

# STRATEGY OF COMMUNITY CRIME PREVENTION IN PRACTICE AS AN INTEGRATIVE PART OF PUBLIC POLICY

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## I. The major characteristics of the Hungarian Strategy for Social Crime Prevention

In 2003, Hungary adopted its Crime Prevention Strategy<sup>1</sup> which has provided the basis for some criminal policy reforms as part of the general social and economic transformation.<sup>2</sup> According to the Strategy, the modern social crime prevention is a professional and civic program, directed and supported by the government, and enhances the self-defense capabilities of the society. It contains a set of objectives in order to alleviate the basic causes of crime, the risk of becoming victims, to raise the security of the community as a whole, thus improving the quality of life and the observation of human rights.<sup>3</sup> Strategy was that more police, more penalties and more prisons - i.e., more of the same - do not solve the major problems of crime. After having studied various approaches, the authors came to the conclusion that to declare „war on crime” would be futile.

Crime is a product of the society and its reproduction is always characteristic for the particular society. Ordinary criminal activities and social disorders are essentially violations of moral and legal values and norms of the community in which they occur. It is impossible to conduct a permanent war against our fellow citizens. First, because any force used by the authorities in a war results in more and more violence in the society. Second, a war would not immunize the moral coherence of the society and its citizens' self-defense capacity. Third, since crime is part of the every-day life of the society, declaring war on crime would generate panic reactions to a permanent social phenomenon. In the course of the preparation of the Strategy its authors thought that the country needs a coherent crime prevention strategy as a particular type of public policy which entails both professional and civic activities, something that must be governed or at least strongly motivated by government. It was a need to respond to crime with various social programs and techniques that encourage and mobilize the society in order to raise the self-defense capabilities of both large and small communities, institutions, economic actors and citizens. It was clear that the Strategy had to be accomplished in close co-operation with the criminal justice and law enforcement agencies.

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<sup>1</sup> The National Strategy for Social Crime Prevention (Annex to the Parliamentary Resolution No. 118/2003. X. 28.). <http://www.bunmegelozes.hu>.

<sup>2</sup> On the reform of the National Probation Service (Parliamentary Act No. XIV, 2003), On Victim Support and Victim Compensation of Crime by the State (Parliamentary Act. No. CXXXV, 2005), On Mediation in Criminal Procedure (Parliamentary Act No. CXXIII, 2006), Modification of the Sanctioning System of the Criminal Code (Act No. LXXX, 2009).

<sup>3</sup> From 2004 to 2008 the Government adopted every year an Action Plan based on the Strategy and a report of the last year's experiences. The Plans were always discussed by the Parliament.

In Hungary, at the time of the regime change (between 1987-1997) the amount of revealed crime was increased by 350 percent. Crime against property increased by almost 400 percent and - as a consequence of increasing number of theft, burglary, car theft, street robbery - the structure of crime changed too. After the first ten years the increase in crime slowed down and today the number of crimes, offenders and victims seems to be remaining at the same level. The amount and the structure of crime in Hungary now show very few differences from that of Western Europe. The only significant difference is that the quantity of revealed criminals is very low compared with older democratic countries of the continent. This noteworthy increase in and restructuring of crime as a consequence of the changes has been a major source of frustration for the law enforcement agencies. Despite all the efforts made by the police and the criminal justice, public safety and perceptions of it have been deteriorating. Thus there was a need to increase the self-defense capabilities of the society according to the new standards of democracy and market society. Therefore one of the first criminal policy goals was to increase the number of revealed criminals and sentenced offenders. The public had to be confident that the criminal act will be followed by punishment.

Preparing the Strategy its authors have followed among other some important principles of the respective UN Guidelines adopted to the special circumstances and the tradition of the country:<sup>4</sup>

The Strategy contained the following principles:

1. „Simultaneous competency”. This meant that the Strategy could provide lasting and beneficial effects if there was a permanent and sensitive balance between social crime prevention and situational crime prevention activity.

