styles with the emerging profile of psychopathic leaders by looking for pieces of evidence in the tertiary institutions. A modicum review of the literature demonstrated the shape of psychopathic leadership traits for future research within the context of the study. The implications and accurate and deep understanding drawn from this limited literature revealed the plausibility of psychopathic leadership traits within the context of tertiary institutions.

Keywords*: Leadership, psychopathy, tertiary institutions, models*

1. Introduction

The concept of leadership has emerged as one of the most researched aspects of organisational behaviour. The ever-growing interests in the field of governance have led to the conduction of various studies that aim to understand the impacts of leadership on the behaviour of subordinates, and the achievement of performance within the organisation. The interests of the concept of leadership have extended to tertiary institutions around the world. The drivers of such concerns are the influence of institutions in the development of students who eventually become leaders within the economic system and the constant changes in the sphere of institutional leadership itself – especially in light of the challenges facing the educational sector.

In recent times, several circumstantial shifts have emerged within the educational sector, particularly the advent of globalisation, the commercialisation of higher institutions, cuts in government funding and increased academic movement across borders. Over the years, researchers have queried the approach to leadership encountered in higher institutions due to the need to increase student enrolment whilst enhancing the overall teaching-learning experience within the institution. This situation has changed the expectations of universities such that they now adopt a student-focused approach which somewhat negates the traditional inward approach once taken in institutions globally (Scott 2011). These changes have also triggered a shift in most tertiary institutions from administration to the infusion of management in its organisational culture (Brown 2001, Black 2015)

There is a need for leaders in tertiary institutions to examine how to lead their organisations better and determine best management approaches that align with the context of higher education. The primary role of leaders is to ensure the achievement of goals through the harmonised efforts of subordinates – and so, one can assume that the adoption of productive leadership styles would positively influence the performance of teachers within higher institutions. As described by Chestnut (2017), the concept of leadership reflects the extent to which an organisation can attain success – only due to the influence leaders possess on the behaviour of subordinates. Therefore, leadership maintains a direct impact on the overall effectiveness of an institutions performance. According to Bevoc (2016), the demand for real leadership increases in alignment with the nature and growth of an organisation – and as such, multiplying the performance expectation of subordinates.

The leadership process in organisations works such that the leader influences subordinates and seeks their participation in the achievement of goals. This influential process is witnessed in

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higher institutions as leaders treat these institutions as organisations where leaders seek participation from teachers to achieve a common goal. Leadership is, therefore seen as a skill that can provide high levels of returns if adopted correctly within the context of a learning institution. There is a positive relationship between the styles of leadership adopted in organisations and the performance of their subordinates. Within the higher education context, effective leadership would refer to the extent with which an institution's leader progressively guides staff towards the achievement of objectives (Black 2015). Leadership, therefore, is an influential force that seeks to manage the affairs of people in a bid to support performance achievements.

In a bid to effectively examine the significance of leadership concepts within tertiary institutions, it is imperative to investigate the contemporary theory of leadership and make comparisons with the existing model of leadership in tertiary institutions. This paper would attempt to link the concept of leadership with psychopathy – with the aim of understanding if psychopathic leaders exist within tertiary institutions and if such leaders are equipped to drive the achievement of success within the context of higher education.

2. The Concept of Leadership

The concept of leadership has taken new forms towards the management of people within institutions. As Brown (2001) explained, leaders should possess the ability to understand the needs of subordinates and implement the right management style to address the demands of situations. Organisations implement various models of leadership to resolve different situations whilst guiding the behaviour of people. Leaders implement some of these styles solely to direct people, enhance decision making and empower people within the institution. Chestnut (2017) believes that several organisations do not perform optimally due to ineffective direction and the lack of proper implementation of management styles that suit different situations within an organisation.

Several studies have been carried out in the past to understand the importance of leadership and how it influences the achievement of performance through people. Most of these studies reveal that there are three predominant leadership styles adopted within organisations – which include autocratic, democratic and lassiez-faire (Drugus&Landoy, Olson 2014, Schein & Schein 2018). Most of these studies showed that there was inadequate research work done on the effect of the democratic style of leadership on the performance achievement of subordinates. Although, there was a consensus that this management approach was critical to the overall sustainability of the leadership practices in an organisation. As a whole, the history of leadership dates back to many centuries ago – and as time progressed, leaders viewed individuals as a human resource as opposed to machines, and as such, requiring the need to implement leadership approaches to influence the behaviour of people towards the achievement of goals.

The area of leadership has evolved such that researchers have done extensive work to determine its degree of influence on the behavioural traits of people within an organisation (Landay, Harms & Crede 2019 (a)). Extensive research has also been conducted don leadership due to the complexities of business sectors and the need to improve the productivity of people in light of people management challenges and finding ways to address them. Researchers have worked on different management styles leaders adopt to manage the effectiveness of knowledge workers in different situations (Gordon 2017). Majority of these studies done was to identify the traits of leaders with the distinct beliefs that some people are born leaders naturally, whilst some would have to be taught to become successful leaders. The leadership traits approach revealed a notion of leadership in the face of varied functions that must be adopted to achieve goals. A foremost implication of this method is the shift from leadership traits concept to the leadership behaviour concept (Bevoc 2016).

In line with the view of Bevoc (2016), Maxwell (2019) opines that there are direct relationships that exist between a leaders' behaviour and the complaints of subordinates, which in itself can increase the turnover of people within an organisation. As Basit, Sebastian and Hassan (2017) explain, the human element in the concept of leadership holds two assumptions which include theory X and theory Y. Schein and Schein (2018) describes theory X as an assumption where average employees do not like to work by nature – thereby tending to avoid accountability within the workplace, This situation would require the supervision control of leaders in a bid to achieve desired goals within the institution. In the case of theory Y, Sandling (2015) explains this concept as an assumption that people are happy by nature, consequently requiring minimum supervision from

managers to achieve goals within the workplace. From these assumptions, one can infer that the theory X is somewhat undesirable due to the need for leaders to adopt control tactics to ensure the achievement of goals. However, in the case of theory Y, one can infer that these assumptions are affirmative with an emphasis on self-motivation, self-direction and self-regulation.

House (1996) explains the concept of leadership about a leader's role and responsibilities through the path-goal theory. This theory holds that leaders rely on the level of motivation and satisfaction of subordinates to perform within the workplace. This theory was subject to query, and the authors (Schein and Schein, 2018) later revised it and argued that leaders demonstrate behaviours that seek to balance the aptitudes of subordinates whilst compensating for any weaknesses they may have. This model is generally accepted because most successful leaders are those who help assistants in achieving both individual and organisational goals. Such goals include money, career growth, and the successful engagement of employees in challenging projects (Grieser 2017). Gordon (2017) further dissected the path-goal theory by identifying two dependent variables that help in demonstrating the appropriate leadership styles to adopt within a workplace. These variables include the individualities of employees and the pressures and difficulties of the workplace that affect employees.

Leaders are, therefore seen to be effective by clearly defining the roles and tasks of subordinates within the workplace (Drugus&Landoy2014). This view is supported by Basit, Sebastian and Hassan, (2017) who believe that leaders must address workplace challenges and eliminate all obstacles that impede the performance of people within the workplace. They further suggest that leaders should create opportunities for growth in a bid to enhance the level of motivation of people in an attempt to improve performance. Chestnut (2017) advocates the need for leaders to solicit the participation of subordinates in goal formation, task engagement and decision-making – as this helps create a sense of belonging and value, which in turn motivates people to work hard and perform within the workplace. As explained by Landay, Harms and Crede (2019 (a)), real leaders are those who reward people for good work performed within the workplace. They further advocate the need for leaders to define the expectation for rewards within the workplace clearly. This clarification is imperative so that people can understand what to do in a bid to achieve set targets in alignment with such compensation within the organisation. Finally, credible leaders must carry out activities that are in line with the expectations of subordinates within the workplace. This action is key towards reducing employee grievance and increasing motivation needed to achieve goals.

Various elements affect the ability of leaders to succeed in an organisation. Sandling (2015) outlined three of these factors to be critical, and these include leaders providing competitive services, leaders providing supervision to people and leaders, eliminating causes of fear within the workplace. Schein and Schein (2018) support this view and suggest that leaders would be highly effective if they appropriately integrate these three factors. The concept of leadership is significant to the effectiveness of people within the workplace. So, Maxwell (2019) believes that the values of leadership only would demonstrate a leader-follower relationship. Linking this view in the context of tertiary institutions, one can infer that there must be a leader and a follower before the idea of leadership commences. All faculty and non-faculty staff must be willing to subject themselves to the followership of leaders in tertiary institutions as this is the only way that the behaviour of leaders can influence them to achieve the goals within the institution.

3. The Concept of Psychopathy

Since the seminal work of Babiak and Hare (2006) titled "*Snakes in Suits: When Psychopaths go to Work*", a profound interest of the application of the insights in the non-forensic context has gained impetus. Within the context of work, a successful psychopath is a person exhibits a sub-clinical feature of psychopathy, who has avoided the long arms of the law or have known mental health issues; and he or she engages in manipulative and antisocial behaviour (Stevens et al. 2012). Neumann & Hare (2008) asserted that successful psychopaths have tendencies towards increased alcohol consumption and violence while Boddy (2011) added bullying; Williams, Paulhus and Hare (2007) Capturing the four-factor structure of psychopathy in college students via self-report, Journal of Personality Assessment 88(2):205-219 noted substance use, anti-authority attitudes, minor law violations Boddy et al. (2010) found evidence of fraud and irresponsible leadership.

According to Andrews and Furniss (2009), clinical psychopathic disorder relates to the personality features involving superficial charisma and charm, lack of empathy and attachment to others, violation of social norms, and manipulation.

Mullins-Sweatt et al. (2010) have noted that the Cleckley's (1941) book titled *The Mask of Sanity* has aptly defined the clinical construct for diagnosis of mental disorders.

There is a well-established method for identifying individuals with psychopathic personality; the Psychopathy Checklist-Revised (PCL-R) (Hare 1996). Hare (1996) refined Cleckley's (1941) original clinical observations and put together the psychopathy checklist and its subsequent updates and revision. The PCL-R attempts to measure two interrelated elements: (1) affective and interpersonal traits: superficial charm, empathy and responsibility, deceitfulness and a sense of egoism, and (2) behavioural: impulsivity, antisocial or deviant behaviour, and erratic lifestyle. The academic debate currently focuses on whether psychopathy is a two, three or four-factor model, with proponents of the four-factor model promoting interpersonal, affective, lifestyle, and antisocial classifications (see Table 1 below).

Table 1: Domains and Traits of the Psychopath

Interpersonal Domain	**Affective Domain**	**Lifestyle Domain**	**Antisocial Domain**
Superficial	Lacks remorse	Is impulsive	Poor behavioural controls
Grandiose	Lacks empathy	Lacks goals	Adolescent antisocial behaviour
Deceitful	Does not accept responsibility	Is irresponsible	Adult antisocial behaviour

Some psychopathic profile traits in senior employees can derail tertiary institutions even though the leaders have been carefully selected and may consider having potentials (Furnham 2010). The traits are called dark because of their negative associations – research has shown one or more of these traits invariably link with counter-productive behaviour, and those sociopathic profiles which manifest them go off course (Furnham, Richards &Paulhus 2013). Some vocations or vocations are more likely than others to attract psychopathic traits (Dutton 2012).

According to Mintzberg, a professional institution is also very bureaucratic. The critical difference between this and machine institutions is that professional institutions rely on highly trained leaders who demand control of their work. So, while there is a high degree of specialisation, decision making is decentralised. This structure is typical when the institution contains a large number of knowledge workers, and it is why this is common in places like schools and universities, and accounting and law firms. Several abilities – skills make it challenging to see psychopaths or those that reveal psychopathic behaviour for who they are. The psychopaths have a knack for scanning people. They identify a person's likes, dislikes and vulnerabilities. They are usually masters of notion management with excellent communication skills.

The professional institution is complex, and there are lots of rules and procedures. The rules allow it to enjoy the efficiency benefits of a machine structure, even though the highly trained leaders who have self-directing freedom and considerable power generate output. The clear disadvantage with the professional configuration is the lack of control that senior executives can exercise because authority and power spread down through the organogram, and this can make these institutions hard to change.

The hallmarks of the psychopathic profile involve egocentric, grandiose behaviour, completely lacking sensitivity to the feelings of others and conscience. Psychopaths in the academic settings may be charming, charismatic and adept at manipulating one-on-one interactions. In a corporation, one's capacity to advance is determined in no small measure by a person's size to impress his or her direct manager, favourably. Unfortunately, sure of these psychopathic qualities – in particular charisma, charm, grandiosity (which can be mistaken for vision or confidence) and the capacity to perform very well in one-on-one settings – are also characteristics that can help one get

ahead in the world. Arguably, psychopaths in universities show traits of dominance and self-promotion, impetuosity, and playing what is known as the office.

4. Managers and Leaders – A Tertiary Institution Context

Various definitions seek to establish the connection between a leader and a manager. *Management* is a process where an individual inspires team members towards the achievement of gaols (Olson 2014). This definition does not demonstrate the process a manager goes through in influencing team members – for instance, a situation where managers adopt compulsive situational methods to ensure the achievement of goals within the organisation. The adoption of such practices somewhat extends beyond the traits of leaders. According to Kouzes and Posner (2017), management is the process of creating a vision for people and having the ability to convert this vision to sustained reality. This term '*vision*' provides some level of optimism, where collaboration is needed to transform such dreams into reality.

The definitions of management described above suggest that we view the concept of leadership as a one-way process that involves subordinates being responsive to the leaders' actions, and as such, streamlining the work process in an organisation. Management and leadership can be distinguished instead of the notion that leadership possesses two generally accepted meanings. Firstly, *leadership* is a process where goals are achieved through positive influences that do not involve coercion (Mintzberg 2019). Secondly, leadership entails the demonstration of ideas and behaviour that would inspire others within the organisation (Roberts, 2015).

The department papers within the higher education context viewed leadership as a process where a person sets targets for a group of people, and through skill and influence, governs them to work together towards the achievement of a planned mission (Black 2015). Scott (2011) views leadership as a management position that monitors the activities of people – with the leadership behaviour manifesting as leaders influence people to achieve goals. The traits of leaders are often demonstrated when faced with new problems within the institution, as they propose better solutions and create a secure environment that transforms people towards a new system. Drugus and Landoy (2014) distinguish the primary difference between a manager and a leader, as people follow the former rules whilst the latter. In this case, a true leader is one who possesses and exercises power to influence people towards the achievement of a shared vision within the institution. Leadership represents a quality that is desired by all organisations to translate the ideas and visions of the organisation into reality.

Results-oriented leaders trust their strengths and create the confidence people need to achieve performance within an institution. In tertiary institutions, true leaders possess the ability to guide the activities of students and create a sustainable vision that communicates to them possible achievement (Black, 2015). Leaders inspire students by their confidence, thereby improving the self-confidence and morale of students to achieve learning outcomes. Hofmeyer, Sheingold, Klopper, &Warland (2015) suggests that leaders have extensive experience that enables them to see mistakes as a side distraction from the path to success. This view is supported by Sathye (2004) who believe that students feel more competent and confident when they are around good leaders – and as such, they possess the will to engage in learning activities as a way to develop their skills within the learning environment further. According to Brown (2001), the interests of successful leaders are often in specific leadership activities – which include planning or employee training. These leaders tend to possess confidence in their employees through the manifestation of behaviours such as encouraging employee participation in goal setting, project engagements and decision-making within the organisation.

Within the education landscape, leadership is essential because students who enrol in universities need role models they can emulate to shape their future. Teachers who demonstrate leadership qualities can help model the behaviour students such that they develop essential skills required to support their integration into the economic system. The concept of leadership in universities is complex. It reflects a critical area where researchers have developed an interest in attempting to discover leaders and their capacity to communicate their vision to the organisation and influence strategic activities towards the achievement of goals. These interests also extend to whether people are born to be leaders or whether they require training to acquire the desired leadership

qualities needed to add value to institutions (Sathye 2004; Black 2015; Hofmeyer, Sheingold, Klopper, &Warland 2015). The behaviour and activities of effective leader tend to revolve around what to do to favour the organisation as opposed to actions that favour oneself. Also, of these collective activities, Kouzes and Posner (2017) believe that a true leader tends to select areas in which they are most competent as this enables them to add value to the organisation. This view aligns with Mintzberg (2019), who suggests that efficient leaders tend to shy away from carrying out activities in which they are not competent. However, leaders make sure these needs are addressed by subordinates who are qualified and not afraid to collaborate with the strengths displayed in other people. This view demonstrates the fact that leadership is about delegating the management position to ensure the achievement of goals within the organisation.

As Lipman (2013) explains, some leaders do not succeed because they fail to harness and leverage the competencies of subordinates fully. Landay, Harms & Crede (2019 (b)) strengthen this view by suggesting that some leaders fail because they simply do not delegate tasks when required within the organisation. Effective leaders in higher institutions are those who know when and when not to allocate scarce resources – especially for projects that do not add value or are yet to achieve their intended goal. Chestnut (2017) argues that leaders must realise when to let go of things, and carry out decisions based on facts and logic as opposed to sentiments. Leaders in universities communicate effectively by allowing students to understand their expectations and intended actions (Drugus&Landoy 2014). This view suggests that leaders have a clear mission and purpose by following when to say "NO" about resource allocation. In a bid for tertiary institutions to succeed, leaders must provide a long-term vision for the system of education – which in turn must be supported by critical stakeholders within the institution and outside the institution – for instance, local communities, advocacy groups, agencies and the local government.

Leaders who oversee the activities of tertiary institutions must possess a vision that acts as a foundation for academic system policies and will demonstrate a milestone for the tactical positioning of tertiary institutions (Scott, 2011; Black, 2015). Sathye (2004) argues the need for leaders to show leadership capacity at the institutional level in a bid to help ramp-up the quest to achieve short and long-term goals. Brown (2001) advocates the need for universities to expand their study programs and customise learning activities in line with the requirements of students – for instance, by establishing programs built on different scholastic philosophies. Scott (2011) supported this view. He argues that effective leaders in universities help by creating curriculums that are module-focused – intending to stimulate student participation and engagement in alignment with the needs of the student. Leadership process in universities must support personalising learning activities of students by establishing alternative pathways towards achieving the same learning objectives. Black (2015) suggests that such channels essential must-have links towards the development of student skills that can add value to the institution and the wider society. Leaders in tertiary institutions must recognise the need for students to acquire competencies outside the contexts of higher education – as this is key towards supporting the integration of students within the global economic system.

5. Leadership in Tertiary Institutions

The roles of leaders in tertiary institutions possess several variances as compared to the conventional executive roles of business sectors. The leadership roles of tertiary institutions include positions like Vice-Chancellor and Pro-Vice-Chancellor, and these align with traditional C-suite leadership roles in business sectors such as Chief Executive, Executive Directors and Vice-Presidents (Brown 2001). However, as explained by Sathye (2004) academic management roles such as Head of Departments or Deans are somewhat unusual and possess varied complexities associated with transitions in different functions – for instance, a two-year rotation on various leadership roles.

Drugus and Landoy (2014) argue that in some instances, tertiary institutions provide roles on an honorary basis to an established individual within the university – often a professor.

Davies, Hides and Casey (2001) suggest that the management positions in a faculty often include the role of teachers, researchers and scholars. These positions all have a leadership responsibility that is clearly stated within the role. It is frequently seen for academics to take on external leadership roles within a particular field, professional body or collaborative project (Scott 2011). Apart from the known challenges of conventional legacy structures of tertiary institutions, the emergence of globalisation and the commercialisation of higher institutions has mounted pressure on

the need to manage and allocate resources all through the institution appropriately. Higher institutions are now demanding more management roles due to the need to create an excellent student experience, which includes the integration of course learning, social development and on-campus lifestyle – which in turn requires the collaboration of both academic and service functions within the institution (Davies, Hides, & Casey, 2001; Scott, 2011). In concordance with the teaching activities, research work of the university and professional services functions are increasingly becoming crucial to the provision of valuable services to students in areas of accommodation, sports amenities, student finance management, and other institutional responsibilities such as marketing, human capital and engagement with external business activities (Liefner 2003,Amey 2006). Because of these, leaders in these areas optimally focus on ensuring the achievement of operational performance.

The changes emerging in the educational landscape has shown the limited potency of traditional leadership models within tertiary institutions. The honorary leadership roles granted to professors is based mostly on collegiality values. However, it is worth mentioning that this does not align with the current pressures for effective management of scarce resources within the institution (Drugus&Landoy 2014). The emergence of the belief in the use of professional managers, coupled with the focus on flexibility, has created a clatter of working practices in tertiary institutions (Amey 2006). This view aligns with Black (2015) who suggest that the rise in policy emphasis, transparency and the commercialisation of student learning has created discomfort within the higher education sector. Black (2015) further argues that this should not be surprising since managers of professional services within tertiary institutions often possess a high sense of accountability and ownership in the interests of the institution.

The theoretical divide between management and leadership may be as a result of the defensive nature of people managed within the institution and the extent to which leaders view two styles of management as a means to an end (Brown 2001). Although in the recent literature of modern leadership and management, it is becoming reflective that distinguishing management from leadership can be counter-productive, as both concepts should balance each other by aligning strategic vision with organisational processes (Kouzes & Posner 2017; Mintzberg 2019). This view suggests that the integration of suitable models of leadership and management is extremely crucial in the success of institutions today. Consequently, senior leaders in tertiary institutions are beginning to face emerging challenges. Even though the top leaders have to represent the institution externally, they also have the responsibility of modelling the values of the institution to subordinates within the organisation.