*Social crime prevention* is to promote the well-being of people and encourage a pro-social behavior through social, economic, health and educational measures with particular emphasis on children and youth, and focus on risks and protective factors closely associated with crime and victimization. *Situational crime prevention* is to prevent the occurrence of crime by reducing opportunities, increasing the risk of being apprehended and minimizing benefits, including environmental design, and providing assistance and information to potential and actual victims. Deviation from the above mentioned harmony leads in the short term to misleading results. For example, cameras in public places alone only reduce the incidence of crime in the short run because they mostly transfer criminal activity to other areas. Cameras can control a certain place but they have no effect on the social reproduction of crime. Moreover, we could not install cameras all over a city let alone the whole country.

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<sup>4</sup> (1)The government should play a motivating role at all levels of the implementation of the strategy; (2) Crime prevention should be integrated in a cross-cutting way into all social and economic policies and programs including criminal justice employment, education, health and urban planning, and social services; (3) The national strategy should build on effective cooperative partnerships between government, institutions and ministries, community and non-governmental organizations and the business sector and civil society; (4) There must be adequate funding and other resources and clear accountability to ensure the implementation and sustainability of the strategy; (5) Crime prevention interventions should be based on a sound knowledge about the causes and nature of crime and effective practices; (6) All crime prevention initiatives must respect human rights and the rule of law; (7) The strategy should take into particular account the different needs of men and women, and the most vulnerable members of the society; (8) Special attention must be given to the links between local and transnational organized crime. (Action to promote effective crime prevention. ECOSOC Resolution 2002/13, 24 July 2002. [www.un.org/en/ecosoc/docs/2002/resolution%202002-13.pdf](http://www.un.org/en/ecosoc/docs/2002/resolution%202002-13.pdf).)

Consequently, a Strategy that is a part of public policy can contribute to the improvement of the quality of life, economic development and the reduction of crime related moral and material damage only if there is an intensive cooperation with the national antidrug and antialcohol strategy, public antisegregation and antidiscrimination program, the integration plan for the Roma, national health programs and policies for protection of the environment. There is also a need for close cooperation with the police and private security agencies in order to fulfill the goals of the situational crime prevention.

2. Crime and its moral and financial consequences affect different sections of the society, different regions of the country in different ways. In the Strategy, efficient knowledge based reactions must be drawn up both nationally and at the local level for every phenomenon that endangers the public safety and the perception of it. Priorities must be determined by taking into account the specific features of crime and public concerns in the country, and in accordance with international requirements. Five priorities were identified by the Hungarian Strategy:

- reduction of juvenile delinquency;
- improvement of urban security;
- prevention of violence within the family;
- prevention of victimization, supporting and compensating victims;
- prevention of recidivism.

3. The Strategy had to implement the interdisciplinary and joined-up governing model and practice both at horizontal and vertical level. Crime prevention considerations must be incorporated into every social and economic policy action that has a direct or indirect influence on crime and victimization. Continuous cooperation is tremendously important within the government, i.e., among ministries, representatives of different sciences, organizations in communities, and must also include NGO-s, the private sector, churches and individuals.

4. Social crime prevention is an integrated part of local public affairs. The local action plan is an adequate reaction to local crime and local fear of crime. Local cooperative partnerships are important conditions for the success of the action. Government support by public tendering required of local joint venture training program, for designing of local strategy and action plan, for local monitoring.

The partners in public tendering include social workers, police, medical doctors, teachers, child and family welfare professionals, self-governments of ethnic minorities, national civil guards, the local business and churches. Joint venture actions and the cooperative partnership itself increase the social capital and the permanent cooperation increases public safety. Local funding of public tendering does not only entail money, but it is involving the extra work of local activists (like teachers, street social workers, medical doctors, policemen, members of the civil guards, local church, etc.) The extra opening hours of the schools, local library, and football stadium should also be calculated as local financial capital.

5. According to the Strategy, community crime prevention does not include all types of crime reducing activities. First of all it is aimed at reducing crime that directly harms or puts at risk citizens and their communities. But in a limited way, it also includes several types of

measures directed against organized crime and certain types of crime in connection with international migration.

6. Any national crime prevention strategy should adopt the relevant constitutional principles. In one way or another all kinds of crime prevention activities mean intervention into the life of the individuals and their small community. Therefore, it is not permissible to undertake an intervention under the heading of crime prevention that is coercive or results in stigmatization. Crime prevention is to stigmatize certain types of behavior and not people. It must also be borne in mind that crime related problems have different effects on women, men, young and elderly people. In addition, cultural differences and customs of minorities must also be taken into account.