With the evolution of institutions in line with the commercialised market, the values and the brand of the institution is re-evaluated and realigned with the changes in the market. In a bid to achieve these goals, leaders in institutions (i.e. both executive, academic and professional services roles) must address the priorities of subordinates. In the real world, this is done through the creation and growth of shared beliefs and values in a bid to ensure the institution is run efficiently without being hampered by bureaucratic organisational structures (Davies, Hides, & Casey, 2001; Hofmeyer, Sheingold, Klopper, &Warland, 2015).

5.1 Classic Leadership Models in Tertiary Institutions

The emergence of several leadership models in tertiary institutions is due to the increasing challenges experienced within the sector. These challenges exist in various institutions around the globe, irrespective of whether they are specialised, research-led or multi-faculty institutions. In line with the evolving nature of institutions, five leadership paradigms are discussed concerning tertiary institutions.

5.2 Hierarchical Models

The predominant leadership approach experienced in tertiary institutions today is the authority and power model related to the hierarchy of the institution (Liefner 2003). In high institutions, the adoption of the teacher-focused method tends to align with the autocratic style of leadership (Amey 2006). Olson (2014) argues that the undesirable areas stemming from this leadership style include the lack of motivation of staff to achieve goals. This situation may arise because of the use of control, and coercion leaders adopt towards the achievement of goals within the institution. A positive learning environment often inspires students creates a sense of openness

amongst staff and encourages participation through social changes are in direct contrast to the autocratic leadership style. Academic leaders within tertiary institutions tend to dish out authority, which is often associated with autocratic styles – in a bid to support more diverse learning approaches adopted by students (Brown 2001). Black (2015) argues that the autocratic style of leadership does not typically work well when adopted to manage colleagues within tertiary institutions.

5.3 Individualistic Models

The concept of individualistic leadership hinges on the achievement of personal status and recognition within a specific profession. According to Astin and Astin (2000), this leadership approach exists within faculty roles. It is a primary factor for driving research activities of high nominal value as opposed to teaching activities (Liefner, 2003). The attempt to strike a balance between teaching and research work has become a challenge and a topic of strategic discussions in various tertiary institutions. Amey (2006) believes that the negative aspects of this leadership approach are the lack of support for collaboration amongst peers since the competitive nature of research activities are viewed as more rewarding. Black (2015) supports this view and also stresses the fact that individualistic leadership approach possibly prejudiced against some subgroups – for instance, women who may take extensive career breaks to face motherhood may likely affect their ability to achieve and accumulate research accomplishments. This problem is predominant in the field of science and technology where the career growth of women is predominantly stalled – such that countries like the United Kingdom are beginning to implement initiatives to develop and ensure the progression of women in sciences, medicine and technology (Garforth & Kerr 2009; AHE 2015).

5.4 Collegial Models

Black (2015) describes the term collegiality as a method of governance that is supported by collective decision-making. This method of control demonstrates the traditional bureaucratic approach which sometimes creates undesirable results amongst academics (Bryman 2007; Black 2015) On the other hand, Bryman (2007) describes collegiality as the joint supportiveness amongst colleagues. Tertiary institutions value this method of leadership due to the democratic approach of leaders and the need for colleagues to participate in goal setting and decision-making processes. As described by Drugus and Landoy (2014), the concept of collegiality involves academics who collaborate on projects whilst retaining their interests, avoiding any manageable situation. This action enables people to have the autonomy to do their work as long as they carry out their normal duties. Thus, we adopt the collegial leadership model primarily for the benefit of clusters within the institution as opposed to external pressures mounted by external bodies such as local government.

5.5 Collaborative Models

The evolution of leadership and management over the years has focused on the need to implement collaborative approaches to achieve business goals (Kouzes & Posner 2017). However, tertiary institutions are yet to fully grasp the importance of collaborative exploration – primarily due to the conventional functions entrenched within departmental or faculty structures. Davies, Hides, and Casey (2001) explains how the concept of collaboration was commenced and supported by research funders instead of the tertiary institutions themselves. Successful leaders in academic roles are those that can develop partnerships and extensive networks hinged on collaboration (Amey 2006). Bryman (2007) agrees with this view and suggests that such partnerships must not be hierarchical – as this can prevent the achievement of desired goals due to potential bureaucracy that can limit the up and down flow of information in the chain of command. The conventional approach where a hierarchical authority chooses senior academics for short term leadership positions is no longer feasible due to the pressure and the demand for skills required to succeed as a leader in a modern tertiary institution (Hofmeyer, Sheingold, Klopper, &Warland 2015).

5.6 Transformative Models

The transformational leadership model has governed the mode of understanding of leadership within tertiary institutions and aligns with the basis for interactions that address the demands of leadership roles within faculties (Black, 2015). Sathye (2004) suggests that tertiary institutions require the concept of emotional intelligence as a leadership quality due to the need for human interaction.

From a learning environment perspective, the approach to learning somewhat aligns with the concept of transformational leadership. Besides, this leadership style is alignment with the complexities associated with the changes emerging within the higher education sector. Such changes include the emergence of globalisation and the constant changes in the needs of the student in line with shifts in technology (Amey, 2006; Drugus&Landoy 2014). Bryman (2007) argues that this leadership approach will help support the development of innovative solutions that would address these changes. Leaders in institutions must be willing to implement strategies that would enable the institution to adapt to changes, thereby improving their level of competitiveness within the highly commercialised higher education sector.

6. Explorative Arguments on Leadership Conceptual Frameworks on Leadership

In a bid to understand the concept of leadership and its approaches in the context of tertiary institutions, we evaluate two frameworks. These frameworks include:

- Ramsden leadership framework
- The five practices of exemplary leadership model

6.1 The Ramsden Leadership Framework

According to Ramsden (1998), as cited by Sathye (2004), some factors influence the effectiveness of leadership approaches in academic settings. These factors include:

- Leadership qualities in teaching activities
- Leadership qualities in research work
- Leadership that supports explorative collaboration and motivation of people
- Leadership qualities that enable networking and partnerships and also translate strategic vision to the achievement of goals.
- Leadership that supports efficient management
- Leadership that enables people development and values performance
- Leadership that leans on good interpersonal skills.

Within the context of teaching, leadership involves creating new teaching-related ideas into the faculty (Ramsden, 1998, as Cited by Sathye 2004). This view is supported by Amey (2006), who believes that leadership in teaching refers to the creation of enthusiasm about instructions within the faculty. Within the context of research, leadership involves stimulating respect as a researcher within the department (Ramsden, 1998). Scott (2011) agrees with this view as he suggests that research leadership consists of leading others by example. Other people show collaborative leadership, as explained by Liefner (2003) through the level of openness created by leaders within the institution. Collaboration enables colleagues to share knowledge, thereby supporting the creation of new knowledge that supports innovation within the institution. Bryman (2007) opines that the motivation of people and demonstrated through honesty and integrity within the faculty supports collaborative leadership. Sathye (2004) explains the need for leaders of educational institutions to network and create partnerships – as this helps in addressing the demands arising from the changes within the higher education sector. This view is supported by Drugus and Landoy (2014), who opines that leaders in institutions must possess strategic vision into action plans needed to guide the activities of the institution towards success. Such an approach to leadership creates confidence amongst colleagues such that they can collaborate effectively towards achieving a shared goal.

Leadership that supports efficient management is demonstrated by leaders who delegate tasks when necessary to achieve goals within the institution (Davies, Hides, & Casey, 2001). Kouzes and Posner (2017) agree with this view as they believe that this type of leader achieves results through effective planning. Linking this to the educational setting suggests that such leaders would carry out collaborative planning to organise the work activities of the faculty and accomplish tasks with little resistance from subordinates. Roberts (2015) advocates the need for leaders to recognise the performance of subordinates in a bid to increase motivation and accomplish goals. This view aligns with Hofmeyer, Sheingold, Klopper and Warland (2015) as they believe that leaders in higher institutions must sustain the success of employees within the faculty by praising and acknowledging success. They also suggest the adoption of intrinsic and extrinsic rewards that would stimulate the

motivation of colleagues needed to accomplish goals and improve performance within the department and the institution as a whole. Leaders of institutions must possess good interpersonal skills to communicate well with colleagues in the faculty. Mathieu, Neumann, Hare and Babiak (2014) opine that leaders need interpersonal skills to deliver the strategic vision of the institution to employees to translate this vision into realities that drive the institution towards success.

6.2 The Five Practices of Exemplary Leadership Model

Kouzes and Posner (2017) developed a leadership model that offers five practices of exemplary leadership. This model has been heavily examined by researchers and compared to present models used within tertiary institutions. The five features of this leadership model include (Kouzes & Posner, 2017):

- Model the way
- Inspire a shared vision
- Challenge the process
- Enable others to act
- Encourage the heart

'Modelling the way' involves leaders establishing principles on the way organisations treat their people. It also involves determining principles that create a pathway for subordinates to pursue and achieve goals within the faculty. As described by Kouzes and Posner (2017), leaders must set adequate standards that model excellence through the establishment of best practices that supports value-add within the institution. This phase also involves leaders breaking down bureaucracy that can limit the flow of information and hinder the productivity of academic and professional services employees within the institution. As part of modelling the way, leaders expectedly provide strategic direction for subordinates and creating opportunities for personal and departmental growth. This action is critical towards ensuring the accomplishment of goals within the institution.

'Inspiring a vision' as described by Kouzes and Posner (2017) involves leaders creating a shared belief that employees can make a difference within the institution. This view supports Maxwell (2019), who believes that leaders must create an exceptional image for the future for colleagues such that they believe and share in this strategic vision for the future. In line with this view, leaders must adopt actions that aim to bring this strategic vision to life by soliciting participation and engagement from colleagues to accomplish set goals and objectives. Bevoc (2016) argues that employees must have a dream such that they see exciting, achievable possibilities through effective collaboration within the organisation.

'Challenging the process' involves leaders searching for unique opportunities that bring about changes within the institution (Kouzes & Posner, 2017). Academic leaders need to implement initiatives that support innovation in a bid to improve their institutions (Drugus&Landoy 2014). Olson (2014) opines that successful leaders are those that take risks and experiment with ideas in a bid to stimulate innovation. This risk is essential within the higher education sector due to the constant changes in student learning and sectoral commercialisation. Leaders must be willing to explore opportunities through the acceptance of mistakes and failures as a way to learn – thereby enabling the development of better strategies that would drive performance within academic institutions.

'Enabling others to act' involves academic leaders creating a suitable learning environment that supports collaboration amongst teachers, researchers, professional services staff and students to enable the achievement of shared goals (Amey 2006; Drugus& Landoy,2014; Kouzes & Posner 2017). In a bid to achieve success, academic leaders must seek ways to encourage active participation of colleagues in goal setting, project engagement and decision-making within the institution. Teachers can act as leaders by encouraging students to participate actively and engage in learning tasks and assessment in a bid to develop skills and support the achievement of learning goals (Hofmeyer, Sheingold, Klopper, &Warland 2015).

'Encouraging the heart' as described by Kouzes and Posner (2017) is a way in which leaders keep the hope alive in subordinates so that they possess the will and determination to succeed by achieving shared goals. Murphy (2018) explains the need for leaders to recognise the performance of employees through their contributions to the overall success of the institution. Recognising employee performance is critical towards stimulating motivational factors that support the achievement of

higher goals within an organisation. The need for academic leaders to sustain the determination of colleagues is crucial towards the achievement of continued success in institutions. Employers should see employees as valuable assets and celebrate excellent staff.

7. Connecting Leadership with Psychopathy in Tertiary Institutions

Leadership traits and their possible impact on the achievement of goals within tertiary institutions has attracted growing interest. These traits include psychopathic personality traits that are existent in some managers who lead teams and departments in tertiary institutions. As Perry (2015) explains, there are some psychopathic traits some leaders demonstrate which can hinder the achievement of business objectives, despite the fact these leaders have been cautiously selected and sometimes considered as people destined for great success. Psychopathy is generally associated with negative traits that can be counter-productive in teams seeking to achieve goals within an organisation. Brown (2017) suggests that some professions tend to attract psychopathic leaders – such include chief executive officers (CEOs) of business organisations, lawyers and media executives. The fact that higher institutions are increasingly becoming Brown (2017) suggests that some professions tend to attract psychopathic leaders – such include chief executive officers (CEOs) of business organisations, lawyers and media executives. The fact that higher institutions are increasingly becoming commercialised tends to point to the fact that some executive roles within the institution may currently hold psychopathic leaders or attract one in future (Lund & Forster 2020).

According to Schütte and Blickle (2016), leaders with psychopathic traits are selfish, conniving and tend to disrupt the work of colleagues ruthlessly just so that they look good themselves. For academic institutions as potential employers, psychopathic leaders are a meltdown to the success of teams and the achievement of goals within the institution (Landay, Harms, &Crede 2019 (b)). A study conducted by the University of Bonn reveals that certain people view leaders with psychopathic values as somewhat collaborative and helpful (Schütte&Blickle 2016). However, the research demonstrates that a valid requirement for this is that these leaders possess social skills for proper functioning. Lipman (2013) argues that psychopathic personalities often make their way into positions where leaders thoroughly exercise power. Psychopathic managers who disrupt the achievement of success in tertiary institutions do not deliver on target goals. For instance, Landay, Harms, and Crede (2019a) believe they adopt deplorable management practices and make ineffective decisions. This view aligns with Lund and Forster (2020), who suggests that psychopathic leaders do not delegate tasks when necessary and assign the wrong people to positions within the institution.

Leaders who are psychopaths are generally dishonest, cruel and reckless (Morse 2004). Within academic settings, such leaders can derail the entire department or faculty from achieving success. However, Schütte and Blickle (2016) argue that some psychopaths can be different, which negates the popular misconception of these types of traits. They further suggest that the psychopathic trait has two aspects of personality that are combined. The first personality trait is the fearless dominance – which involves leaders wanting to get their way with no regard for consequences that may occur to them within the organisation. This view aligns with Yar (2018) who opines that psychopathic managers are complicated characters that tend to force their way on others and can endure highly stressful situations. The other psychopathic personality is selfish impulsivity (Schütte&Blickle 2016). Academic leaders who possess high traits of these, lack self-control and may not have consideration for colleague's feelings within the institution. This situation is particularly dangerous and counter-productive, demotivating, reducing employee morale and hindering productivity within the institution.

As explained by Furnham, Richards and Paulhus (2013), psychopathic leaders are highly impulsive people who possess low empathy for others. Within the context of higher education, psychopathic leaders are those who take very quick and rash decisions and actions without evaluating the consequences of such action on the dynamics of the faculty or department. Academic leaders who possess psychopathic traits give the impression that they make decisive choices without emotions, leaving no opportunity for self-doubt within the context in which leaders make such decisions. From a behavioural perspective, psychopathic traits are one of the most dangerous because they can greatly impact the achievement of goals within academic institutions (Mathieu, Neumann, Hare, &Babiak, 2014). The implication of psychopathic leaders in higher institutions leads to a situation where they carry out limited consultation with other colleagues when making decisions and without any regard

for the aftermath of such decision on faculty members. Perry (2015) believes that with psychopathic leaders at the helm of departments in higher institutions, meeting with faculty members would be small, with the leaders spearheading the meeting towards predetermined outcomes before the commencement of the meeting. Psychopathic leaders sometimes need support in their attempt to derail a team – and as such, some members of the faculty may collude and publicly support such toxic behaviour (Furnham, Richards, &Paulhus, 2013). The existence of this supportive behaviour of some faculty staff is like the Stockholm Syndrome, where a coalition with one's abductor may be the only pathway for survival.

8. Conclusions

Leadership in tertiary institutions face challenges that differ from conventional types in business sectors or government parastatals. Academic leaders must focus on creating a positive environment that supports teaching, learning and advanced research that reflects the best amongst scholars.

The current leadership models of tertiary institutions require integration of leadership and management capabilities in a bid to tackle emerging challenges rising within the higher education sector effectively. Therefore, the traditional split between the leadership and management concepts may prove detrimental and may not explain the influence of professional managers in administering tertiary institutions. With the increasing changes existent within the higher education sector, leaders should be teachers and students that are always willing to learn, unlearn and relearn. They must be willing to engage and empower others to achieve goals. For employees in academic positions, attempting to become a learner may be challenging – and so, these people should be encouraged to participate and engage in activities that support both personal and organisational development.

This paper examined the traits of psychopathic leaders within tertiary institutions. As discussed, psychopathic leaders encourage reduced collaboration in a faculty of members, and as such, one can assume that the faculty may be unexceptional as opposed to being excellent. As examined earlier in this paper, leadership in business contexts varies from the nature of leadership within tertiary institutions – and so, the extent to which psychopathic leaders can cause damage within business contexts may be different with the degree to which they may cause damage within tertiary institutions. The commercialisation of academic institutions, coupled with increased globalisation, has created massive forces of change that put pressure on the nature of leadership with tertiary institutions. As seen in this paper, these forces of change have created the need for increased leadership – which in turn can attract potential leadership traits that are psychopathic. In conclusion, a psychopathic leader could diminish the value of collaborative exploration in research and academic activity with peers, subordinates and students – but such leadership behaviour may not be strong enough to disrupt the operations of the institution as a whole. Thus, psychopathic leaders can create some level of weakness within academic institutions, but nothing else.

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Inequality, economic development and social progress

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Abstract

Recently, inequality has been recognized as a multidimensional variable, no longer limited to the economic aspect; consequently, the analysis of this matter should be more comprehensive and should also include all non-quantitative dimensions; to achieve this aim successfully, it is necessary to adopt a new perspective for all the subjects involved in this issue. So, at a statistical level, in order to obtain a better definition of inequality, the GDP mechanism should no longer be considered the main benchmark for economic development and social progress, and the new statistical tools which clearly recognize the multidimensionality of that variable should be preferred. The same change of perspective should also be considered at a philosophical level, since a wider result about this issue can be achieved only shifting from the utilitarian philosophy to a more comprehensive theory, such as the Capability approach. Finally, inequality and socioeconomic development matters are necessarily correlated with the kind of socioeconomic framework chosen by the society; thus, we have also to investigate how equality and efficiency behave in the main paradigms which characterized the last two centuries, in order to identify the related advantages and disadvantages, and consequently make the appropriate adjustments. However, also in this field, by adopting a different point of view from the mainstream, it would be possible to move towards a completely new paradigm, able to valorize both efficiency and equality, thus allowing to overcome the Okun tradeoff to which all the main models (even if adjusted) are inevitably subjected.

Keywords*: Inequality; economic development; social progress; GDP; capability approach; well-being; quality of life; welfare; human development; Collaborative Commons.*

Inequality "is a violation of human dignity; it is a denial of the possibility for everybody's human capabilities to develop. It takes many forms, and it has many effects: premature death, ill-health, humiliation, subjection, discrimination, exclusion from knowledge or from mainstream social life, poverty, powerlessness, stress, insecurity, anxiety, lack of self-confidence and of pride in oneself, and exclusion from opportunities and life-chances. Inequality, then, is not just about the size of wallets. It is a socio-cultural order, which (for most of us) reduces our capabilities to function as human beings, our health, our self-respect, our sense of self, as well as our resources to act and participate in this world" (Therborn 2013: p. 1).

The idea of inequality suggested by the Swedish sociologist Goran Therborn has the merit of highlighting the connection to the concept of human dignity and, at the same time, of allowing a comprehensive vision of this issue; such a definition makes it possible to analyze the thematic on a multidisciplinary basis, which is essential because of the multidimensionality of inequality.

From a statistical-economic point of view, Therborn's connection to the concept of dignity finally permits to enhance the idea of proceeding towards an integration (even better a substitution) of GDP with other indicators more representative of the social progress in modern society[1]; only from an

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[1] The limit of GDP as an adequate index for measuring the socioeconomic development was highlighted by Robert Kennedy's speech at the University of Kansas on March 18, 1968, in which he said that GDP "measures everything, except that which makes life worthwhile".

Aristotelian perspective[2], is it possible to consider the development not just materialistic, but in a wider sense, including all the necessary dimensions which make life worthwhile[3].

The Easterlin Paradox (Easterlin 1974) has highlighted that we cannot ignore any longer that modern societies have new needs[4], no more only economic[5], which increase in a pyramidal way as theorized by Maslow (Maslow 1954).

Also the recent pandemic crisis has highlighted the limits correlated with an approach based exclusively on economic performance; this event can be considered a warning to remind us that we cannot reduce human life to a simple accounting matter between costs and proceeds.

Even though the clear empiric analyses made by Piketty (Piketty 2014) and Stiglitz (Stiglitz 2016) have underlined the size and the nature of economic inequality, they have touched just an aspect of the matter (usually preferred by economists most likely because people consider the economic issue an important part of their lives, and moreover because economic aspects are easier to measure and to compare).

At a deeper analysis, inequality should involve also other aspects different from the monetary ones, and consequently the results found by the Authors cannot be the point of arrival of the matter but the start. We have to recognize the multidimensional nature of inequality, and thus, to measure it properly, wider statistical tools, able to reflect all the complexity of that variable, are necessary. Making the right choice of progress indicators is very important because the statistical solution chosen will influence the quality and the effectiveness of related public policies.

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[2] In Nicomachean Ethics, Aristotle said that "the life of money making is a type of compulsory activity, and it is clear that wealth is not the good being sought, since it is instrumental and for the sake of something else" (Aristotle 2002).

[3] The GDP index has a preeminent role because it is simple enough to measure, since the economic value of goods and services allows for an easy comparison (and consequently it is difficult to find an adequate alternative); it reflects the economic welfare of a country (in fact, it seemed correct to associate the GDP growth also to social improvement, due to the positive correlation between wealth and wellbeing); moreover, the GDP index allows for an easy cross-country comparison. However, there are also some limits: for example, GDP omits all the activities which do not have a market evaluation (such as unpaid domestic work and volunteering) and all the aspects without a monetary evaluation (such as social relationships and leisure time); furthermore, per capita GDP, being a mean value, does not consider how income and wealth are really distributed among people (so GDP could paradoxically show that a country is improving, although it is affected by great inequalities and there are very poor social classes). In addition, the GDP index expresses in a single value different aspects of life not so correlated; even though a single number could seem an advantage, in practice it could lead to misinterpretation (for example, two countries showing the same GDP value could have very different levels of health services, education systems, civil and political rights). GDP also includes costs to counterbalance negative externalities of economic development (pollution treatment expenditures, road accidents and health costs, commuting, etc.); therefore, an increase in GDP, due to these variables, does not necessarily represent an increase in the quality of life. Finally, it must not be forgotten that GDP measures the produced income flows but not the stocks of available capital and resources.

[4] Di Tella and MacCulloch found that "happiness responses of around 350,000 people living in the OECD between 1975 and 1997 are positively correlated with the level of income, the welfare state and (weakly) with life expectancy; they are negatively correlated with the average number of hours worked, environmental degradation (measured by SOx emissions), crime, openness to trade, inflation and unemployment [...]. Consequently the unexplained trend in happiness is even bigger than would be predicted if income was the only argument in the utility function" (Di Tella and MacCulloch 2008). In the same way, Diener e Seligman: "economic indicators were extremely important in the early stages of economic development, when the fulfillment of basic needs was the main issue. As societies grow wealthy, however, differences in well-being are less frequently due to income and are more frequently due to factors as social relationship and enjoyment at work. Important noneconomic predictors of the well-being of societies include social capital, democratic government and human rights. [...] Money is a means to an end, and that end is well-being; but money is an inexact surrogate for well-being, and the more prosperous a society becomes, the more inexact a surrogate income becomes" (Diener and Seligman 2004).

[5] Easterlin's empirical results demonstrate that there is not always a growing relation among income, economic welfare and happiness, but the latter is stable after having reached a specific level of income and economic welfare; these results show the possibility that determinants of wellbeing could be wider than those essential for societies in their earlier stages of development.

The recommendation of the Sarkozy Commission report (CMEPSP 2008) of shifting the focus from the economic performance indicators[6] to the wellbeing ones, suggests that now we cannot deny any longer the existence of many other statistical tools with a wider view than GDP, and therefore that these tools should have a primary role in the measurement of social progress.

However, we are not simply referring to the solutions usually known as Adjusted-GDP indicators, for example ISEW (Cobb and Daly 1989) and GPI (Cobb, Halstead and Rowe 1995), whose innovations are certainly important[7] and whose main advantage is to allow for an easy comparison to GDP thanks to the same quantitative methodological approach used to construct them[8], but to the solutions aimed at abandoning the GDP philosophy and substituting it.

So, special attention should be given to innovative solutions, such as the Human Development Index[9] (implemented by the UN), the Better Life Index[10] (realized by OECD), the BES Index[11] (the Italian proposal by Istat), and the Gross National Happiness Index[12] (born from the idea of the King of Bhutan).

All these indicators explicitly recognize the multidimensionality of wellbeing[13], hence, in countries which are more developed, they can be a valid alternative to the GDP measurement.

Obviously, also these solutions have their limits[14]; however, even though some errors should occur by using indicators which evaluate people's wellbeing and environmental and economic

[6] For a clear analysis of the limits of economic indicators, see Diener and Seligman 2004.

[7] "Substantially ISEW starts from GDP, then subtracts the social costs of water and air pollution, long-run environmental damages, household expenditures for health and education, degradation of renewable resources and depletion of those non-renewable, and adds the value of domestic work. This index represents an attempt to measure the portion of economic activities ensuring an effective growth in the quality of life and, to some extent, the quality of economic activities. [Genuine Progress Indicator therefore is] an evolution of ISEW [...] because it introduces measurements of some improvements (for example leisure time) and some negative effects (for example inequalities and degradation) of the economy and of its sustainability" (Corduas 2013: pp. 30-31).

[8] The report by the Sarkozy Commission highlights that countries where ISEW and GPI are available, their measurements converge with GDP levels as far as a certain value, and then they start to diverge. So, many Authors suggest the idea of a "threshold hypothesis", by which GDP and wellbeing move together as far as a certain point, beyond which the GDP improvement does not reflect wellbeing growth anymore (Max-Neef 1995). By describing a situation in which the negative effects of economic growth on social and environmental conditions exceed the benefits of the GDP additional units, the threshold hypothesis seems therefore to confirm the Easterlin Paradox.

[9] Initially developed in 1990, since 2010 HDI is the geometric mean of three dimension indices: life expectancy at birth; education level, given by mean years of schooling and expected years of schooling (numbers of expected years of schooling given the current enrolment rates); gross national income (GNI) per capita (UNDP 2010).

[10] BLI is based on 11 dimensions of wellbeing regarding material living conditions (housing, income and jobs) and quality of life (community, education, environment, civic engagement, health, life satisfaction, safety, work-life balance). For further study, see http://www.oecd betterlifeindex.org/it/about/better-life-initiative.

[11] BES, developed in 2010, is based on 12 domains (i.e. wellbeing dimensions): health; education and training; work and life balance; economic well-being; social relationship; politics and institutions; security; subjective well-being; landscape and cultural heritage; environment; innovation, research and creativity; quality of services. For further study, see https://www.istat.it/ it/benessere-e-sostenibilità/la-misurazione-del-benessere-(bes)/il-rapporto-istat-sul-bes.

[12] GNH is based on 9 areas: psychological wellbeing, health, time use, education, culture, good governance, ecology, community vitality and living standards. For further study, see http://www.grossnationalhappiness.com.

[13] Therefore, in line with the recommendation of the Sarkozy Commission, that suggests how wellbeing is a multidimensional concept based on 8 dimensions: material living standards (income, consumption and wealth); health; education; personal activities (including work); political voice and governance; social connections and relationships; environment (present and future conditions); insecurity, of an economic as well as a physical nature.

[14] For example, finding a clear and shared definition of sustainability; moreover, happiness is considered a too subjective variable, causing many doubts about its statistical significance and the possibility of cross-country comparisons; in fact, we are not yet sure what people really think when they answer surveys and if the interpretation of the questions is the same for different citizens (due to either different cultural traditions or the potential change in the original sense of the questions which could occur when translating); however,

sustainability, these errors would probably have a minor impact than those correlated with indicators based exclusively on an economic philosophy.

In fact, how believable could it be that the potential errors of the alternative indicators to GDP (due to measurement techniques not yet perfected[15], to erroneous weighting of the variables, or to the fact that in some cases they use subjective evaluations), are more harmful than those generated by a tool that emphasizes "police protection, prisons, some legal services, mental health services, purchases of cigarettes, gambling and commuting, [but does] not include externalities, side effects of productions and consumption that do not result in market transaction"? (Diener and Seligman 2004: p. 23).

By moving towards statistical tools able to enhance the multidimensionality of wellbeing, it becomes easier to understand that inequality cannot be considered only from an economic perspective.

Once recognizing the multidimensionality of inequality, we have to shift the analysis from a statistical-economic perspective to an ethical-philosophical view, because it is necessary, first of all, to establish a prior definition of this concept. Thus, we need to find an answer to the question asked by Sen: "Equality of what?" (Sen 1992). This question is significant because it underlines how the different dimensions of inequality arise from human heterogeneity, and therefore, before establishing the existence of inequality (and if there is, try to correct it), a widely shared definition of this concept must be found.

Sen found the answer to his question in the well known Capability approach, a completely different way of thinking inequality that can finally represent a valid alternative to the mainstream philosophy, i.e. utilitarianism, which has prevailed in these last two centuries.

The intuition through which Sen changed the "informational basis"[16] from the utility to the capability of converting our own resources permits to define a completely new concept of welfare – so much different from the one used by the Utilitarians that many Authors have often preferred to use alternative words such as well being, bien vivre, star bene – now allowing the analysis of inequality in a comprehensive way, no longer limited to the interpersonal difference in income and wealth.

Therefore, the Capability approach permits to face the typical dilemma aggregation-distribution, and consequently the conflict efficiency-equality, in a different way, since efficiency now can be seen not only from a paretian perspective (i.e. economic efficiency), but it holds a wider meaning, which finally allows us to consider this variable as a complement to equity instead of a substitution of it, and thus to be free of the tradeoff matter.

Bruni reminds us that if well being is described neither by income nor by possession of things, but by capabilities, then we can change the paretian criterion of utility-based efficiency into a senian one where efficiency is based on capabilities, according to which a social order is efficient only if it is not possible to improve the basic capabilities of someone without reducing them for someone else. A senian criterion of evaluation of different situations would allow economists to study distribution issues along with efficiency and, therefore, by maximizing efficiency it could optimize equity too. A redistribution of resources from individuals who have already satisfied their own basic capabilities to those who have not yet reached them, improves both the efficiency (because it increases the capabilities of someone without reducing those of someone else) and the equity of social order (Bruni 1995: p. 135).

Thanks to the innovation of Sen's philosophy it is possible to overcome the utilitarianism limits (and therefore also those of GDP), and to highlight some ignored issues by the Utilitarians as those

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developments in neuroeconomics (such as neuroimaging techniques) should allow, in the future, to obtain objective measurements also for subjective variables. There is therefore a high risk that subjective measurements could be biased by adaptive preferences, which means individuals could erroneously estimate their wellbeing due to an unconscious influence by external circumstances, such as socio-cultural context, values and traditions of their own community (a typical situation is that of women accepting unconsciously gender inequality in those societies where their members consider it right).

[15] Because these indicators are still in their initial development phase.

[16] "The informational basis of a judgement identifies the information on which the judgement is directly dependent and asserts that the truth and falsehood of any other type of information cannot directly influence the correctness of the judgement" (Sen 1992: p. 73).

correlated with adaptive preferences[17], unemployment, poverty, institutional framework, and all kinds of discriminations. By using the concept of capability instead of income and resource, Sen clearly points out how inequality can be the consequence of lack of opportunities (while utilitarianism does not see it because of malleability of social preferences[18]); how unemployment benefit, though able to equalize interpersonal monetary differences, cannot solve social inequality (because it cannot deal with psychological matters such as lack of self-esteem and sense of community); how the absence of suitable educational and health system, and more generally, of effective institutional framework impedes equal opportunities of development in different countries; and how discriminations do not allow, even without significant differences in income and wealth, to reach a fully self-realization.

Even though the Capability approach permits to widen the level of analysis on inequality, however Nussbaum underlines that Sen's idea alone is not enough, but it needs a specific list of "central capabilities", i.e. those essential to make life worthwhile[19].

We think that such a list – seen as the rawlsian module[20] and used according to the philosophy of overlapping consensus[21] – should be the yardstick in the analysis of inequality (Nussbaum 2011). Based on such a mechanism (political liberalism founded on overlapping consensus) and not on a comprehensive doctrine[22], Nussbaum's version of the Capability approach seems not only to be useful but also able to remain stable over time (because overlapping consensus does not require the suppression of people who think differently (Nussbaum 2011: p. 123)).

In this way, it is possible to realize the first of the three integrations to Sen's approach suggested by Wolff and De-Shalit, i.e. the capability security (Wolff and De-Shalit 2007): in fact, it is

[17] The Welfarians believe there would not be inequalities between the rich and the poor if the latter are able to adapt their preferences sufficiently to their poverty status.

[18] In fact Sen states that "our desires and pleasure-taking abilities adjust to circumstances, especially to make life bearable in adverse situations [...]. The deprived people tend to come to terms with their deprivation because of the sheer necessity of survival, and they may, as a result, lack the courage to demand any radical change, and may even adjust their desires and expectations to what they unambitiously see as feasible" (Sen 1999: pp. 62-63).

[19] The list has 10 capabilities: life (being able to live a complete and satisfying life into old age and not having life cut short or being made such that it hardly seems worth living); bodily health (living with good health, to have good food and proper house); bodily integrity (being able to go where you want to go, being free from attack and abuse of any kind and being able to satisfy healthy bodily needs); senses, imagination and thought (being able to use all of one's senses, being free to imagine, think and reason, having freedom of expression, including political and religious); emotion (not being subject to fear and anxiety or blighted by trauma or neglect); practical reason (being able to consider and develop understanding of good and evil, and to think critically about the world and one's own place in it); affiliation (being able to live with others and to have self-esteem; that means to prevent racial, gender, sexual orientation, religion, caste, ethnicity and citizenship discriminations); other species (being able to live with the full range of creatures and plants that inhabit the world around us); play (being able to laugh, play games and generally have fun); control over one's environment both at the political level (being able to participate in political activities, making free choice and joining with others to promote political views) and at the material level (being able to own property and goods, and to seek and find worthy jobs). See Nussbaum 2011: pp. 56-58.

[20] Describing the second aspect of political conception, Rawls states that: "the political conception is a module, an essential constituent part, that fits into and can be supported by various reasonable comprehensive doctrines that endure in the society regulated by it. This means that it can be presented without saying, or knowing, or hazarding a conjecture about, what such doctrines it may belong to, or be supported by" (Rawls 2005: pp. 12-13).

[21] "Political liberalism looks for a political conception of justice that we hope can gain the support of an overlapping consensus of reasonable religious, philosophical, and moral doctrines in a society regulated by it" (Rawls 2005: p. 10).

[22] On this matter, Tincani reminds us that "political liberalism studies only one aspect of people's life (the political action), while specific comprehensive doctrines often claim to rule all aspects of life; specific comprehensive doctrines usually support a model of public life full of values, i.e. a paradigm closer to the community than to the society. Society is not a community. [...] Community in the strict sense – meaning the social entity derived by communitarianism – does not accept the idea of neutrality of State as liberalism does, but on the contrary it supports a positive policy for the realization of common good, as a substantive vision of good life which defines the lifestyle of the community" (Tincani 2006: p. 27).

not enough to grant people (a list of) capabilities, but it is also necessary that individuals can count on them in the future[23].

However, not less important are the other two suggestions, that the Authors call fertile functioning and corrosive disadvantage, which allow to identify, inside the list of central capabilities, those having (similarly to Sen's instrumental freedoms[24]) the power either to develop other functionings/capabilities or to remove situations of deprivation that can negatively reflect also on other capabilities.

These innovations allow to highlight the priority of each functioning/capability, thus helping the policy makers to allocate adequately scarce resources.

If we share the definition used by Deaton for wellbeing[25], then we can say that the Capability approach, developed by Sen and revised by Nussbaum, Wolff and De-Shalit, represents now the most adequate model able to foster a kind of development which reflects perfectly the definition given by the Scottish economist: in fact, "the purpose of global development [...] is to enable people to live full and creative lives, developing their potential and fashioning a meaningful existence commensurate with their equal human dignity. In other words, the real purpose of development is human development; other approaches and measures are at best a proxy for the development of human lives, and most don't reflect human priorities in a rich, accurate, or nuanced way. [...] Unlike the dominant approaches, it begins from a commitment to the equal dignity of all human beings, whatever their class, religion, caste, race, or gender, and it is committed to the attainment, for all, of lives that are worthy of that equal dignity. Both a comparative account of the quality of life and a theory of basic social justice, it remedies the major deficiencies of the dominant approaches. It is sensitive to distribution, focusing particularly on the struggles of traditionally excluded or marginalized groups. It is sensitive to the complexity and the qualitative diversity of the goals that people pursue. [...] It also takes account of the fact that people may need different quantities of resources if they are to come up to the same level of ability to choose and act, particularly if they begin from different social positions" (Nussbaum 2011: pp. 231-233).

A significant contribution to foster the change from an exclusively economic perspective to a more comprehensive point of view could also arrive at juridical level through a greater enhancement of the concept of dignity in the legislative field: for example, in Italy, Article One of the Constitution could be changed from the current statement "Italy is a democratic Republic based on work" to the more advanced "Italy is a democratic Republic based on dignity". In fact, by anticipating what is now only stated in Article Three of the Constitution, it would be possible to highlight the preeminent feature of this value, thus giving an effective legitimization both to the Capability approach and to all those solutions favoring the use of statistical tools more representative of the progress of modern society.

Even though the Capability approach has the virtue (in part also due to the resource-oriented approach[26]) of shifting the focus from equality of outcome to equality of opportunity, we must however deal with a problem which is not easy to solve if we want to effectively reduce ex ante inequality. In fact, first of all, we need to find all the factors which play a major role in self-realization[27]; and then we have to decide whether, at an ethical level, the reasons of success do not violate the principles of justice and equity and therefore can be accepted. Among these factors,

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[23] This aim can be achieved, for example, with a written Constitution which can be amended only through a complex process and a large majority.

[24] After distinguishing between constitutive role (freedom as an *end* of development) and instrumental role (freedom as *means* of development), Sen points out that instrumental freedoms not only directly promote a person's capability, but also complement each other so that they mutually strengthen: for example, economic growth not only eases private income rising, but also improves social welfare (since higher incomes allow higher public spending); at the same time, social welfare (especially basic education and adequate health care) enhances a person's capabilities (i.e. probabilities) to earn and to get rid of poverty (Sen 1999: p. 90).

[25] "I use the term *wellbeing* to refer to all of the things that are good for a person, that make for a good life. Wellbeing includes material wellbeing, such as income and wealth; physical and psychological well-being, represented by health and happiness; and education and the ability to participate in civil society through democracy and the rule of law" (Deaton 2013: p. 44).

[26] We are referring in particular to the rawlsian theory of justice (Rawls 1971).

[27] For further analysis of those variables, see Meade 1993.

hereditary issues have always been the most challenging, especially in modern society, where the inheritance is no longer limited only to wealth, but also includes various non-monetary aspects, such as all the possible advantages correlated with the status of wealthy households (which means an intergenerational transmission not only of a higher economic capital, but of a higher social capital too[28]).

There is, therefore, a high risk that, in order to reach real equality in the starting points, it is necessary to set extreme measures, probably not fully compatible with the rules of the actual socioeconomic system (Maccabelli 1998: p. 483).

Maccabelli's observations lead to another factor responsible for the evolution of the inequality, i.e. the socioeconomic model characterizing the society; in fact, different orders are correlated with different levels of inequality and, at the same time, with efficiency and freedom matters, so making it very difficult to find a solution able to jointly maximize these variables.

Starting from the present prevalent paradigm, i.e. the market capitalism, we have to recognize how this model succeeded in destroying the "feudal reproduction" of the positions, a mechanism that precluded at the source any possibility of social mobility. Moreover, thanks to the free-trade system and to the Marginalist philosophy[29], in theory everyone "could play the game" and achieve success. Furthermore, the mechanism of economic incentives[30] assures the efficiency, which, at least in the first stage of development[31], leads to a general improvement in the quality of life for all social classes[32].

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[28] "The mechanisms that reproduce and widen inequality are easily understandable. A rich family will be able to dedicate high resources in children's education. A high social position of the family allows children to have immediate connections with people belonging to a similar social environment. There is a high possibility of receiving a large inheritance too. Also marriages and consequently the possibility of joining wealth for the following generations will probably remain inside this social circle" (Maccabelli 1998: p. 473).

[29] Neoclassical economists support the ethics of rewards, in which earnings must be proportional to the individual contribution to the production; the marginal productivity theory, therefore, allows economists to consider resulting differences in income acceptable and fair. Okun, indeed, states that "rights in the marketplace do not guarantee anyone an income, but then freedom of speech does not guarantee anyone an audience" (Okun 2015: p. 39).

[30] "In their absence, society would thrash about for alternative incentives – some unreliable, like altruism; some perilous, like collective loyalty; some intolerable, like coercion or oppression" (Okun 2015: pp. 115-116).

[31] In the most advanced societies economic incentives could not be the only determinants for efficiency, since there are new factors responsible for inefficiency, such as adaptive preferences; the issue is not limited to the matter of an unconsciously erroneous evaluation of personal wellbeing, but it also involves the possibility that individuals adapt their preferences with regards to labor, either accepting a job not really matching their attitudes and abilities, or even choosing to give up seeking a job (recently, this situation has increased so much that it has generated a new phenomenon, known as the discouraged worker. According to the US Bureau of Labor Statistics, "discouraged workers are a subset of persons [...] were not currently looking for work specifically because they believed no jobs were available for them or there were none for which they would qualify"; see https://www.bls.gov/cps/lfcharacteristics.htm#discouraged). Clearly such a system, where some persons can neither do their best nor work at all, can never be efficient.

[32] Thanks to the imperfection of the ethics of rewards; Okun states that "production comes out of a complex, interdependent system and may not be neatly attributable to individual contributors. [...] In fact, if everyone received the full measure of his marginal product and no joint inputs existed, the economic benefits generated by great entrepreneurs and inventors would accrue entirely to them. There would then be no trickle-down of progress to the masses. Benefits do actually trickle down precisely because the big winners do not obtain – or at least do not maintain – the full rewards for their contribution to improved technology, increased knowledge, and accumulated capital. The trickle-down of benefits is a merit of capitalism in the real world, and it works insofar as the distribution of income departs from the strict standard of reward for personal contribution to production" (Okun 2015: pp. 44-45). Similarly Friedman, who reminds us that "The chief characteristic of progress and development over the past century is that it has freed the masses from backbreaking toil and has made available to them products and services that were formerly the monopoly of the upper classes, without in any corresponding way expanding the products and services available to the wealthy. Medicine aside, the advances in technology have for the most part simply made available to the masses of the people luxuries that were always available in one form or another to the truly wealthy" (Friedman 2002: p. 170). Thus, it would be the imperfect feature of the ethics of rewards to reduce, at least in the first stage of development, inequalities among social classes, therefore generating the Kuznets curve (Kuznets 1955).