In the selection of the mode of prevention the intervention must follow the principle of proportionality and a balance must be maintained between the autonomy of the individual and the community control. A balance must also be maintained between conflicting interests in efforts to establish safer society. (It should be kept in mind that most violent conflicts happen within the close community. It is merely a question of chance or luck whether somebody would be considered as being the offender or the victim. The victim is taken away by the ambulance, the offender by the police. But next week it could happen vice versa.)

Combating crime is a socially accepted objective. Combating crime could have the side-effects of exclusion and rising of prejudices against certain groups like juvenile delinquents, ex-prisoners, drug addicts, homeless and poor people and Roma. The social crime prevention system is based on the principles of social justice. It must therefore endeavor both to avoid social exclusion and prejudice and to uphold rights of security.

The government had to be careful in designing a coherent Strategy. It should be corresponding with the requirement of checks and balances between social control for public safety and the reservation of the autonomy of the individuals and their immediate community. The Strategy and its implementation should also meet the requirements of basic human rights.<sup>5</sup> In order to accomplish the principles of the Strategy, the National Crime Prevention Board was set up in 2004. The Board had to coordinate the implementation of the Strategy and was responsible for carrying out the Government's Action Plan. It had been a constant coordination and monitoring forum for all partners at horizontal and vertical level. It had been evaluating information and scientific data about crime, victims and the activity of the criminal justice system. It had been realizing regulatory and de-regulatory activities in legislation. From time to time the Board had also been recreating and maintaining the communication strategy of criminal policy. The chair of the Board was appointed by the Prime Minister, and her co-chairs were the Minister of the Interior and the Minister of Justice. The Secretariat of the Board had been settled in the Ministry of Justice.

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<sup>5</sup> See Andrea BORBIRÓ (2004), Társadalmi bűnmegelőzés és emberi jogi követelmények (Community crime prevention and requirement of human rights). *Acta Humana*, No. 4, p. 1-23.

## II. Crime control and crime prevention governed by the state in the post-modernity

In the end of the 20th and the beginning of the 21st century, it became evident that the post-modern democratic states have limited capabilities in governing social welfare and controlling security like they did in the “modern welfare states”. At the post-modernity, the states are redistributing their earlier responsibilities for community safety and inviting partners to crime prevention activities. In this period, the method of state governing crime prevention is described by David Garland as “responsibilization” strategy. He said that the central government was seeking to act upon crime in the direct fashion through traditional state agencies (police, courts, prisons, probation service, etc.), by acting indirectly, seeking active action on the part of non-state agencies and organizations. Property owners, residents, manufacturers, town planners, school authorities, transport managers, employers, parents and individual citizens all were made to recognize that they too have responsibility and must be persuaded to change their practices in order to reduce criminal opportunities and increase informal control. Garland defines the everyday reflexive reactions to crime as “routinization” of crime prevention.<sup>6</sup> As consequences of these tendencies more and more countries are adopting new policies of social control that include a component devoted to crime prevention too. In 2008, ICPC found this type of policy in 37 countries, in 2010 in 57 countries. The numbers of strategies specifically devoted to crime prevention is also increasing. In 1999, ICPC noted 9 and in 2010 24 countries that had adopted a comprehensive crime prevention strategy, and 21 countries have instituted a national coordinating body for these specific strategies.<sup>7</sup>

The adoption of a strategy on crime prevention is just one of the methods to deal with the problems of social disorder. Strategy itself does not say anything about the way how to deal with the problems themselves. According to Garland, the strategy leaves the centralized state machine more powerful than before, with an extended capacity for action and influence. At the same time, however, this strategy serves to erode the notion of state as public’s representative and primary protector.<sup>8</sup> However, the new role of the centralized state itself is not considered to be a major problem of recent crime control practice. The real problem is that a coherent, problem oriented social crime prevention strategy of the state is getting to be more and more a unique phenomenon. In some countries, the crime prevention policy is slowly losing its earlier complexity and becoming simply an instrument of the ‘just deterrence’ type of crime control, increasing the punitive feature of criminal policy. Parallel with this there are attempts in several countries to conduct such wide-ranging social crime prevention practice which overrules the proper societal, health and educational policies. Instead of developing proper solidarity based and social integration type of state policy, crime prevention became the main instrument to solve the multifactoral problems of social disorder, including crime. To have law and order in the society, state crime control is becoming more and more the main

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<sup>6</sup> David GARLAND (1996), The Limit of the Sovereign State. Strategies of Crime Control in Contemporary Society. *The British Journal of Criminology*. Vol. 36, No. 4, pp. 453-455.