However, at a deeper analysis, some limits of capitalistic philosophy arise, such as the difficulty of people with scarce resources[33] to emerge and equally compete in that "game"; that means the system is unbalanced in favor of the owners of big capitals[34], and this problem is now amplifying because of the increase of economic inequality as shown by Piketty (Piketty 2014) and Stiglitz (Stiglitz 2016).

The issue becomes very relevant if, as Milanovic shows, the excessive social polarization of modern capitalism[35] can foster turning this paradigm first into a plutocracy (due to the great correlation between rich voters and political class (Stiglitz 2013)) and then into a political/authoritarian capitalism[36], where not only we have the problem of economic and social inequality, but also the loss of freedom and democratic values.

We should not underestimate the possibility of such a regression, because the Serbian economist suggests that the main features of political capitalism are economic efficiency and an ever growing rate of economic development; consequently, if the GDP approach continues to have a leading role in capitalistic democracy (so that economic performance will have more and more importance compared to the other values), and if the range of inequality continues to widen according to Piketty's mathematical forecasting[37], it will be highly likely that a transition towards the authoritarian version will be the natural evolution of this model.

If efficiency is usually considered the main feature of the capitalistic paradigm, equality instead represents the strong point of socialism. Nevertheless, it is important to underline that, even though Milanovic's results showed that socialist countries registered less inequality rates than the capitalistic ones[38], the failure of socialism seems to suggest that too much equality not only is inefficient because of the lack of incentives, but most probably also because it does not reflect the true nature of human beings, who could feel the need to preserve their own diversity.

However, despite the clear success of capitalism, we cannot jump to conclusions that this paradigm is surely the perfect one and consequently no adjustment aimed at preventing a potentially increasing inequality is necessary.

The proposals of the reform suggested by Piketty (Piketty 2014), Stiglitz (Stiglitz 2016), Milanovic (Milanovic 2019) and Atkinson (Atkinson 2015) should be strongly valorized if we want to prevent that the intrinsic nature of market capitalism (i.e. its inclination to efficiency) transforms society into the okunian feared giant vending machine (Okun 2015: p. 116), thus downgrading people to mere accounting items trying to maximize their utility.

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[33] Where the term resource is used in the senian meaning.

[34] Again in a wide sense, i.e. both economic and social capital.

[35] A consequence of the features of liberal meritocratic capitalism, which therefore distinguishes it from its "ancestors" (classical capitalism and social-democratic capitalism). The polarization is due to homoploutia (word coined by Milanovic to mean that now the high capital earners are high labour earners too), to homogamy (i.e. the tendency to assortative mating), and to an intergenerational transmission of a wider capital (now also including the social capital). See Milanovic 2019.

[36] Variant of capitalism theorized by Milanovic, characterized by either "single party rule" (which means that other parties do not exist or are irrelevant) or "one party in power" (which means that the multiparty system exists, but one party always wins elections; the winning party must be "born" after a successful struggle for national independence), by an efficient bureaucracy (administration), by the absence of the rule of law, and by the autonomy of the state. The Author recognizes Deng Xiaoping, Chinese leader from the late 1970s to the mid 1990s, as the founder of political capitalism. Milanovic locates this form of capitalism not only in China (historically the first example of political capitalism), but also in Vietnam, Malaysia, Singapore and Laos. In Africa, this variant is located in Algeria, Tanzania, Angola, Botswana, Ethiopia and Rwanda. For details, see Milanovic 2019: pp. 138-139, table 3.1.

[37] We are referring to the relations r>g, where r is the annual rate of return to capital (profits, dividends, interests, rents and others capital incomes) and g is the growth rate of output and wages; if the former exceeds considerably the latter, then past heritages recapitalize faster than the production and income process; therefore, a likely reason of the widening of economic inequality could be linked to that formula (Piketty 2014).

[38] For countries which implemented this economic model, Gini coefficient ranging between 0.2 and 0.33, that means 6-7 basis points lower than countries which, in the same period, established the capitalistic paradigm; thus, socialism reduced inequality of about a quarter compared to a capitalistic society (Milanovic 2012: pp. 71-72).

We are not simply referring to the proposals already approved by capitalistic proponents (Friedman 2002), for example those which focus on preventing the constitution of non-necessary monopolies (aimed at avoiding limitation of freedom[39]) and the negative externalities (aimed at avoiding potential damages to society, such as environmental pollution), but more specifically to the adjustments which target full self-realization of the person and not only market efficiency.

Only from this perspective, is it possible to agree with the suggestions of the Authors who appreciate, for example, that the State is the last instance employer for everybody seeking a job[40], thus avoiding that it is the economic situation to influence the opportunity to work[41], and also the possibility of setting a minimum wage, an unemployment benefit and an inclusion income, which permits people not only to save themselves from poverty, but also to fully participate in the life of their community[42], allowing them to reach the top of the pyramid of needs (Maslow 1954). In addition, the opportunity to consider the progressive tax on capital (at international level[43]) as appropriate; if it is likely that increasing tax rates for the wealthy could bias their saving and investment choices, so generating inefficiency (Friedman 2002), there is also the possibility that rich people use the incentive motivation as a justification (after all understandable) to preserve their status quo. And finally, the chance of a universal basic inheritance (which is, despite the difficulties in implementing it[44], the only solution that really allows to achieve a substantial equality of opportunities), and of substituting an inheritance tax with a progressive one on capital incomes all lifelong[45].

We can agree with all these proposals only if we choose to move from the utilitarian philosophy and the GDP method to Sen's approach along with the statistical tools which better reflect the idea of the Indian economist; only in this way is it possible to avoid that practical matters, such as Okun's leaky bucket[46] issue, can influence the feasibility of the above-mentioned adjustments.

Indeed, it is Okun himself who underlines that in some cases, for example with regards to moral rights, society can accept clearly inefficient solutions[47], also using three justifications to support what otherwise would seem an irrational choice from an economic point of view[48].

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[39] In this case, also free-market supporters accept Government intervention and paternalism, for example in order to adopt an antitrust law.

[40] Not necessarily full time and permanent jobs, but certainly a kind of employment producing social utility and common goods. It is clear there are a lot of useful jobs not valorized enough in the present socioeconomic paradigm: for example land care, marginalized people assistance, etc. (for details, see Atkinson 2015).

[41] Since employment is now a way of achieving social inclusion and personal dignity and it is no longer related only to an economic dimension.

[42] Also in this field it would be better to adopt Sen's perspective of considering real poverty as a capability deprivation, and therefore use the expression "adequate income" instead of low income, because only the first concept is sensitive to the issue of converting income into capabilities; thus, it is important, at least in the developed countries, to fix the legal minimum wage and welfare benefits according to the relative poverty threshold, and not to the absolute poverty one (Sen 1992; Sen 1999).

[43] Because, after globalization, there are no longer borders for capital (Piketty 2014).

[44] Which are, particularly, the definition of the minimum amount of such a capital, of its means of financing, of possible restrictions for its use, and of when adulthood is reached in order to receive that inheritance (Atkinson 2015).

[45] "The key element in the proposal is that people are taxed on the amount received rather than the amount left, as happens under the current system. A tax on giving would be converted into a tax on receiving. [...] With a progressive rate structure, this switch would provide a direct incentive to spread wealth more widely. People could pass on their wealth tax free if it were transferred to people who have received little so far in lifetime receipts. In this way, it could contribute to reducing both gender inequality and inequality across generations. [...] the new tax would be patently directed at seeking to secure a more level playing field and thus contributing to reducing inequality of opportunity" (Atkinson 2015: p. 196).

[46] The bucket leaks because of "the various inefficiencies of the tax-transfer reshuffle – administrative costs, reduced or misplaced work effort, distorted saving and investment behavior, and possible changes in socioeconomic attitudes" (Okun 2015: pp. 93-94).

[47] Rights are intrinsically inefficient for several reasons: it is not possible to economize their use by pricing them; they do not invoke the economist's principle of comparative advantage; they are not distributed as incentives, or as rewards and penalties (Okun 2015: pp. 6-10).

Furthermore, the conditions of the First theorem of welfare[49] are so tightening that actually the market itself cannot reach optimal allocation without the help of the Government (for example, with regards to the minimum wage proposal, the common opinion is that it could increase unemployment and thus prevent full employment. On the contrary, Atkinson believes higher wages should improve the productivity of workers (Atkinson 2015); the positive correlation between wage and productivity is usually connected to biological[50] and motivational factors[51]).

Milanovic also suggests that, since globalization has changed the labour market and the welfare state, it is necessary to rethink them, now considering the migration matter too (Milanovic 2019); migratory movements are in fact showing a new face of inequality, the one among countries[52], which is no longer possible to solve with nationalistic tools (because this solution seems slightly unlikely in a globalized world[53], and even if this autarchic choice should lead to some positive results for a country, it would be a step backwards in the development path of mankind).

Therefore, we have to recognize the clear shift in the labour market[54] and in the welfare system[55], and consequently it is no longer possible to use an approach exclusively economic if we want to solve those matters that first of all regard human progress and only then economic development.

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[48] We are referring to the libertarian justification ("many rights protect the individual citizen against the encroachment of the state, and thus convey benefits that far outweigh any cost of economic inefficiency"), the pluralistic justification ("the network of relationships in a viable society had to rest on a broad base of human motives and human interests. Material gain is (at most) one of the many motives propelling economic activity. In turn, the economy is only one aspect of society and must be embedded into a successful society. [...] Rights can then be viewed as a protection against the market domination that would arise if everything could be bought and sold for money"), and the humanistic justification ("recognition of the human dignity of all citizens". [...] Once political and civil rights are seen as integral to human dignity, it becomes clear why they shouldn't be bought or sold for money"). See Okun 2015: pp. 10-21.

[49] These conditions are no externalities, perfect competition (individuals and firms are price takers), perfect information and perfect rationality of agents. However, in real life, these conditions never occur and therefore the market usually fails because of monopoly, externalities and asymmetric information.

[50] Leibenstein underlines that better paid workers are able to afford more or better food; this improves the health and energy of workers and thus their productivity (Leibenstein 1963).

[51] Atkinson refers to the Akerlof's and Stiglitz's efficiency wage theory, by which a higher wage should solve the classical issues about principal-agent model, due to asymmetric information (i.e. adverse selection and moral hazard). See Akerlof and Yellen 1986; Stiglitz and Shapiro 1984.

[52] The Author defines migrations "as the movement of one factor of production (labor) when globalization takes place in conditions of uneven mean incomes between countries" (Milanovic 2019: p. 193).

[53] The precondition for creating a welfare system and maintaining it stable is the homogeneity of values among the members of the community that benefit from that system; however, migrations, favored by globalization, have introduced in native communities people with different rules, behavior and life experiences (or at least felt as different), thus weakening the welfare system; according to Milanovic, the main issue is the present configuration of citizenship, that can be seen, in an economic sense, as "a joint monopoly exercised by a group of people who share a given legal or political characteristic that gives rise to the citizenship rent" (Milanovic 2019: p. 187). Such a configuration of that juridical institute generates a great flow of foreign workers, who differ in culture, language, behavior, values, ways of interactions, and consequently can create dissatisfaction, social tensions, loss of confidence, or even lead to civil war. The tight link between citizenship and welfare state is then in stark contrast with globalization, because "the fact that there is a welfare state with benefits assigned to citizens only and thus forming part of their citizenship rent (in some cases a substantial part) cannot but be in tension with the free movement of labor" (Milanovic 2019: p. 218).

[54] No longer characterized by full time and stable jobs, but flexible and fixed-term: "the twenty-first-century labour market is more complex, and this has implications for how we think about employment as a route out of poverty and full employment as a means of assisting us on the way to less inequality" (Atkinson 2015: p. 137).

[55] Focusing particularly on the double adverse selection issue pointed out by Milanovic, according to which, at national level, the polarization between the poor and the rich enhances private social welfare and incentives the rich to voluntarily abandon the public social system (thus leaving only those who would have insurance premiums too high, which could in turn lead to many of them abandoning the system completely), whereas, at international level, adverse selection is due to the fact that more qualified and ambitious migrants go towards higher social mobility countries, while those less qualified and less ambitious choose more egalitarian countries, which usually have less income mobility, but in return more inclusive welfare systems (Milanovic 2019).

Only putting aside orthodox theories, is it possible to hypothesize the fusion between the two main models as an effective solution for the problems of modern society; liberal socialism[56] suggested by Rignano (Rignano 1901) in Italy and recently revived by Maccabelli (Maccabelli 2007) seems a paradigm capable of enhancing both the strength of capitalism (because the free-trade market keeps on being the main regulatory mechanism of economic activities[57]) and of socialism (because it suggests a reform in inheritance law[58] and it valorizes the role of mutual societies and the sharing of capital between workers and employers[59]).

In analyzing inequality it is also necessary to face the potential impacts of technology on the future socioeconomic order. Although we cannot deny that technological progress allowed for a rapid giant improvement in the quality of life, it is also true that some threats could be hidden behind the intrinsic nature of capitalism combined with technological innovation. As acknowledged, the main aim of capitalism is to continuously increase profits, which are obtained mostly by reducing the costs of production factors and by improving production processes. However, even though technology has improved productivity (and, let's not forget, it has also reduced dangerous and heavy tasks), it has at the same time substantially decreased the number of jobs.

This situation will be far more evident in the future; Atkinson highlights how "in their study of the future susceptibility to computerization of US jobs, Carl Benedikt Frey and Michael Osborne (Frey and Osborne 2013) conclude that 47 per cent of all US jobs are in the high-risk category, meaning that these occupations are potentially automatable in coming decades[60]. [...] The high-risk jobs are located particularly in office and administration, sales, and service categories. At low-risk were jobs in health care, education, education/legal/community services, arts and the media. Not surprisingly, these require particular human skills such as social perceptiveness, negotiation, persuasion, and originality" (Atkinson 2015: p. 97).

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[56] We can find the first attempt of combination between the two main models in John Stuart Mill, who published in 1848 the *Principles of Political Economy*, in which, after having underlined the difference between the production field and the distribution field, states that only the first is governed by universal law, while the second is determined by social and institutional framework and therefore can be set up properly in order to avoid excessive and arbitrary inequalities. Distancing from the Marginalist philosophy, where both fields are governed by trade and market rules, the Author finally succeeded in legitimizing the instances of higher equity in the distribution of wealth, and consequently, in finding an alternative solution to the collectivism and to the Marxian perspective of a radical overthrow of liberal society and market economy institutions (in fact, the Marxian socialists did not believe in the distinction between the two fields, and so they preferred the overthrow of the relations of production in order to transform the distributive mechanism). Thus, the idea arose that liberalism and socialism must not necessarily be antithetic, but that they can easily integrate and complete each other (Mill 1848). However, it was Léon Walras who established the official union between the two paradigms, thanks to the introduction of the concept of social economy; the Author in his *Notice autobiographique* (1870-1892), distinguished economics in three categories: - pure economy, studying trade rules (associated to the natural laws, as does physics); - applied economy, analyzing the production of wealth (division of labour, industrial organization); - social economy, investigating distribution matters (also involving ethical aspects). These three fields are then characterized by different levels of abstraction and are correlated with other contiguous (not economical) disciplines: there is higher proximity to natural science (especially physics) for pure economy, to social science for applied economy, and to philosophy for social economy (Legris 2000). Thanks to this classification, Walras was able to state in his *La méthode de conciliation et de synthèse* that the aim of social research is to find an economical organization able to ensure both a production as high as possible and a distribution of social wealth as fair as possible (Walras 1896).

[57] In fact, Rignano states the real issue is not the free-trade market, but rather the capitalistic philosophy which, by concentrating the resources on a few individuals, precludes a fair start in the "economic competition" (Rignano 1901).

[58] Since the transmission of wealth is the main obstacle towards equality of conditions, Rignano suggests an inheritance tax specifically designed not to discourage the individualistic motivation to capital accumulation and, at the same time, to allow a uniform distribution of wealth across generations.

[59] Despite the doubt of some economists (Okun 2015; Milanovic 2019), Rignano believes that a higher involvement of workers should improve economic productivity (Rignano 1901).

[60] However, the problem is not only unemployment, but also the loss of the power of trade unions for the employees still working because "robots do not go on strike. With a smaller labour force and more mechanized production, the firm will have greater control and less need to negotiate with trade unions" (Atkinson 2015: p. 116).

Because of the technological development we will have to face, as foreseen by Meade many decades ago (Meade 1964), a crucial distributive dilemma: economic growth benefits will be mostly correlated with an increase in profits; consequently, computerization will widen inequalities.

Nowadays, also Sapelli says that "even though the quantity of living work is reduced, this should bring about an exponential growth in surplus value and therefore a dizzying increase in social differentiation [...]. Machines will be owned by 0.1% of the population, 0.9% will manage them and 99% will be employed in the small amount of non-automated work available or will languish in the pits of unemployment" (Sapelli 2019: p. 74).

So, the technological unemployment dilemma[61] cannot be ignored any longer and it can be dealt with from two antithetical perspectives: we could accept the idea of the three "lump" fallacies suggested by Milanovic (Milanovic 2019), according to which today we cannot know the exact number and the kind of resources, innovations and needs that there will be in the future[62], and so we are not able to forecast how many and which jobs could be created by combining those factors; if that were the case, the matter could be easily solved by rebalancing the mismatching between competences and technology as underlined by Piketty (Piketty 2014) and Stiglitz (Stiglitz 2016), and consequently we should follow Atkinson's suggestion to consider technological innovation no longer an exogenous variable, but endogenous; therefore, policy makers should set up policies specifically aimed at developing the technologies able to increase employment[63] and not to reduce it (Atkinson 2015).

The other perspective is more radical and it suggests how the engine of capitalism could also be the main responsible for its end; in fact, many Authors seem pessimistic about the possibility of the joint survival of technology and living labour. Specifically, they forecast that the latest innovation, i.e. informatics, will wipe out the market mentality and the property, and will break the relationship between wage and work[64].

Informatics would allow the modern communication/energy matrix[65] to be connected and managed through the Internet of Things[66] infrastructure, from which a new socioeconomic paradigm would arise, characterized by a collaboratist nature and no longer based on scarcity, but on an abundance of resources (this would be possible thanks to the gradual reduction of costs to zero, to the sharing economy[67] and to the birth of the "prosumer"[68]).

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[61] This issue was already highlighted by Keynes in the 1930s (Keynes 1932, available at http://www.econ.yale.edu/smith/econ116a/keynes1.pdf).

[62] For example, twenty years ago we could never have imagined the invention of the smartphone and the correlated need for one.

[63] Especially enhancing the human dimension of services.

[64] "Info-tech drives labour out of the production process, reduces the market price of commodities, destroys some profit models and produces a generation of consumers psychologically attuned to free stuff" (Mason 2015: p. 220).

[65] Rifkin reminds us that historically all social infrastructures are made up of three inseparable elements – a communication medium, a power source and a logistics mechanism – the lack of which precludes society to run properly. In the 19th Century the communication/energy matrix included the steam engine press, the telegraph, railways and an industrial coal-powered system; instead, in the 20th Century it included the telephone, the radio, the television, automobiles and oil (Rifkin 2014).

[66] The concept of Internet of Things was coined in 1999 by British engineer Kevin Ashton; IoT is an integrated infrastructure resulting from the fusion among a Communications Internet, an Energy Internet and a Logistics Internet.

[67] Resource sharing will determine a change in the mind of people, from the possession to the access of things, thus generating the decrease of benefits correlated with private property. Nowadays, the best example of this change of perspective is "car sharing", which has determined an important reduction in the number of owned cars. Not only has this service weakened the concept of private property, but it has also reduced the number of vehicles on the road, so decreasing gridlock and pollution (with regards to the latter, less environmental degradation is due not only to less vehicles on the road, but because the cars used for sharing are often electric).

[68] This concept was coined by Alvin Toffler in 1980 in his book *The third wave* and it is a fusion between the word producer and consumer. Rifkin believes that, in the future, people will be able to make things by themselves in an affordable way thanks to 3D printing; this kind of production is more efficient than the traditional factory manufacturing, because the latter is a subtractive process, while 3D printing is an additive one (that generates zero waste of commodities). Moreover, 3D printers can make their spare parts, use renewable

Therefore, the new IoT infrastructure seems specifically set up for Collaborative Commons, since it is characterized by openness and inclusivity, inclination towards peer production on a lateral scale and renewable energies; this kind of approach enhances collaboration, synergy and consequently social capital too (Rifkin 2014).

In Collaborative Commons, the new economic figure of the prosumer (in the place of producers and consumers) and the sharing value (instead of the market value) should lead to a higher equality among the members of society.

Although Rifkin and Mason's solution (also appreciated in Italy by Sapelli) seems still to be too pioneering and, currently, to have low probabilities of being realized, we have to recognize that their idea has the merit to valorize both efficiency and equality, and finally to allow the overcoming of the Okun tradeoff, to which all the main models (even if adjusted) are inevitably subjected.

Furthermore, the similarity between Rifkin's model and Gandhi's[69] points out how comprehensive Rifkin's proposal is, since it now permits to recover the ethical features of economics too, which are generally "forgotten" in utilitarian philosophy and in capitalistic paradigm.

A model with those characteristics should foster the transition from GDP to other indicators more representative of the progress of modern societies and enhance the Capability approach, so that, finally, it can be considered an adequate substitute for utilitarian philosophy[70].

Among those who foresee the end of capitalism, Mason seems the most confident since he trusts in a spontaneous transition towards the new collaborative system; as capitalism was born and has survived until now in a natural manner[71], so the new socioeconomic order will also arise and develop spontaneously thanks to the intrinsic nature of technology (Mason 2015).

Instead, not so confident seems Rifkin, since he does not trust in the spontaneity of change, but believes that an adequate governance, favoring the building of the new order, is necessary.

"We have been so convinced of the economics of scarcity that we can hardly believe that an economy of abundance is possible. But it is. New communications technologies are turning the broadcast spectrum from a scarce resource to an abundant one, just as with information, renewable energy, 3D printing, and online college courses. The journey to an economy of abundance, however, is cluttered with roadblocks that could delay and even derail the collaborative era. The challenge is finding a governance model that can take society into the new paradigm" (Rifkin 2014: p. 106).

However, Rifkin's worries can be easily faced thanks to the new branches of economics now also involving more humanistic subjects, such as psychology, sociology and anthropology. Behavioral and experimental economics are questioning the mainstream regarding the full rationality of economic agents and proposing new alternative theories (Kahneman and Tversky 1979; Bell 1982; Loomes and Sugden 1982; Thaler 2016) to explain the real reasons behind the individual choices, which are more and more correlated with equity matters (as shown by the ultimatum game and its

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materials and open-source software, so available to everyone. "The new 3D printing revolution is an example of extreme productivity. It is not fully here yet, but as it kicks in, it will eventually and inevitably reduce marginal costs to near zero, eliminate profit, and make property exchange in markets unnecessary for many (though not all) products. The democratization of manufacturing means that anyone and eventually everyone can access the means of production, making the question of who should own and control the means of production irrelevant, and capitalism along with it" (Rifkin 2014: p. 67).

[69] Rifkin's idea of a lateral peer production model is not really new; as also underlined by the Author (Rifkin 2014: p. 75-78), Gandhi had already seen the issues correlated with the economic models emerging at that time (capitalism and socialism); even though Gandhi had understood that both economic models would have led to centralized control over the production and distribution process, the championing of a utilitarian concept of human nature, and the pursuit of ever more material consumption as an end in itself, he could never have foreseen that the success of those (dangerous) models would have been inevitable because of the communication/energy matrix of those times, which had promoted a centralized management with top-down command and control and a vertical integration of economic activities. However, according to Rifkin, Gandhi's vision should finally be realized thanks to the power of the IoT.

[70] For further analysis on the issue of the weakness of ethical perspective in modern economy, see Sen 1988.

[71] Mason thinks the survival instinct of capitalism is due to the combination of Kondratieff's long waves theory (Kondratieff 1925) and of the marxian theory of counter-tendency in answer to the decline of the rate of profits (Marx 1990).

variants (Lanteri and Ottone 2009)) and affected by many biases due to bounded rationality (Simon 1955).

Once acknowledging these new features of the economic agent, a useful help can be found in Thaler's proposal, known as *libertarian paternalism*, suggesting the use of a "nudge"[72] to "freely guide" inevitably ir(rational) individuals towards those choices able to promote the wellbeing both of the agent and the whole of society (Thaler and Sunstein 2008).

If the *choice architects*[73] decided to set up the options in order to promote those choices supporting higher equality, solidarity, business ethic, economic and environmental sustainability, then most likely informatics could really contribute to the transition towards the new paradigm suggested by Rifkin and Mason, thus making the "collaboratist" solution based on the lateral-scale production and on the abundance of resources not so utopian any longer.

Either in a spontaneous way or by a nudge, Sapelli says that the new paradigm should recover the common goods philosophy (but according to the Author's definition[74]) and should have a positive view of the non-profit sector[75] (since it would be the only business model able to survive naturally in an economic system not based on profit philosophy any longer); if that were the case, a kind of economy very different from the mainstream would arise, which the Author suggests calling moral economy[76], a concept referring to "all activities stemming from people and things coming together with a view to a certain end [... and not leading] to the appropriation of profits by those who currently hold control and/or ownership of this association" (Sapelli 2019: p. 125).

However, the Author does not underestimate the Common goods tragedy matter, as theorized by Hardin (Hardin 1968), and therefore suggests that such a model would work better in a community than in a society (Sapelli 2019); but, the main problem, as Ostrom highlights, is that globalization is pushing the world in a completely different direction, from a communitarian dimension to more and more individualistic and heterogeneous societies (Ostrom 1990).

Nevertheless, in a globalized world, the "mutual trust" matter depends strongly, not only on the kind of social construct (i.e. community/society), but also on the related context, and it could be different according to the circumstances; such a factor is nowadays compulsory because we live in a context of scarce resources, so it could be precisely this situation to foster individualistic and utilitarian human nature.

Omitting momentarily to look into the true nature of human beings in the rawlsian original position, we can however attempt to hypothesize that a potential abundance of resources should most likely prompt people to behave differently from what now is the rule in modern society[77] (i.e. our behaviour would be very close to what we know is right even though we seldom respect it).

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[72] "A nudge [...] is any aspect of the choice architecture that alters people's behavior in a predictable way without forbidding any options or significantly changing their economic incentives. To count as a mere nudge, the intervention must be easy and cheap to avoid. Nudges are not mandates. Putting the fruit at eye level counts as a nudge. Banning junk food does not" (Thaler and Sunstein 2008: p. 26).

[73] The term was coined by Thaler and Sunstein in their 2008 book, in which they state: "A choice architect has the responsibility for organizing the context in which people make decisions" (Thaler and Sunstein 2008: p. 22).

[74] "Goods that are defined as public not due to any form of state ownership, but because this form of ownership (not aimed at obtaining individual profit from the goods) is essentially cooperative, property of small or large social groups, and allows their reproducibility and use for all those who wish to gain access to them, in accordance with rules that ensure their infinite reproducibility" (Sapelli 2019: p. 134).

[75] However, Sapelli warns against confusing it both with volunteering (since "in voluntary organizations, once the purposes of self-reproduction have been achieved, nothing is left because no-one responsible for controlling and managing the association receives any salary or wages"; Sapelli 2019: p. 125) and with the third sector (since "this expression is equivocal because it gives the idea of duality and substitution: space for non-profit organizations opens up in areas that cannot be reached by the state and where it is not economical for private enterprise to operate"; Sapelli 2019: p. 123).

[76] This expression is attributed to the British historian Edward Thompson, who introduced it for the first time in his essay (Thompson 1971).

[77] On this matter, Milanovic reminds us that "such amoral behavior is necessary for survival in a world where everyone is trying to acquire as much money as possible and to climb higher in the social pyramid. Any alternative behavior seems self-defeating. [...] Anyone who remains inside the globalized and commercialized

The values of equality, equity, justice and dignity, proclaimed nowadays in many Constitutions/Declarations of rights and accepted at international level, are very often put aside because of the eternal fight to secure the (really scarce?[78]) available resources.

All that seems even more irrational considering that all stakeholders should be better off thanks to a mutual transparent approach (as also suggested in business management by the open book accounting method).

As already mentioned, behavioural science found out that individuals feel the need to be part of society in an equity-based manner[79]. Unless we believe hypocrisy is the true human nature, then incoherent behaviour in modern society (already shown by the analysis of GDP limits) is most likely due to the scarcity of resources.

Moreover, considering the ever increasing problem related to the change of the labor market so that it cannot guarantee the previous stability and safety any longer, recognizing the aging issue which further burdens on the welfare system (at least in the way it is now structured), and forecasting an ever-growing computerization of jobs, then we cannot preclude there will be a spontaneous change in people's mindset (thus the mutual trust, now necessary in order to make the system work properly, will not be essential any longer).

If we support a better quality of life, if we welcome the reduction of mortality and morbidity gained by technological progress, if computerization in the future should really lead to less working hours and more leisure time to use for improving relationships, if the shift towards renewable resources should make them abundant in a circular economy – fostered by something that today we can define in the best of cases (thanks to lateral thinking techniques[80]) a "happy degrowth"[81], which instead, from a different perspective, could be considered a real (social and human) growth – therefore why must we blindly trust in the present socioeconomic order and keep on "patching it up" to preserve it, while it would be easier to let ourselves be moved spontaneously towards a system really matching our values?

However, the transition towards such a paradigm could be delayed by the status quo bias[82] (especially regarding those individuals who are at the top of the socioeconomic ranking); in fact, those who have succeeded thanks to the capitalistic philosophy could be afraid of introducing a model having a completely different measurement system, that most likely would downgrade their rank (at least with regards to the economic and social position); as Nussbaum highlighted[83], the USA (but also other countries) would rank differently, depending on whether GDP or HDI[84] is used, and therefore it

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world has to fight for survival using the same means and the same (amoral) tools as everyone else" (Milanovic 2019: pp. 253-254).

[78] Jigmi Y. Thinley, Prime Minister of Bhutan states that "we have never had greater knowledge, technical capacity, material abundance, and productive potential to create a sane economic order and to achieve all its necessary conditions. We have the ability, for example, to feed everyone on earth healthily and sustainably. No one need go hungry!" (Foreword to the Report of the High-level meeting on Wellbeing and Happiness, UN, 2nd April 2012; see https://sustainabledevelop ment.un.org/content/documents/617BhutanReport_WEB_F.pdf).

[79] This need can be clearly expressed by the phrase "keeping up with the Joneses" (where Joneses is a fictitious surname referring to the neighbor), used for the first time by the economist James Duesenberry in 1949 in his work *Income, Saving, and the Theory of Consumer Behavior (Economic Studies: No. 87)*, where he explained the "demonstration" effect theory; according to this theory, some consumers (especially from lower classes) buy luxury goods wishing to imitate the upper classes. Since this behaviour is in stark contrast with the rationality of the economic agent and with the demand law (by which the demand should be correlated positively with the income and negatively with the price of goods), it is likely that people need to feel at the same level as the other members of the community.

[80] The term was coined by the Maltese psychologist Edward De Bono (for details, see De Bono 1970).

[81] Since, most probably, we are still bound to an obsolete indicator of performance.

[82] Among the several biases found out by behavioral economics, the status quo bias refers to the situation in which "loss aversion helps produce inertia, meaning a strong desire to stick with your current holdings. [...] loss aversion operates as a kind of cognitive nudge, pressing us not to make changes, even when changes are very much in our interests" (Thaler and Sunstein 2008: pp. 69-70).

[83] The Author highlights how "the United States, for example, slips from number 1 in GDP to number 12 in the HDI" (Nussbaum 2011: p. 73).

[84] UN Report 2020 has shown a further decrease of the USA to position 17 in the HDI rank (see http://hdr.undp.org/en/content/latest-human-development-index-ranking).

is not easy to believe that anyone ranking in a high position would be ready to change the measurement system.

Another reason of the delay could be that an "imperfect" system is able to create a number of jobs higher than there would be when maximum efficiency is reached; in fact, imperfections can generate additional professional profiles, for example those[85] aimed at repairing potential damages caused by improper activities or at helping people to make very difficult choices[86], especially those choices affected by asymmetric information; a perfect system would not need all these human resources, thus reducing the number of workers. Hence, in an imperfect system, the GDP index, which appreciates any activity producing anything, seems the perfect evaluation method to justify the preservation of a socioeconomic system often in stark contrast with the values claimed by the members of the system itself.

Moreover, since human nature is characterized by positive and negative emotions, we cannot exclude that a model able to improve people's conditions excessively could not be paradoxically accepted, because it would reduce the variety of emotions (eliminating some of the negative ones) and it would not reflect that nature any longer; i.e. – borrowing from Thaler – Humans would not be and would not want to become Econs (Thaler and Sunstein 2008).

"Indeed, sadness, pain, and stress might be inevitable during some of the experiences one must go through in order to build a good life. Army boot camp, graduate studies in economics, medical school, or dealing with the death of a parent are examples of unpleasant experiences that are nevertheless an essential part of life [...]. These emotional experiences and others are important contributors to current wellbeing in their own right. Yet feeling happy is better than feeling sad, and stress, worry, and anger reduce wellbeing at the time they are being experienced, even if they sometimes have payoffs in the future" (Deaton 2013: p. 75).

Unfortunately, Deaton's words generate a considerable doubt about the real intention of people to get, despite their good will, a socioeconomic paradigm which would fit perfectly to the humanitarian values recognized at international level by now; conversely, such a paradigm would seem to have all the right requirements to be implemented.

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[85] Such as legal services, police protection, and services for restoring environmental degradation.

[86] Such as consulting services.

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The Role of the European Union in a Non-Recognized Context. The Case of Somaliland (1991-2018)

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Abstract

Somaliland, the small enclave of the Horn of Africa, declared its independence unilaterally from Somalia in 1991. Since then the region has gone through a long local process of pacification, state reconstruction and democratization. These objectives had the purpose of achieving international recognition based on the idea that democratization and stabilization would attract the attention of major regional and international actors who would value the difference of Somaliland from the rest of Somalia, which was living in a context of chaos in the 1990s. Since its de facto independence, the country has not been recognized by any state in the world. Nevertheless, and although it may be contradictory, Somaliland maintain relations with different states, actors and internal institutions. The European Union, although it does not formally recognize Somaliland as an independent country, does maintains relations at different levels such as cooperation and development, military missions, promotion of democracy and good governance and even supports educational, health and gender programs in order to improve the living conditions of the region's population. This research analyses EU-Somaliland relations, the policies carried out by Brussels in the region and the situation regarding international recognition. To this end, an in-depth review of the bibliography has been carried out. Furthermore, official documentation, reports, press documents and elections results have been used for this study.

Keywords: *Somaliland; European Union; International Recognition; International Relations.*

1. Introduction

The History of Somaliland as an independent entity is rooted in the decolonization process initiated on June 26, 1960. On that date, Somaliland achieved independence from the United Kingdom but on July 1st it merged with the former Italian Somalia. The coexistence between the two regions worsened and in the 1980s the confrontation was total between the Somali National Movement (SNM) and the government of Siad Barre (Arconada Ledesma 2018a: pp. 98-99). Between 1988 and 1991 the conflict intensified

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and the army opted to attack different cities in the region. It is estimated that at least 200,000 people were killed and 95% of the cities were destroyed (Adan Ismail 2003: p. 275). Siad Barre finally had to flee in 1991 owing to the loss of control of the country. Different warlords, generals, clans and armed groups seized regions of the country, initiating a long process of territorial and state disintegration that was reflected in the cases of Somaliland -which opted for independence unilaterally in May 1991- and Puntland -self- proclaimed federal regional state in 1998 (Arconada Ledesma 2018b: p. 416).

Since its *de facto* independence, Somaliland has achieved a series of milestones that had allowed it to maintain a situation of remarkable stability, especially when compared to the context of the rest of Somalia. The Hargeisa government maintained relative peace, which allowed it to constitute a lasting system of government with an executive presidency, a Parliament elected at the polls, and an Upper House known as Guurti -which represents the different clans in the country and functions as a Senado- legally constituted political parties and armed and police forces that have provided some order. In addition, Somaliland has organized several elections with a peaceful power transisition (Omaar and Mohamoud 2015: p. 87). However, these processes have not been free of obstacles and have even resulted in the temporary suspension of press freedom, a clear attack on the democratic system. All of Somaliland's efforts over the past three decades have had only one goal: to achieve international recognition.

2. The Process of State Reconstruction of Somaliland After 1991

Somaliland's main political group, the Somali National Movement (SNM), largely composed of members of the Isaaq clan, was the main military force in the northwest of the country in 1991. In May of that year, the SNM held a conference (*xeer* in Somali) in the city of Burco with the participation of guerrilla group commanders, traditional authorities and clan representatives. This meeting addressed the possibility of Somaliland being separated from the rest of Somalia. Despite the fact that the SNM leadership was not in favor, the reminder of the devastation of the civil war and the rejection that the policies of Mogadishu had provoked ended up tilting the balance towards independence positions. Given the majority support of the traditional authorities, the SNM decided to declare the independence of the Republic of Somaliland on May 18, 1991. Although there were sectors that did not agree with this declaration, especially Somalis who belonged to clans other than the Isaaq, they ended up accepting it due to the unquestionable power of the SNM and to prevent the spreading in the north of the escalation of violence that was taking place in the south. Some authors, such as Markus Hoehne, point out that secession worked as a security measure because it created a political distance with the South and instituted an alternative government in the North that was determined to avoid any kind of violence (Hoehne 2010: p.179).

In addition, the secession was based on a series of arguments to legitimize the new status quo of Somaliland. On the one hand, it justified the existence of Somaliland as a geopolitical entity since 1897, when the British protectorate was founded. On the other hand, reference was made to the brief period of independence that took place between June 26 and July 1, 1960, until the merger with the former Italian colony of Somalia. Thus, it was argued that Burco's proclamation was not an act of secession, but a dissolution of an agreement between two sovereign states, based on the failure of the 1960 union (Bradbury, Yusuf Abokor and Ahmed Yusuf 2003: p. 457).

2.1. First years of Independence: Pacification and Reconstruction

The newly acquired independence of Somaliland was not free of obstacles. Throughout the 1990s the authorities in Hargeisa had to deal with a very complex situation: half of the population lived in refugee camps in Ethiopia or as internally displaced persons; the main cities were totally razed to the ground; there were armed movements against the power of the SNM which was beginning to fragment in a struggle for the country's scarce resources; the economic situation was non-existent and there was no social welfare of any kind; finally, some clans living on the margins of the country began to oppose secession (Markus Hoehne 2018: p. 7).

Thus, it became necessary to organize a new *xeer* in Borame in 1993, which contributed to the restoration of peace and the resolution of conflicts between clans. After this conference both the government and the traditional authorities proposed a successful disarmament project integrating these groups into the national army and police (Mohamoud Barawani 2017). Similarly, the Borame conference helped convince minority clans to support the new state-building process. Thus, the *Gadabursi* and *Cisa*, who lived in the west, and the *Dhulbahante* and *Warsangali*, in the east, ended up integrating into the new structures of the country (Hoehne 2009: p. 259).

But how could Somaliland achieve the pacification of the country and the subsequent reconstruction without international support? Despite the fact that the government had no access to any international protection, humanitarian aid, or international credit, many authors have pointed out that Somaliland's success lies in the fact that it was a bottom-up process in which the entire nation, including the diaspora, participated (Bradbury, Akobor and Yusuf 2003; Hagmann and Hoehne 2009; Menkhaus 2007). It was not until 1998 that a total pacification of the country was achieved, thanks mainly to a part of the business elite and entrepreneurs who financed the new security forces, accelerating the disarmament. Peace was achieved by a mixed security system in which clan authorities maintained local order and the armed forces did so at the national level (Johnson and Smaker 2004: pp. 6-7).

2.2. Towards democratization

It is difficult to determine when democratization began in Somaliland, but it is clear that due to the critical situation in the region during the post-war period this process was postponed. Some authors have pointed out that large meetings such as the *xeer* in Borama represented the first milestones in the democratization of the country since it was agreed that a charter would be approved that would function as a provisional constitution. This document already provided for the separation of powers and the constitution of a bicameral Parliament with a House of Elders, known as *Guurti*, and a House of Representatives, called *Golaha Wakiilada*. This was a fundamental step for the subsequent democratic development of the country and generated a hybrid system that added the characteristics of the "traditional" local system and the "modern" model of government. Similarly, in Borama, the first President of Somaliland, Mohamed Haji Ibrahim Egal, was elected (Hoehne 2010: p. 180). This model of state has been called "ethnic democracy" and according to Hussein M. Adam democratic power sharing based on ethnicity or clan is facilitated if the groups involved have a common vision and share a common history, the various groups occupy more or less defined areas and share similar perspectives on external threats. None of the groups exercises hegemony; they are more or less equal (1994: p. 32).

This could partly explain the rapid democratic transformation of Somaliland's structures and its consolidated path. Furthermore, since 1999 Ibrahim Egal presented the transition to a multiparty democracy as a guarantee for international recognition since he argued that the international community would not recognize Somaliland as an independent state unless it adopted such a system. To this end, a referendum was held for the adoption of a new constitution in May 2001 (Bradbury, Yusuf Abokor and Ahmed Yusuf 2003: p. 473). It is clear that Egal's strategy was to make a comparison between the situation in Somaliland and the rest of Somalia. Somaliland in 2001 had managed to recover most of the state structures and was beginning a process of democratization that would make the country the only democracy in the Horn of Africa. Somalia was still in total chaos and there was no government with the capacity to control the situation (Arconada Ledesma 2018b: pp. 417-418).

As expected by the government, the Constitution was approved by an overwhelming majority. 1,149,000 people participated in the plebiscite and 97.10% of the votes were in favor of the National Constitution (African Election Database, 2001) This Charter protected basic rights of Somali citizens such as freedom of expression and assembly, supported the formation of political parties (up to three), and equaled the rights of men and women (Somaliland Constitution, 2001).

From that year on, the first free elections were organized at all levels. In December 2002, local elections were called and in April 2003 the second presidential elections were held, in which Dahir Riyale Kahin was elected for a five-year term. In addition, in 2002 the three national parties were formed: UDUB which could be translated as the Popular Democratic Party; Kulmiye, the Unity Party; and UCID which translates as the Justice Party (Jarle Hansen and Bradbury 2007: p. 465). Once the parties were constituted, the first call for elections to Parliament was made on September 29, 2005, which resulted in a fairly even result: UDUB won 33 seats and 39% of the vote; Kulmiye obtained 28 representatives and 34.06%; and UCID came in last place with 21 seats and 26.93% of the vote (African Election Database, 2005).

However, there were also anti-democratic episodes. In 2008, President Kahin's term was ending, but due to manipulations not fully clarified in the House of Elders and the claim of a "national emergency", the presidential term was extended until May 2010. Despite this delay, the 2010 presidential election proceeded normally and a new peaceful change of powers took place as Kulmiye's candidate, Mohamed Mohamud Silanyo, became the new President (Hoehne 2018: p. 9). Similarly, the second parliamentary elections, scheduled for 2010, were delayed for more than 5 years and although the elections were generally defined as free, cases of vote buying were recorded. Similarly, policies in favor of security and protection of citizens have been used on several occasions against the media, becoming a barrier to the development of a full democracy (Johnson and Smaker 2014: p. 10).

3. Europe and the Difficult International Recognition

So far, the international community has not legally recognized Somaliland, which has generated enormous disappointment among the local population. Although the region has been able to move forward for almost three decades, the situation seems to be stagnating largely due to the lack of access to international credit. However, Somaliland is a geostrategic enclave of enormous importance both for the African Union, as well as for the European Union and other regional powers such as Saudi Arabia, India or China, among others. Moreover, the United Nations (UN) is aware of the dangers that terrorism

would pose to gain a foothold in the area. This threat has generated a wave of international support from institutions such as the United Nations Development Programme (UNDP). Despite this support for development, security and humanitarian aid, the government has no access to international financial aid (Johnson and Smaker 2014: pp. 7-8).

Some actors and countries have taken an important step towards supporting and establishing relations with Somaliland. However, these relationships are indirect, which means that they cannot finance the government and support is focused on the development of particular projects. In fact, most of the services are supported by international institutions, private sector and NGOs (Omaar and Mohamoud 2015: pp. 91-93). As far as the UN is concerned, the global forum has been quite flexible with the Somaliland context. After the experience of Katanga, where the region declared its unilateral independence from the current Democratic Republic of Congo (DRC) in 1960 and the UN led a military campaign in the period 1961-1963 to reintegrate this region into the Congo, the UN is limited to occasional support to the region, always within the framework of Somalia, to which it legally belongs (Adam 1994: p. 37).

3.1. Waiting for Africa's decision

The EU, as well as the other extra-continental actors, have marked a distance from the recognition of Somaliland, at least until the African regional actors and the neighbouring states make their statements. But what is the position in Africa with respect to Somaliland? Firstly, the AU has maintained a clear position on Somaliland's independence and recognition. The AU is, in the end, the heir to the OAU which, in its founding charter, advocated respect for the borders inherited during decolonization (Organization of African Unity, 1963).

Although there have been several successful cases of secession in Africa, the AU fears that allowing the secession of some territories will cause a contagion effect throughout the continent, generating great instability (Nasir 2013: pp. 340-341). In the specific case of the Horn of Africa, the AU faces the risk that the recognition of Hargeisa will lead to clashes between Somalia and Somaliland (Hoehne 2018: p. 7). Despite the AU's position against secession, the truth is that the case of Somaliland does not represent so much a secession as a dissolution between two constituted states, which is due to its particular context: Somaliland was already independent for a few days in 1960. In addition, there have been examples of confederations and state unions that have dissolved peacefully and both parties were recognized as independent entities. As Caplin points out, the cases of Ethiopia and Eritrea, Egypt and Syria, and Senegal and Mali may serve as a precedent for recognition. However, the cases previously mentioned were resolved with an agreement of both parties and in the case of Somaliland such an agreement did not take place, as the decision was taken unilaterally. Another actor against recognition is IGAD, as it fears that recognizing Somaliland will encourage other regions in East Africa to fight for their independence (Caplin 2009: p. 9). However, it does not seem that the fear of IGAD is a wave of independence, but rather that such independence will produce greater instability in the region, as has happened with the conflict between Ethiopia and Eritrea, or the civil war in Southern Sudan.

Ethiopia, although it has not recognized the status of Somaliland, has become the main guarantor of the Hargeisa government. In fact, both entities established relations in 1993, under the administration of Ibrahim Egal, since the Addis Ababa government had strategic interests in the region (Nasir 2011: p. 3). However, Ethiopia has not proceeded to recognize Somaliland because it wants to avoid being accused of disintegrating Somalia.

On the other hand, relations with Djibouti have been quite tense. Although, in the last decade they have collaborated with the objective of pacifying the border and fighting terrorism. These two countries - along with Kenya, South Africa, South Sudan, the United Arab Emirates, as well as Belgium and the United Kingdom - do recognize and allow the use of the Somali passport (Arconada Ledesma 2018c: p. 21). Similarly, South Africa has strengthened ties with Hargeisa and even sent observers to the 2002 and 2003 elections (Bradbury, Yusuf Abokor and Ahmed Yusuf 2003: p. 459). It seems, moreover, that the Somaliland government is expanding its options, targeting other countries such as Uganda (The Observer, 2018).

3.2. The position of European countries and the European Union regarding recognition

The EU has many interests in Somaliland, especially due to its geostrategic position in the Horn of Africa and as a key player in the fight against terrorism, piracy and illegal trafficking networks. However, as with other international actors, the EU has not addressed the debate on the recognition of Somaliland, mainly because it is waiting for the AU and the States of the region to make a decision. Why is this immobility? According to Tristan McConnell and Narayan Mahon (2010: p. 152) no non-African state is willing to recognize Somaliland until some African state does, as they could be accused of neo-colonialism.

While waiting for the AU to make a final decision, the EU has a number of relations with Somaliland. In fact, the President of the European Commission, José Manuel Durão Barroso, declared in 2008 the strong support of Brussels to the election processes in Somaliland. The relations established with Brussels were also referred to by Ali Aden Awale, head of Somaliland's delegation in the UK: "the European Union is working extensively to help Somaliland on economic issues, but they are a bit negative when it comes to helping in the political field". Despite this decision not to address the issue in Brussels, we must mention that there are opposing views on this matter among its members. Although no European country has recognized Somaliland, some are more open to that possibility. Somaliland has official representatives in several European countries such as Belgium, France, United Kingdom, Norway and Sweden (Africaye, 2016).

It was precisely the latter country the one that initiated the parliamentary debate in 2017 on whether or not his country should recognize Somaliland as an independent state. A commission was set up to analyze the situation and issue a decision that would be voted on in Parliament. This commission has been supported by the Somaliland Committee in Sweden, formed by the Somaliland diaspora that has been pressing for years for Stockholm to step in and recognize their country (The National Somaliland, 2017). The other great supporter of Somaliland's cause is the United Kingdom. It is clear that their common past with this enclave, which was part of their empire, has generated a closeness between both parties. The United Kingdom has extensive geostrategic and commercial interests in the region and although it has not recognized independence, it does support the country economically (Caspersen 2015: pp. 400-401). Other countries such as Denmark or the Netherlands have tried to mediate between Somaliland and Somalia to make them settle down for negotiations, since they consider that before any recognition, there must be a firm agreement between both parties (The National Somaliland, 2018). There is no point in acknowledging Somaliland if it can provoke tensions in the Horn of Africa. Thus, the debate on the recognition of Somaliland in Europe is still rather stuck. Only some of its

members have shown some closeness to Somaliland but that does not mean, by any chance, that they are willing to recognize it as an independent state.

4. European Union Policies towards Somaliland

Although the EU does not recognize Somaliland and has no intention of initiating such a debate in Parliament, this has not prevented it from developing a whole series of relations with the small enclave. The EU's interests in the region are focused on the fight against terrorism, piracy, the protection of the commercial flow that crosses the Red Sea and links Europe with the Indian Ocean, and the extension of the democratic model and good government. All of this has led Brussels to project a series of policies that could take the form of a certain level of military collaboration, humanitarian aid and development cooperation, support for the process of democratization and aid for specific policies in education and health. These actions are part of the traditional relations that the European Economic Community (EEC) developed after the African independences. Since the beginning of the EEC development policies, this has been one of its main objectives. Indeed, after the period of independence would come a new step in relations as it was to reach agreements between independent countries to achieve stability in the fragile political and economic organization that emerged in each of them (García Andrés 2020: p. 163).

4.1. European Union military missions in Somaliland

The EU has developed an active role in the reconstruction and stabilization of Somalia since 2008. The enormous threat that piracy posed to the EU's commercial interests and the danger posed by the materialized terrorism of the al-Shabaab group convinced Brussels of the need to act. Since that year, the EU has been creating specific missions in the Horn of Africa: in 2008 it launched the European Union Naval Force Operation Atalanta, in 2010 the European Union Mission Training in Somalia (EUMT-Somalia) and in 2012 the European Union Capacity Building Mission in Somalia (EUCAP-Somalia). Despite the exceptional situation of Somaliland, which is in legal limbo, the EU decided to deploy two of its missions with the collaboration of Hargeisa.

4.1.1. Maritime collaboration in Somaliland: EU-Navfor Atalanta

The Eu-Navfor Atalanta was an EU response to the lack of control in the surrounding waters of Somalia and the continuous attacks by pirates. EU Resolution 2008/851/CFSP specified that the operation was intended to contribute to the "deterrence, prevention and repression of acts of piracy and armed robbery off the Somali coast" (Arconada Ledesma 2018b: p. 425). This mission has also been deployed in Somaliland. Although it may seem contradictory given that the EU does not recognize this territory, the truth is that Brussels acts and collaborates with Somaliland considering it an autonomous entity, that is, with its own decision-making capacity but within the framework of Somalia. Although there is a clear legal vacuum, the magnitude of the threat in the waters of the Indian Ocean eventually convinced Brussels of the need to include maritime cooperation with Hargeisa.

The EU-Navfor mission deployed in Somaliland, which is based in Berbera, collaborates closely with other missions, such as EUCAP-Somalia, and other institutions and agencies such as the United Nations Office on Drugs and Crime (UNODC). Since the waters of the Gulf of Aden have not seen a high number of pirate attacks, the role of this mission has focused on cooperation through practical and theoretical training of Somaliland's coast guards. Thus, maritime training has been conducted over several days

in which Somaliland's maritime forces, on board Atalanta's ships, received maritime training, first aid, including treatment of burns, smoke inhalation and fractures, as well as training in firefighting and damage control. Atalanta has also focused on navigation and engine maintenance training, (EU-Navfor, 2015), radar training in which UNODC has collaborated intensely, and attendance at security seminars such as the Joint Maritime Security Seminar (European Union External Action, 2016).

4.1.2. EUCAP-Somalia and regional cooperation

EUCAP-Somalia was launched in 2012 and is not considered a military mission, but has a civilian character. Although its headquarters are located in Nairobi, it has a continuous presence in Mogadishu, Hargeisa and Garowe as it seeks to develop an ongoing relationship not only with central authorities but also with regional administrations. Its activities focus on supporting the development and implementation of regulatory, legislative and institutional frameworks related to civil maritime law enforcement, and on promoting training activities for civil maritime law enforcement agencies, the judiciary and prosecutors. The main Somali counterparts are the Somali Maritime Police Unit in Mogadishu, the Somaliland Coast Guard and the Bosasso Port Police, as well as the Ministries of Interior, Justice and Fisheries, the Attorney General's Offices, the police and judges (European Union External Action, 2018).

The main objective of this mission in Somaliland is to develop maritime security in the region and to this end the government of Hargeisa has been key, especially for its role in the fight against piracy on land - where European missions cannot act - and at sea. In order to increase this security, EUCAP-Somalia has focused above all on training both the Somaliland Coast Guard and other security bodies. The main measure has been to strengthen relations between European police, maritime and legal experts and their counterparts in the region, so that training and advice programs are developed (EU-Navfor, 2013). This mission has provided material support, such as land vehicles, and has focused on training in the fight against crime and specifically on the rights of detainees, in a clear commitment to the defence of human rights (EU-Navfor, 2013). Finally, EUCAP has also focused on training in Automatic Identification Systems (AIS), the use of navigation radars, radio communication and visits to the Bebera operations centre (EU-Navfor, 2016).

4.2. Development cooperation

As it has already been seen, Somaliland took its first steps without any help from the major international agencies. In fact, the missions that the UN launched in Somalia between 1991-1995 (UNOSOM I and II) and the US mission (UNITAF) were not deployed in the northern territory. Today, international agencies do act and provide support when catastrophes such as droughts, famines or floods occur. In fact, the UN allocated some $2.7 million in aid to deal with the terrible floods that struck Somaliland in May 2018 (UN News, 2018).

The EU, although actively involved in sending humanitarian aid to the region, is developing a key role in relation to development cooperation. This cooperation is aimed at infrastructure projects, but also at agriculture, education and health. One of the major projects, still in gestation, is the construction of the Berbera corridor in which the United Arab Emirates actively participates and which aims to be an economic and commercial axis linking the port of Berbera with Hargeisa and the Ethiopian border (The National Somaliland, 2018). Although the European participation has not yet been decided, the

interest it has generated in the agencies of the Union seems evident (Somaliland Press, 2018). Likewise, the EU has financed the rehabilitation of basic infrastructures such as the expansion of equipment for running water with more than EUR 19 million (Le partenariat Afrique-UE, 2011).

Apart from infrastructure, the EU has financed different plans related mainly to agricultural development. Thus, it is estimated that more than 6,500 farmers, shepherds, farmers and fishermen have benefited from improved market access, services and investments thanks to the improvement of almost 90 infrastructures; support has been given to some 67 associations and cooperatives that have promoted small-scale enterprises and businesses; some regulatory frameworks related to the veterinary code, livestock policy and business laws have been given a boost; access to cold storage for fishermen has been facilitated, as well as the production of ice; and more than 20 tons of cereal seeds have been distributed among farmers to increase their productivity (European Union External Action, 2018). In addition, European development cooperation has focused on reducing unemployment –especially youth unemployment– in urban areas with small-scale contract job creation projects and in medium-size enterprises, and energizing the private sector in areas such as energy and water utilities (Le partenariat Afrique-UE , 2011).

4.3. Defending Democracy and Good Governance

One of the main policies promoted by Brussels in Somalia is support for democracy, where no elections by universal suffrage have been held since 1969, with the exception of Somaliland. The EU's interest in the Somaliland democratization process began after the 2001 constitutional referendum, in the midst of the transition from a traditional system of government to a liberal democratic model (Somaliland Law, 2002). To underpin this process, the EU contributed EUR 450,000, to which was added the individual support of Denmark with EUR 125,000, the United Kingdom with GBP 60,000, the Netherlands with EUR 50,000 and Finland with EUR 10,000. It was agreed that for the 2002 local elections, 50% of the election costs would be paid before the elections were held. The EU report on the 2002 elections highlighted the police presence, the calm in the polling stations and the correct arrangement of the ballots. The report also highlighted the high participation of women in voting and a moderate presence at polling stations, where 20% were involved in the organisation of these elections.

Along with the role of the EU, the United Kingdom has been key to all the electoral processes, both presidential (2003, 2010, 2017), parliamentary (2005, 2017) and local (2012). Through the Democratization Program (which counted with EUR 3.4 million) the EU supported the electoral process for the presidency in June 2010 (Le partenariat Afrique-UE, 2011). The role of Brussels and London has focused on organising observation missions in cooperation with local organisations and civil society (Report Elections Somaliland, 2017). But without a doubt, the main support for the electoral processes in the region is financial support. Thus, Hoehne (2018: p. 10) indicated that about 75% of the electoral budget came from the EU and its members. The main European countries that have supported this process are Belgium, Denmark, Finland, France, Germany, Ireland, Italy, the Netherlands, Sweden and the United Kingdom (EU Delegation in Somalia, 2017).

In addition to the electoral processes, the EU, together with the UN and in collaboration with central and local governments, has supported –through the programme on local governance and decentralised service delivery– the decentralisation of the region

that was already laid down in the 2001 Constitution (UNDP, 2017). Similarly, Brussels, together with the Association of European Parliamentarians for Africa (AWEPA), provides training and seminars for Somali parliamentarians and officials with the aim of creating an environment that supports electoral processes. This program, with a cost of EUR 1.26 million, has actively supported legislative institutions since 2004 (Le partenariat Afrique-UE, 2011).

4.4. Education and health policy

The EU has reiterated its interest in promoting projects that consolidate access to education and health. With regard to education, the EU has promoted the improvement of basic infrastructures, has fought to increase the number of students in classrooms and continues to work to improve the quality of the education provided. Its role is not insignificant, as it is estimated that education in Somaliland has increased from 450 students per year in 1999 to 50,000 during 2011 (European Law Monitor, 2013). Between 2008 and 2013, the Education Sector Development Program was launched in Somalia. Despite this, the program has had a very important development in Somaliland and has improved primary and secondary education, technical and vocational training and higher education, as well as teacher training in specific areas. This project allowed the construction of 31 new schools, 194 toilets and 30 spaces adapted for girls and 167 classes have been rehabilitated in the region (European Commision International Cooperation and Development).

Through the "Education Programme" the EU seeks to contribute to the development of sustainable education that enables young people to access jobs. Although in Somaliland almost 80% of the population is illiterate, it is estimated that with the support of the EU more than 180,000 students were trained until 2011. The total budget of this program amounted to EUR 36 million for a period of six years. The main sector that has benefited has been that of marginalized and impoverished communities, to which the Primary Education Support Program has been allocated, with a budget of EUR 2.1 million and which has facilitated access to primary education among girls. Between 2004 and 2010 this program has managed to train some 13,000 primary education teachers, 100 schools were rehabilitated and 75,000 students gained access to basic education with a ratio of four students per 10 students (Le partenariat Afrique-UE, 2011).

In terms of health policies, Brussels has launched the *Somaliland* Durable *Solutions consortium (SDSC)* which aims to increase access to basic health care and has helped 30,000 people at risk of exclusion. In fact, this program has focused on vulnerable people, internally displaced persons, refugees and people with special needs (The National Somaliland, 2017).

One of the specific policies of the EU has been directed towards welfare during maternity in urban spaces such as Hargeisa where 972 mothers were able to give birth safely in health centres supported by the EU-funded Health Poverty Action (HPA) project. This is an extraordinary achievement in a context where more than half of pregnant women give birth without the presence of a trained health worker and face the risk of death or disability due to pregnancy-related complications. A maternity support program that includes free transportation and health services for indigent mothers has been established in Hargeisa and has helped more than 2,800 mothers since its inception. Equally important has been the support for local training of health professionals carried out by the Tropical Health and Education Trust with a budget provided entirely by the EU and amounting to EUR 585,000. This project has enabled the training of more than 30

medical students and allowed more than 500 people to enrol in the 2010-2011 academic year (Le parteneriat Afrique-UE, 2011).

5. Conclusions

It is clear that Somaliland –despite not having the standards of a recognized independent state –has an enormous autonomy that has allowed it to promote a state reconstruction unparalleled with the rest of Somalia. This self-government has also made it possible to generate a successful process of democratization.

Despite this success, Hargeisa has not achieved international recognition from any actor. This has been a hard blow to his secessionist aspirations, since the idea put forward by former President Ibrahim Egal was that once these two processes were completed, international recognition would come. In this context, the EU is awaiting the reaction of the AU and regional countries, since the colonial past of some of its members weighs too heavily and they could fall into the error of interfering in the internal affairs of the Horn of Africa, with the risk that this would pose to their status.

Although the EU cannot at the moment recognize Somaliland as an independent state, this has not hindered the maintenance of bilateral relations with this enclave. These links, which are mainly focused on the establishment of military missions, development cooperation, democratization of the country and the promotion of education and health, reflect the EU's interests in Somaliland. But what has been the balance of these policies? First of all, it is obvious that the deployment of the EU-Navfor Atalanta and EUCAP-Somalia missions has achieved a greater cooperation with Somaliland's security forces, securing the waters against any pirate threat. Secondly, development cooperation has enabled the creation of new infrastructure, jobs and improved working conditions that contribute to social stability. Thirdly, there is no doubt that EU support for the democratization of the country has allowed the consolidation of a multi-party system and the organization of free elections. Finally, Brussels is aware that education and health are two basic pillars for the well-being of the population and the strengthening of its state structures.

But why this EU interest in Somaliland? It is obvious that the geostrategic situation of Somaliland is key for the protection of the Red Sea and Indian Ocean trade routes, as well as for the role played by Hargeisa in the fight against terrorism, so military coordination is essential. Furthermore, the EU maintains the hope that the Somaliland model of democratization and stability can be exported to the rest of Somalia, whose situation is marked by instability. In fact, to support the stability of Somaliland, Brussels – together with other international actors– has deployed a very important financial support for development, education and health projects

However, EU-Somaliland relations are at a crossroads since, despite the support, the non-recognition of Somaliland prevents it from accessing international aid that would allow the country a significant development and underpin its economic growth and stability. These relations are taking place in an ambiguous framework: the EU does not recognize Somaliland as an independent state, but it does maintain relations with its authorities. Although it is contradictory, Brussels argues that it collaborates with regional authorities that are part of a single country, Somalia, and not with an independent government.

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Illicit drug use and crime

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Abstract

After the events that took place in 1989 in Romania, illicit drug use became a reality. Drug use is currently found in almost all social classes and when it comes to problematic drug use, the effects can be devastating for the drug user, his family and even for the community to which he belongs. The drug use problem is a complex one, taking in account the type of addiction that it develops, the great diversity of substances and their different effects on the body and the central nervous system.

In common knowledge, the link between drug use and crime is an obvious one. According to the Romanian legislation in force, unlawful possession of drugs for personal use is a crime and is punishable by imprisonment or fine. The drug-related crime issue goes far beyond committing a drug possession crime. In the social area, drug use leads to problems that are very difficult to manage starting from school dropout, domestic violence, deviant behavior and committing crimes.

There is a strong link between illicit drug use and criminal behavior, an infinitely more complex issue than the stereotype of a drug user who commits criminal acts under the influence of psycho-active substances or a robbery in order to obtain money to buy the drugs to which they have become addicted.

The objective of the current article is to provide an overview on drug related crimes in Romania, among adults and minors, through a systematic analysis of available indicators and statistics.

Keywords: *Crime; drugs; addiction; psycho-active substances; violence; minors.*

1. Introduction

Since ancient times, there has been seen a temptation for people to consume substances that can give them a temporary state of relaxation, conformation, stimulation, or induction of a state of euphoria. There is evidence that people have been consuming psychoactive substances for thousands of years, whether we are talking about the Sumerian civilization, where there is a culture of opium consumption, China or Egypt (Ursan 2010: p. 518). The Arabs tolerated and accepted the use of hashish for centuries. In the nineteenth century and early twentieth century, morphine was used both in medicine, being consumed as a drug, but also for its psychoactive effects. In the United States, it is estimated that at the beginning of the twentieth century, the number of morphine users who were addicted to drugs sold in pharmacies was between 200,000 and 500,000, including many physicians (Clausen 1971 *apud* Cusson 1997: p. 443). Returning to our

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days, drug use is adapting and is has a significant increase in all social classes, including celebrities, people with high financial power and is also manifested and among the general population. Beside this, the most affected by illicit drug use are the low-income social groups, individuals without a job, without a health insurance, without a sufficient level of education in order to participate in social life, or even those without identity documents or housing. Most people start using drugs between 15 and 19 years, the next risk group being 20-24 years old (Ursan 2010: p. 518).

Drug use can lead to violence, job loss, and economical issues. At the beginning of consumption, it was found that many drug users steal things from home, and later on they start stealing from the property of acquaintances, or people unknown to them. Most of the time, they will end up committing crimes with a high social danger, risking to end up in prison later on (Mihai 2011: p. 130).

It is often suggested that users who are addicted to illicit drugs are forced to commit crimes in order to obtain money to buy them and support their addiction. (Ball, Rosen, Flueck, & Nurco 1981; Parker & Bottomley 1996; Parker & Newcombe 1987 *apud* Stevens and Trace and Bewley-Taylor 2005: p. 6). This economic-compulsive link is perhaps the most common link between drugs and crime, and large proportions of crimes are attributed to drug addicts. This link is accentuated both by those who support the reduction of drug demand and the reduction of drug supply. It has also been argued that the link works in the opposite direction: crime intensifies drug use by providing a high income that allows drug use to be increased (Burr 1987 *apud* Stevens and Trace and Bewley-Taylor 2005: p. 6).

2. Theoretical framework

Over time, crime took different forms, depending on the particularities of each era, cultural, social, economic model and political regime characteristic of that era. Deviance is considered to be "any act or manifestation that violates the written or unwritten norms of society" (Bulai 1998: p. 165). The deviant act includes any type of behavior that opposes the conventional one and includes not only the violation of the law, such as crimes and offenses presented by the Criminal Code or special laws, but any deviation from the rules of coexistence and the imperatives of a type of collective life (Bulai 1998: p. 165). Crime is the set of antisocial acts, which violate the provisions stipulated by the law in force. Crime is considered to be a particular case of social deviance, including all acts that violate the rules and violate these codes, written or unwritten (Rădulescu 1998: p. 143).

According to the Romanian Criminal Code, "the offense is offense under the criminal law committed with guilt, unreasonable and attributable to the person who committed it." (Romanian Criminal Code, art. 15, para.1). Also, "the offense is the sole basis for criminal liability" (Romanian Criminal Code, art. 15, paragraph 2), which presupposes that any crime committed attracts criminal liability for the one who produced it.

As stated, crimes can differ from one era to another, from one society to another, from one culture to another, from one political regime to another. The typology of crimes that will be discussed in this paper is based on the current legal framework (Romanian Criminal Code and special laws). These categories of crimes are: crimes involving violence, crimes against property, organized crime, drug offenses or drug use (Adler and Mueller and Laufer 1995: p. 204).

The occurrence of delinquent behaviors is closely related to drug use, especially when this use is abusive. This is explicable by the high costs that are necessary for buying drugs, in order to support the drug addiction, so that addicts will end up committing criminal offenses, materialized by theft, in order to have the financial resources necessary for drug procurement (Botescu 2011: p. 12).

In the common sense, a drug is any psychoactive substance that is suitable for abusive use and that can lead to manifestations of addiction" (Richard and Senon 2007: p. 578). In other words, the drug is any substance that causes changes in the motor or cognitive functions of the body and can cause addiction. (Abraham 2005: p. 27)

From a legal point of view, drugs are narcotic or psychotropic plants and substances or mixtures containing plants and substances listed in tables no. I-III of Law no. 143/2000 on preventing and countering the illicit drug trafficking and use, with subsequent amendments, which represent substances under national control (art. 1., letters a, b, Law no. 143/2000).

Many researchers have examined the implication of drug addiction in committing crimes, and official statistics on drug-related crime make it quite clear that street crime is significantly linked to drug abuse. The relationship between crime and drugs is not clear enough. Is the drug addict usually a teenager who did not commit a crime before he / she became addicted and who was subsequently forced to commit crimes to get money to support drug addiction? In other words, does drug abuse lead to crime? However, the question is who comes first: drug use or criminal behavior? The answer is that they can be both. Recent studies, as well as interviews with people with a criminal history show that in about two-thirds of the cases, criminal behavior precedes drug use. This is especially true when elements of childhood violence have been observed. The other third started with drug use and later on committing criminal acts. Also, many studies indicate that in 50% of cases with young people, criminal behavior occurs first, in 25% of cases with young people drug use precedes the first criminal act, and in the remaining 25%, psychoactive substance use and criminal behavior have started simultaneously (Deitch and Koutsenok and Ruiz 2000: p. 393).

From one point of view, several researchers agree: regardless of the temporal or causal sequence of drug abuse and crime, the frequency and severity of crime increases along with the consumer's addiction. Drug abuse may not "produce" criminal behavior, but it can increase it (Adler and Mueller and Laufer 1995: pp. 320-325).

Studies made over time have also shown that in terms of criminal behavior, most adolescents who are involved in isolated episodes of delinquency will later reduce their involvement in such activities. In contrast, most of those who in their early adolescence were involved in substance use as well as in criminal behavior remain involved in delinquent behavior later on, when they are adults (Deitch and Koutsenok and Ruiz 2000: p. 393).

3. Offenses associated with drug use, provided in the Romanian Criminal Code

In the Romanian Criminal Code, there can be identified a series of offenses, that can be committed under the influence of illegal psychoactive substances. In the following lines, a series of offenses provided in the Romanian Criminal Code, encountered in the case of drug addicts, will be briefly presented.

Crimes against property (Title II, Romanian Criminal Code) are common in the case of individuals who are addicted to illicit drugs. Drug addiction often creates very deep financial issues, with drug addicts committing crimes against property, in order to get the

money needed to purchase illicit substances. Among them, we find the following crimes: theft, robbery, theft for use, robbery, armed robbery (Title II, Romanian Criminal Code). These can be a direct consequence of the need to maintain drug use, either we are talking about avoiding a state of illness (abstinence-withdrawal syndrome), or we are talking about stimulating a temporary state of well-being offered by drug use. However, whether we are talking about crimes against property, crimes against life, crimes against a family member, fighting, crimes against liberty, trafficking and exploitation of vulnerable persons or crimes against liberty and sexual integrity, all this can be the result of a disorganized and dysfunctional life, caused by compulsive drug use.

4. Drug offenses presented by special criminal laws

Within the Law no. 143 of July 26, 2000 on preventing and countering the illicit drug trafficking and use, with subsequent amendments and additions, the types of drug offenses are presented. For example, possession or purchase of drugs, without right, for their own consumption, regardless of the weight of the product, is punishable by imprisonment from 3 months to 2 years or a fine for risk drugs (example: cannabis) and with imprisonment from 6 months to 3 years in the case of high-risk drugs (example: heroin, cocaine, LSD, ecstasy, etc.) (Art. 4, Law 143/2004).

In the situation presented above, the prosecutor orders the user's assessment in order to include him in the integrated assistance circuit (art. 19, law 143/2000). At the same time, for such deeds, the prosecutor may order the waiver of the criminal investigation, having one or more obligations for these cases: attending a counseling program, providing unpaid work for community use, repairing the damage, etc. (art. 318, The Romanian Code of Criminal Procedure).

The legislation on preventing and countering the illicit drug trafficking and use also stipulates that "manufacture, experiment, extraction, preparation, processing, supply, sale, sale, distribution, delivery in any capacity, dispatch, transport, procurement, purchase, possession or other operations regarding the circulation of dangerous drugs, without right, are punished with imprisonment from 2 to 7 years and the prohibition of certain rights" (art. 2, paragraph 1, Law 143/2000). If the facts are presented above "have as object high-risk drugs, then the punishment is closed from 5 to 12 years and the prohibition of certain rights" (art. 2, paragraph 2, Law 143/2000).

At the same time, it can be observed that the legislation does not allow the provision of a place where it public has access, in order to provide a space for illicit drug use or to tolerate illicit consumption in such places are punishable by imprisonment from 2 to 7 years and the prohibition of certain rights. (art.5, Law 143/2000). Also, it is forbidden to incite to illicit consumption of high-risk drugs, which is punishable by imprisonment from 6 months to 3 years (art. 10, Law 143/2000).

Regarding the new psychoactive substances, Law no. 194/2011 on counteracting operations with products with possible psychoactive effects, other than stated in laws in force, provides penalties for carrying out, without the right to operate with products knowing that they are likely to have psychoactive effects, with imprisonment from 6 months to 3 years or with a fine, as well as carrying out, without right, operations with products that the person concerned should or could have predicted are likely to have psychoactive effects, with imprisonment from 3 months to 2 years or with a fine (Art. 16, Law 194/2011).

5. Implications of drug use and crime

According to the World Drug Report, in 2018, approximately 269 million people aged between 15 and 64 (this corresponds to 5.4 per cent of the global population, representing almost 1 in 19 worldwide population) used drugs at least once in the previous year. Of these, approximately 35.6 million people suffer from drug use disorders, which highlights drug abuse (United Nations Office on Drugs and Crime-booklet 2, 2020a: p. 10-11).

At the European Union level, it is estimated that approximately 96 million people, aged between 15 and 64, representing 29% of the general population, have used illegal drugs at some point in their lives, and 19.1 million young people, aged between 15 and 34, representing 16% of this segment of the population, have used drugs in the last year (European Monitoring Center for Drugs and Drug Addiction 2019: p. 44).

According to the Study in the general population (GPS - General Survey Population) on the prevalence of drug use in Romania in 2019, having the data collected in October-November 2019, within the general population in Romania, the prevalence of any illicit drug recorded the following values, according to the reference period: 10.7% lifetime, 6% for the use in the last year and 3,9% for the last month (National Anti-Drug Agency 2020a: p. 7). The current study reflects an increase, compared to the previous one: from 7.6% to 10.7% for experimental illicit drug use (lifetime prevalence), from 4.1% to 6.0% for recent use (prevalence in the last 12 months) and from 1.7% to 3.9% for current use, which represents the prevalence in the last 30 days (National Anti-Drug Agency 2020a: p. 30).

Also, according to the results from the European School Survey Project on Alcohol and Other Drugs based on the information provided in 2019 among 16-year-old school students in Romania, the lifetime prevalence of any illicit drug (including medicines without medical prescription) is 12.4% (National Anti-Drug Agency 2020b: p. 11). In 2018, minors represent a proportion of 7.8% (n = 337) of the clients that are registered in drug treatment services. Most of them declared cannabis as the main drug of use (51%), while 40.1% are in drug treatment programs due to problems caused by new psychoactive substances (NSP) consumption. The rest of the minors are users of inhalants / solvents - 5.3%, heroin - 0.9%, cocaine - 0.6%, amphetamines - 0.9%, benzodiazepines -0.6%, ecstasy- 0, 6%. Almost two thirds of these minors started using drugs between 14 and 16 years, the youngest age being 8 years (National Anti-Drug Agency 2019: p. 107).

Multiple aspects of illicit drug production, trafficking and consumption, as well as law enforcement actions implemented by states in response to drug trafficking, can contribute to various manifestations of crime and violence. The analysis of data on homicide crimes committed worldwide shows that the use of psychoactive substances is associated with violent behavior, intoxication with these substances being a relevant factor in homicides, but there are significant differences between countries that reported the phenomenon. Based on data that 17 countries reported, it is estimated that 37% of those who committed murder were under the influence of a psychoactive substance at the time when they committed the crime (United Nations Office on Drugs and Crime-Booklet 6, 2020: p. 50-53).

Drug use, including drug abuse, is a relatively common problem among the prison population. At the level of the European Union, it has been estimated that about half of the prison population has used illicit drugs at some point in their lives (Zurhold et al., 2005 *apud* European Monitoring Centre for Drugs and Drug Addiction, 2012: p. 9). At the European Union level, it is found that the experience of illicit drug use is much more

common among inmates, compared to the general population, but large variations can be observed between different European countries that reported data on drug use among inmates Thereby, 79% of detainees in England, Wales and the Netherlands have used illicit drugs at least once in their lives, before the period of detention, nine other countries report a prevalence of drug use of more than 50% of the prison population, and Romania 16% (European Monitoring Centre for Drugs and Drug Addiction 2012: p. 9).

In Romania, according to data provided by the National Administration of Penitentiaries, from the total number of individuals who were registered in the custody of the Romanian penitentiary units at the end of 2018, 2557 prisoners declared themselves drug users when entering detention. They represent 12.3% of the prison population (National Anti-Drug Agency 2019: p. 232).

6. Drug related crimes in 2018 in Romania

6.1. Crime in the drug regime committed by adults and minors

The level of involvement of minors in committing drug offenses is 1.26% of the total number of convicted individuals in 2018, being slightly increased compared to 2017, when the percentage was below 1.24%. In the last 5 years, there can be observed an oscillating evolution of the number of juveniles sentenced to drug related crimes. The highest value was reached in 2015 (34 minors) and with a minimum value in 2016, when there were convicted 5 minors (National Anti-Drug Agency 2019: p. 203)

In 2018, there were 869 individuals convicted for committing drug related crimes, pursuant Law 143/2000 on preventing and countering the illicit drug trafficking and use, with subsequent amendments and additions and Law 194/2011 on counteracting operations with products with possible psychoactive effects, other than stated in laws in force. The number of individuals convicted for committing crimes pursuant Law 143/2000 is 792, of which 780 adults and 12 minors (National Anti-Drug Agency 2019: p. 209-210).

Therefore, out of the total of 792 convicted individuals, 613 persons received imprisonment, for 139 individuals the criminal fine was applied and 28 individuals received the postponement execution of the sentence. For 11 convicted minors, custodial measures were applied and only for one non-custodial educational measures were applied. The highest values were recorded in Bucharest (232), Galați (89), Constanța (45), Prahova (39), Brasov (28) and Timis (23) (National Anti-Drug Agency 2019: p. 213-214).

According to the Romanian Drug Report 2019, regarding the application of penalties depending on the type of crime that was committed pursuant Law 143/2000 on preventing and countering the illicit drug trafficking and use, with subsequent amendments and additions, in 2018, the trial courts have applied, as follows:

- For drug trafficking, the sentence of imprisonment with execution of the punishment in prison was applied for 188 individuals. For 287 persons, suspension of the sentence's execution under supervision was applied, and for 83 individuals a criminal fine was applied. The postponement of the execution of the sentence was applied to 5 persons, and for a minor non-custodial measures were applied;

- For international drug trafficking, 42 individuals out of the 74 convicts were convicted to carry out their punishment in prison. For 32 individuals the measure of suspension of the sentence's execution under supervision was applied;

- For unlawful possession of drugs for personal use, 35 individuals out of the 96 convicts were convicted to carry out their punishment in prison. For 38 persons the suspension of the sentence's execution under supervision was applied and for 23

individuals the court decided to postpone the execution of the sentence; (National Anti-Drug Agency 2019: p. 202-216).

According to data provided by the National Administration of Penitentiaries, 4.1% (858 detainees out of a total of 20,792) were imprisoned for committing drug offenses in 2018 (National Anti-Drug Agency 2019: p. 231). Also, according to the Activity Report of the National Administration of Penitentiaries, at the end of 2019, on 31.12.2019, the number of individuals who were registered in the custody of the Romanian penitentiary units for committing crimes related to drug trafficking and consumption was 625 (National Administration of Penitentiaries 2020: p., 15).

Regarding the offenses provided by Law 194/2011 on counteracting operations with products with possible psychoactive effects, other than stated in laws in force, the punishment of imprisonment with execution in prison was applied for 30 persons out of the 61 convicted individuals. The measure of suspension of the sentence's execution under supervision was applied was applied for 27 persons. For 12 individuals the criminal fine was applied, and for 4 people the court decided to postpone the execution of the sentence. For 4 minors, custodial measures were applied (National Anti-Drug Agency 2019: p. 202-216).

6.2. Other crimes committed related to drugs consumption

According to the data provided by the Traffic Police Directorate within The General Inspectorate of the Romanian Police, during 2018, in Romania, 337 car drivers were found in traffic under the influence of narcotic or psychotropic substances were found, based on art. 336 paragraph (2) of the New Penal Code. Thus, the number of individuals detected in traffic, who drove vehicles under the influence of narcotic substances is increasing, 2.3 times comparatively with the value recorded in 2017. The highest number of drivers detected in traffic was registered within the Municipality of Bucharest (144) and within the counties of Giurgiu (51), Constanța (22) and Dolj (21) (National Anti-Drug Agency, 2019: p. 216).

From the analysis of the data regarding the individuals to whom the preventive custody measures were applied and were registered in detention centers of the Independent Department for Preventive Restraint and Custody, within the General Directorate of the Police of Bucharest Municipality, and who declared themselves drug users, the following were highlighted:

- The number of individuals who at the date of incarceration in the center declared that they are drug users was 494;
- Crimes against the property continue to remain on the first place for crimes committed by persons under the influence of narcotic or psychotropic substances: 370, representing 74.9% of the total crimes committed, the highest number being registered for theft offence (320) and robbery offence (50);
- Drug trafficking offenses occupy the second position-74 (National Anti-Drug Agency, 2019: p. 217).

7. Conclusions

Increasing poverty, increasing numbers of disadvantaged families and children, domestic violence, family members with a criminal history, lack of motivation for learning, school absenteeism and drop-out, lack of opportunities for social affirmation, peer pressure and influence can be favorable conditions for a deviant behavior, characterized by drug use and drug related crimes.

From the presented, it results that the Romanian legislation forbids the possession of drugs for one's own consumption, but at the same time, it contributes to the treatment of drug addicts through integrated assistance programs in addictions. At the same time, it can be observed that drug trafficking is a crime with a high social danger by the fact that it leads to serious and often irreparable alters of the individual's medical health and their psycho-social well-being. As in previous years, during 2018, the courts applied mostly imprisonment for drug offenses.

According to the annual analyzes carried out by competent state institutions, the phenomenon of drug use is one in continuous ascent in Romania, following the trend of the states of Western Europe. However, as seen in the indicators and statistic presented in the current paper, Romania is still below the European average in terms of drug use and crime related to drug use.

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Trend Analysis of Fee-Free Policy on Quality of Universal Basic Education in South West, Nigeria

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Abstract

This study investigated the impact of fee-free policy on quality of Universal Basic Education in South-West, Nigeria. The observed gap in quality of Universal Basic Education despite the fee-free basic education policy necessitated the study. The study was guided by one research question and one hypothesis. Descriptive research of survey type was used for the study. The population comprised all public primary school teachers and pupils in South-West, Nigeria. A sample of one thousand nine hundred and twenty (1,920) respondents including male and female teachers selected from the sampled States of Lagos, Ogun and Oyo. The instrument, Fee-free Policy Impact of Universal Basic Education Descriptive Questionnaire (FPIUBDQE) was used for data collection. Data on public primary school pupils' enrolment, teachers' population and school list for a period of 2000-2012 was also used. Simple Linear Regression Analysis and Descriptive Statistics were used for the hypothesis and the research question. The result shows a significant Impact of fee-free policy on quality of Universal Basic Education. However, the survey reveals an alarming ratio of teachers to pupils ranging from 1:50 to 1:76 in some schools in the sampled States. It was suggested among others that government should be more committed and consistent in their maintenance of high quality in delivery of education services in the UBE schools.

Keywords*: Trend Analysis; Impact Assessment; Fee-free Policy; Quality of Universal Basic Education.*

1. Introduction

Universal Basic Education (UBE) was launched in Nigeria on 30th September 1999 to expand the Universal Primary Education (UPE) programme and give Nigerian children functional basic education. There has therefore been emphasis on funding of the scheme to improve quality and ensure equity in basic education. Quality standards are the goals to which all learners, teachers, staff and those who lead and manage schools should aspire to achieve. They are sometimes erroneously referred to as minimum standards but these are actually quality standards that focus on improving learning outcomes. Quality assurance is about continual improvement so it should not be seen as being the ceiling for a

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school's ambition. Schools should aim at going beyond and above each standard. Quality standards include infrastructure, learners' achievement and behaviour, teaching and learning, leadership and management, care guidance and safety (Federal Ministry of Education 2015).

Otive-Igbuzor (2006) earlier notes that quality is at the heart of education since it determines how much and how well students learn and the extent to which their education achieves a range of personal, social and developmental goals. Adeyemi (2012) reports that the ,deplorable situation in public primary schools based on the inadequacies of government against the provision of the National Policy on Education (FRN 2013) is affecting public schools' population as children are now being enrolled in private institutions. Impliedly, most of our educated elites and average people patronise private basic centres in the name of quality.

Alabi (2012) doubts Nigeria's vision of getting all Nigerians educated owing to the issue of education quality especially inadequate teachers. Soyinka (2007) suggests in this regard that government improvement of the quality of education by focusing on the quality of teachers in the service as well as improving the infrastructure in the school. In this direction, Lagos State government invested significantly funds to improve the physical infrastructure of schools and in the procurement of core textbooks for all public schools students. The Lagos 'Eko' Project therefore complements the State government's efforts to provide qualitative education across the sector (Adekunle and Agbonlahor, 2016). The impact of fee-free policy on quality of Universal Basic Education is multi-dimensional. There are several ratios, each of which is influenced by an array of relevant factors. These influencing factors include availability and quality of materials or inputs, rate of capacity utilisation, the scale of aspiration, the nature of equipment, the attitude and skill level of the work force and motivation of the teachers interplaying with the effectiveness and efficiency of the management. The way in which these elements interact has an important impact on quality of Universal Basic Education. There is therefore the need to identify and favourably modify factors and situations that prompt quality of Universal Basic Education.

It has often been said that huts, under shady trees and some open places are still found to be centers of learning in some primary schools in the country. Urgent steps should therefore be taken to address the situation. It is important to check whether the actions taken to bring about improvement are having an impact and, if they are not, why not. Such interim reviews might lead to major adjustments to targets, activities and the reallocation of resources path-way through a school's annual review cycle. Alternatively, it might identify actions for the next development plan (Federal Ministry of Education, 2015). There are many international treaties, conventions and declarations dealing with various aspects of education, they are generally silent about how well education system could and should be expected to perform (Otive-Igbuzor 2006). Throughout the world, educational systems have been accused of being extremely conservative social institutions that respond very slowly, if at all, to educational reforms, social changes and advances in technology. EFA Global Monitoring Report (2005) identifies five major factors that affect the quality of education: the learners, whose diversities must be recognised, the national economic and social context, materials and human resources, the teaching, the learning process, and the outcomes and benefits of education. Godfrey (n.d.) is of the opinion that the desire for better quality of education is a generally shared feelings in Nigeria as in many other countries. Though, quality production is the responsibility of all shareholders and the schools, in particular, play key role in the quality process.

Authorities should recognise the school as the essential unit of change if we really want to bring about quality improvement in education. Nations have wasted billion of dollars on many poorly conceived but politically popular reforms which in the end failed to produce an impact at the most critical level: the school and more so the classroom. The purpose of reform policies should be to create the kinds of institutional arrangement and organisational structures necessary to promote educational excellence. There should therefore be a provision of high quality staff development that is necessary to produce effective schools.

Gbadamosi and Akinloye (2018) suggest that government should be more committed and consistent in their maintenance of high quality in delivery of education services in the UBE schools by

putting in place continuous professional development programme towards upgrading teachers' skills to handle current challenges of UBE scheme. They further note that for a successful Universal Basic Education Programme, there must be provision of instructional materials in quality and quantum which demand an integrated approach involving the government, the school (through sourcing efforts), the teacher (through improvisation demanding creative and innovative efforts) and the pupils (by bringing materials available in the local area).

Ajayi in his (2012) study reveals how majority of urban schools not only suffer from shortage of teachers but also in the quality of teachers. Commenting on state of free education in Malawi, News and Views on Africa from Africa (2011) notes that government introduced free primary education in 1994, the number of students jumped to over three million, there were no classroom for the pupils, no teaching and learning materials and no qualified teachers to teach the newly inflated classes. The government had no choice but to recruit unqualified and untrained teachers.

As an index of quality, Ajibade (2005) reiterates the importance of teachers' training before they could be qualified to bear the title of professionals. The need to train and retrain teachers may not be too obvious to those outside the field of education, those who believe that teaching in the formal school setting can be done by anybody interested in teaching and that it needs no special training. The falling standard of education attributed to acute shortage of qualified teachers at the primary school level is no longer news. Teacher recruitment for primary schools should therefore be handled by professionals.

In a report by Adegbite (2018) Federal Capital Territory Administration has reaffirmed its commitment to encourage training and retraining of teachers with the view to ensuring continuous improvement of quality of education sector in the territory. He further notes that new teaching methods, instructional materials and even curricula to accommodate societal changes were being developed and updated regularly. Teacher training is one of the pillars that support a functional and result oriented educational system.

Nigeria needs an overhaul of its educational system as it concerns teaching and learning. Quality intakes need to be made in teacher training institutions as a first step towards quality teacher's education. Their curriculum should be fashioned to emphasize pedagogical and nationalistic perspective. Serving teachers should be treated with respect and honour by the authorities and be given attractive emolument without adding regular, and effective external supervision of school and teachers needs be put in place to ensure that they are not only teaching, they are teaching what they should teach and teaching the way to teach (Ajayi and Olaniyi 2016).

Adeyemi & Nwosu (2010) report the average ratio of 1 teacher to 48 pupils in public primary schools in Ogun State as against the universal standard of 1 teacher to 35 pupils (FRN 2013). Class population is a strong factor in the issue of class control and management and effective teaching and learning. Adeyemi and Ositoye (2010) establish a negative relationship between poor facilities and quality performance when they reported a study conducted by World Bank (2009) which reveals the state of primary education in Sub-Sahara faced with erosion of quality, low cognitive achievement among pupils due mainly to poor supply to school of key inputs, especially books and other learning materials.

The (UNESCO/IIEP 2009) report uses a framework for understanding, monitoring and improving education quality that identifies five dimensions associated with quality. The framework provides a means for organising and understanding the different variables of education quality and its views of education quality encompasses access, teaching and learning process and outcomes influenced by the context and inputs available. This study investigated the impact of fee-free policy on quality of Universal Basic Education in South-West, Nigeria.

2. Statement of the Problem

Universal Basic Education was launched in 1999 in Nigeria to give quality basic education to the recipients to make them useful to themselves and the society. Similar programmes introduced in the past did not last because of the problem of inadequate planning. This assessment is therefore desirable for implementation adjustment and remedial measures to safe the huge investment in the scheme. The study

provided a ground to make an appraisal of the new initiative, UBE scheme to assess the impact of the colossal investment in the scheme to establish the extent of quality via number of school, class population, teacher population, teacher certification and school average. This is with a view to establishing the extent to which fee-free policy had impacted on quality of Universal Basic Education in South-West, Nigeria.

Research Question

To what extent has fee-free policy improved the quality of Universal Basic Education in UBE schools?

Statement of the Hypothesis

There is no significant impact of fee-free policy on quality of Universal Basic Education

Methodology

A descriptive research of survey type was used for the study. The target population comprised of all the pupils and teachers in all the public primary schools in South-West, Nigeria. A sample of one thousand, nine hundred and twenty (1,920) respondents including male and female teachers were selected using multi-stage and simple random sampling techniques. Three (3) States were selected from the six (6) States in South-West, Nigeria which resulted in Lagos, Ogun and Oyo. 30% of the Local Government Areas of the three (3) States was selected. This gave us twenty-four (24) Local Government Areas and from each, four (4) public primary schools were selected. From the resulting ninety-six (96) schools, twenty (20) public primary school teachers were selected. What informed the choice of teachers is that teachers are parents and are in the best position to give information concerning their children. Section D of the instrument, Fee-free Policy Impact of Universal Basic Education Descriptive Questionnaire (FPIUBEDQ) was adopted from Akinloye (2017) for use. Specialists in the areas of educational management and psychometrics worked on the instrument for content validity. The Crombach-Alpha used to analyse the responses of the sample selected for pre test study indicated a result of 0.82 which was found to be significant. Data on public primary school pupils' enrolment, teachers' population and school list for a period of 2000-2012 were collected from Universal Basic Education Boards of the sampled States for analysis. The researchers and the three research assistants engaged visited various schools of participants and sought permission from the authorities for their involvement in the study. The administration of the instruments was carried out within a time-span of six weeks. The instruments was administered on the one thousand, nine hundred and twenty (1,920) teachers in the sampled schools but only one thousand, seven hundred and sixty-seven (1,767) were adequately filled and returned. Simple Linear Regression was used to analyse data gathered using teacher rating for the hypothesis and in answering the research question, descriptive statistics was used.

3. Results

Research Question

To what extent has fee-free policy improved the quality of Universal Basic Education in UBE schools? Quality of Universal Basic Education on the basis of the fee-free policy was measured using teacher-pupil ratio, school population, facilities provision and teacher certification in the sampled States.

Table 1: Quality of Universal Basic Education in UBE Schools in the Sampled States

Academic Session	Total Number of Primary Sch.	Pupils' Enrolment / Population	Teacher population	Average Teacher-Pupil Ratio	Average Sch. Population
2000/2001	3,961	1,704,179	52,495	1:33	430
2001/2002	3,975	1,686,561	53,405	1:32	424
2002/2003	3,984	1,776,730	51,704	1:34	446
2003/2004	4,053	1,799,065	55,170	1:33	444
2004/2005	4,198	1,794,600	62,569	1:29	428
2005/2006	4,301	1,842,871	61,509	1:30	429
2006/2007	4,400	1,952,231	61,580	1:32	444
2007/2008	4,403	1,986,834	62,282	1:32	451
2008/2009	4,436	2,020,505	60,897	1:33	456
2009/2010	4,529	2,001,366	58,994	1:34	442
2010/2011	4,573	2,015,342	58,014	1:35	441
2011/2012	4,597	2,083,429	56,553	1:39	453

Source: Lagos, Ogun and Oyo SUBEBs & Field work

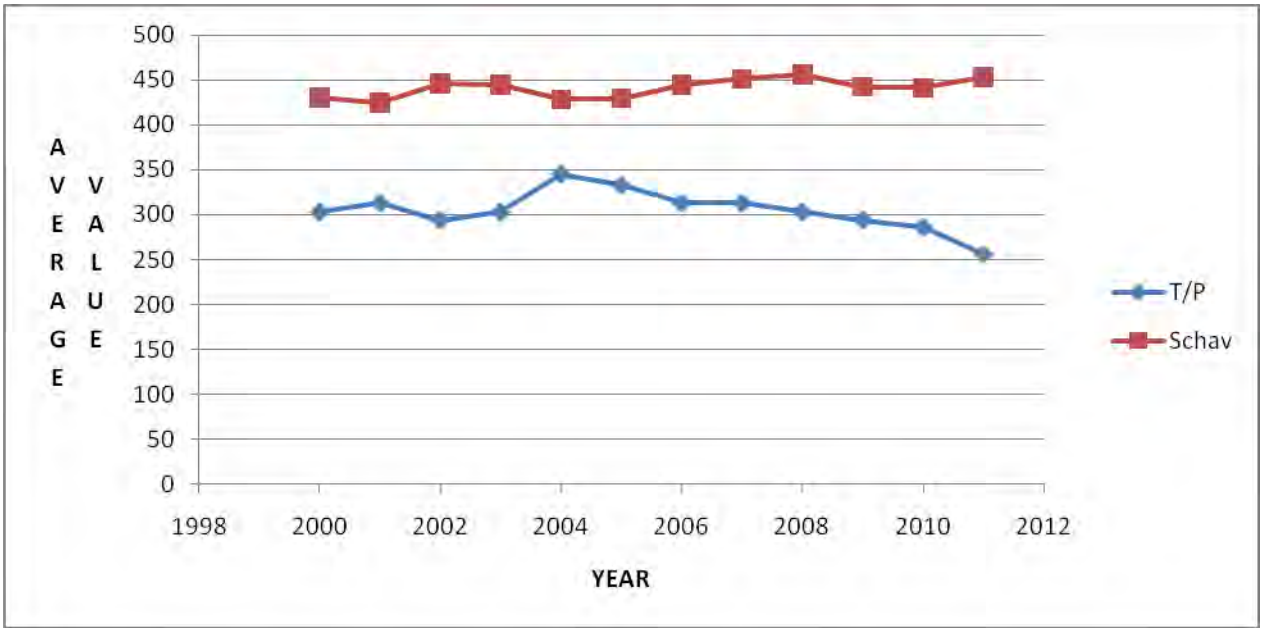

Fig 1.1 Quality of Universal Basic Education

Table 1 and figure 1 reveal an average value of teacher-pupil ratio and increase in the number of schools during the years under review which indicate how government is working to improve the quality of education in the sampled States. Teacher-pupil ratio is below the official ratio of 1:35 in primary school (FGN 2013) except during 2011/2012 session when the ratio is above the number recommended. The class population is okay for class control and management and effective teaching and learning process. However, the wave-like trend of school average shows inconsistency in government commitment to maintaining high quality in delivery of education services in the UBE schools. The same analysis reveals that out of 53,503 public primary school teachers in the sampled States, 18,621; 34 per cent had National Certificate of Education while 14,619; 27 per cent had Grade 11 certificate. 36 per cent of the teachers had higher certificate with or without teaching qualifications. This analysis indicates that the highest percentage of teachers in the sampled States had NCE which is in conformity with the recommendation of the National Policy on Education (FRN, 2013).

Hypothesis

There is no significant impact of fee-free policy on quality of Universal Basic Education

Table 2 : *Model Summary of the Simple Linear Regression Analysis for the Contribution of Fee-free Policy to the Prediction of Quality of Universal Basic Education*

ANOVA					
	Sum of Squares	Df	Mean Square	F	Sig.
Regression	2086.481	1	2086.481	133.305	.000
Residual	27625.676	1765	15.652		
Total	29712.157	1766			
Model Summary	R = .265				
	R Square = .070				
	Adjusted R Square = .070				

a. Dependent Variable: Quality of Universal Basic Education

b. Predictors: (Constant), Fee-free policy

The results in Table 2 indicates that fee-free policy significantly predicted quality of Universal Basic Education ($R = .265$; $R^2 = .070$; Adj $R^2 = .070$; $F_{(1,1765)} = 133.305$; $p < .05$). Fee-free policy accounted for only 7.00 percent of the variance in quality of Universal Basic Education. The hypothesis which stated that fee-free policy will not have any significant impact on quality of Universal Basic Education was therefore rejected by this finding. The implication of this finding is that fee-free policy has significant impact on quality of Universal Basic Education.

Discussion of Findings

The finding of this study reveals that fee-free policy had significant impact on quality of Universal Basic Education. Therefore, by the finding, the null hypothesis was rejected. The finding from the answer to the research question based on the extent to which fee-free policy has improved the quality of Universal Basic Education reveals an average value of teacher-pupil ratio and number of schools during the years under review which indicates how government is working to improve the quality of education in the sampled State. Teacher-pupil ratio is below the official ratio of 1:35 (FRN 2013) in primary schools except in 2011/2012 session when it is above the number recommended. The finding is plausible since academic achievement is often dependent on a number of variables including quality of teaching and learning, learning environment, availability and use of teaching-learning resources and a host of others. In support of this finding, Nigeria's report on the development of education (FME 2008) states that qualitative reform of Nigerian education cannot be attained without highly qualified, competent and motivated teachers to actualize the vision and goals of education for individual, community and national development. Data on public primary school teachers in the sampled States indicates that the highest percentage of the teachers had NCE which is in conformity with the National Policy on Education (FRN 2013). A survey of public primary schools in South-West, Nigeria conducted by Akinloye (2017) reveals renovation of classrooms and construction of new classrooms and libraries in the sampled States. He notes that the construction of classrooms and libraries in schools will to a large extent have positive impact on quality of Universal Basic Education. However, the survey further reveals an alarming rate of teacher-pupil ratio which is far and above the official ratio of 1 teacher to 35 pupils in the classroom. In some primary schools, the ratio ranges from 1 teacher to 50 pupils to 1 teacher to 76 pupils. This occurred mainly in the cities in Ogun and Oyo States while it is not limited to the city centres in Lagos State. This may not be unconnected with the sample used and the time of study. It could also be as a result of improper adherence to the process of school mapping or politicisation of the process. The situation will have negative impact on classroom control and discipline and general teaching-learning process. Good as teacher-pupil ratio, it only gives information that the number of pupils assigned to a teacher to handle on the average is congruent or otherwise with the official or conventional number. It is an index used on the assumption that all members of teaching staff will perform their duty. The teacher-pupil ratio will remain the same whether the whole work force carries out its teaching assignment or not. Therefore, efforts should be geared towards teacher supervision for quality teaching. In this direction Akinsolu, Egbebi and Ojeniyi (2017) reiterate that supervision should be the main weapon employed to bring about persistent improvement of quality education service delivery in the conventional schools during teaching and learning process. Serving teachers should be treated with respect and honour by the authorities and be given attractive emolument without adding, regular and effective external supervision of school and teachers needs be put in place to ensure that they are not only teaching, they are teaching what they should teach and teaching the way to teach (Ajayi and Olaniyi 2016).

Conclusion

Based on the findings of this study, it is evident that fee-free policy had significant impact on quality of Universal Basic Education and data collected on teachers' and pupils' population band number of schools reveals an average value of teacher-pupil ratio and number of schools during the years under review.

Recommendations

Government should be more committed and consistent in their maintenance of high quality in delivery of education services in the UBE schools by putting in place continuous professional development programme towards upgrading teachers' skills to handle current challenges of UBE scheme.

Government must put in place plans to further increase the number of schools to cope with enrolment of pupils which is increasing at an alarming rate.

The process of school mapping and location strategies should be employed for proper distribution of pupils into schools to reduce the distance pupils have to cover from home to school and comply with the official teacher-pupil ratio of 1-35 to improve teaching-learning effectiveness.

Good as teacher-pupil ratio, it will remain the same whether the whole work force carries out its assignment or not, therefore, teacher supervision is essential for the effective performance of the Universal Basic Education.

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Book review:
Cristina Ilie
O analiză socio-istorică a sistemului de detenție din România: între prevenție, pedepsire și reintegrare socială [A socio-historical analysis of the detention system in Romania: between prevention, punishment and social reintegration], Bucharest, Editura Pro Universitaria, 2015, 221 pp., ISBN: 978-606-26-0431-8

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Published in 2015, at Pro Universitaria publishing house in Bucharest, the book «O analiză socio-istorică a sistemului de detenție din România: între prevenție, pedepsire și reintegrare socială» ["A socio-historical analysis of the detention system in Romania: between prevention, punishment and social reintegration", *our tr.*], written by Cristina Ilie, approaches the theme of the evolution of the detention system within the national space, both from a social and a historical perspective. The work, structured in 5 chapters meant to offer a vision on the complexity and time evolution of the concepts of punishment and detention, at global and national level, particularly sums up the characteristics of the Romanian system, within a systemic perspective of study.

In the debut chapter, titled "Perspective exegetice și doctrinare asupra pedepsei" ["Exegetic and doctrinary perspectives on punishment", *our tr.*], the notion of punishment is defined, at the same time, several theories formulated over time being approached for the right to "punish", as well as the right to "be punished". Furthermore, the author approaches the basis of punishment in the context of numerous variations in time, the syntagma being generally used as the "right of the state to punish".

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Chapter 2, "Evoluția sistemelor de pedeapsă și detenție" ["Evolution of the punishment and detention systems", *our tr.*], analyzes the staging of the punitive system, starting from the five stages of the division of mankind history (the prehistory, the antiquity, the Middle Ages, the modern age and the contemporary age), with the mention that the timing of these epochs is rendered according to the changes identified in the general system of punishments. This highlights the special features of each of the five stages of social development.

The first two chapters of the research highlight the changes that have been constantly made to the typologies of punishment, but also to the institutions or the persons formally entitled to apply them, as well as the analysis of punishment in terms of its fundament, purpose and functions.

Chapter 3, "Pedeapsa și detenția în România" ["Punishment and detention in Romania", *our tr.*], following the structure of the previous chapter, studies the evolution of the Romanian punitive system from every historical period, from the beginning of the Middle Ages, when the punishments were mostly corporal, afflictive, the maximum penalty - death penalty being very often used up to the present, which caused major changes in the field. From the first attestation of the Romanian Constitution (1866), of the dungeons, of the penal colony, the exile at the monastery, from the first Romanian Criminal Code (1865) to the less punitive forms of the present, such as house arrest, suspension of the custodial sentence execution, other compensatory measures etc. (according to the Romanian Academy, the contemporary Epoch in Romania starts in 1918 and runs until the present), the legislative evolution and the detention situation in Romania are being approached. Moreover, important aspects are analyzed regarding a series of rights that the convicts had during the execution of the sentence, and the paragraph on "pardoning and amnesty decrees" (p. 112), issued between 1969 and 1988, show that they played a major role, greatly interfering in the change in the number of prison population.

In Chapter 4, titled "Respectarea drepturilor persoanelor deținute în sistemul penitenciar românesc" ["Respecting the rights of convicts in the Romanian penitentiary system", *our tr.*], the author brings to the fore relevant national and international legislation on the mandatory conditions for detention and respecting all rights of detainees, highlighting an overview of the "de jure" situation at national level. As for the analysis of the "de facto" situation of the Romanian prison system, as shown by numerous reports issued by international and national institutions (decisions of the European Court of Human Rights, which often condemned Romania for breaking the rights of detainees), the shortcomings of the Romanian detention system are highlighted (overcrowding, poor hygiene, inadequate detention conditions, poor health care situation, social reintegration, education, access to information etc.)

Chapter 5, "Sistemul de reintegrare socială a persoanelor private de libertate în România" ["The social reintegration system of the detained persons in Romania"] starts with defining the concept of "social reintegration", from a sociological, legal and psychological point of view. Moreover, the author highlights the evolution of the phenomenon of social reintegration of detainees in Romania from 1874 - present, focusing on the analysis of the current situation, on the rigors of the national strategy for the social reintegration of persons deprived of liberty for the period 2015 - 2019, on the evolution of all punitive elements.

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