<sup>7</sup> International Report on Crime Prevention and Community Safety: Trends and Perspectives 2010. International Centre for the Prevention of Crime (ICPC), April 2010. IX.

<sup>8</sup> GARLAND (1996), op.cit. p. 454.

solution for managing most social problems and disorders originated mainly from the postmodern social exclusion.<sup>9</sup> Both tendencies are seriously endangering the basic human rights of the individuals and the community in a long run and do not solve the problem of public safety either. In the last two decades, responsibility of the state has not been only restructured, but lost the sensitivity and openness towards human rights and solidarity. In the postmodern society the values of social justice are declining.

Garland came to similar conclusions regarding one of the new dangers of controlling social disorder and social exclusion by criminal policy. According to him the “responsibilization” and the “routinization” of crime control in post-modernity are mostly liable to give rise to huge disparities in social provision and distribution of security. “Once ‘security’ ceases to be guaranteed to all citizens by a sovereign state, it tends to become a commodity, which, like any other, is distributed by market forces rather than according to the need. The groups that suffer most from crime tend to be the poorest and the least powerful members of society and will usually lack the resources to buy security or the flexibility to adapt their routines or organize effectively against crime. This disparity between rich and poor will tend to propel us towards a fortified, segregated society and the demise of any residual civic ideal.”<sup>10</sup> According to Garland’s final conclusion in our days the state is more likely to revert to punitive strategies (which are easier to provide) than to sacrifice economic or social objectives to the service of crime control.<sup>11</sup>

Beside the main tendencies of the new type of crime control there are several practical problems of implementing crime prevention. Most of the non-governmental agencies are not thinking of reducing the effects of crime at all. Most partners of the state that are capable to do something about crime prevention accept market rules in their routine activities, based upon their own cost-benefit calculations. They invest financial and social capital into their crime prevention activities according to their own recognized risks of becoming a victim of a crime. At the same time most states are not willing to make significant steps towards redistributing the costs of crime which could change the typical calculations of their partners. The police still claim success in detecting serious crimes, and in apprehending serious criminals, but they hold out low expectations for controlling vast majority of crime, like the minor offences and social disorder, which are seriously disturbing the everyday life of the people. The judiciary is normally very slow and the victims are still not treated according to the adapted minimum standard of the international requirements. Secondary victimization is not an exceptional case in the criminal procedures. Consequently there is now an emerging distinction between the punishment of crime (the traditional criminal policy), which remains within the realm of the state, and the control of crime, including crime prevention, which may be conducted beyond the state. “In these limited possibilities those societies which manifest deep social and radical division, which experience insecurity for the above mentioned practical reasons where welfare solutions have been politically discredited, and in which a developing commercial sector encourages and facilitates the expansion of punitive political

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<sup>9</sup> See Katalin GÖNCZÖL (2010), Pesszimizajelentés a posztmodern büntetőpolitika klimatikus viszonyairól. (Pessimistic report on the post-modern criminal policy climate) *Mozgó Világ*, No. 4, pp. 12-23.

<sup>10</sup> GARLAND (1996), op.cit. 463. See also Zygmund Bauman (1987), *Lagislators and Interpreters*. Oxford: Polity Press.

<sup>11</sup> GARLAND (1996), op.cit. p. 464.

and legal culture soon give rise to severe criminal and sentencing policy, like mass incarceration, with all of its social and financial consequences. We have seen some striking examples of this in the US and the UK.”<sup>12</sup>

However, there are remarkable political differences among the above mentioned and most European states in dealing with social safety and law and order.<sup>13</sup> There are still remarkable efforts to increase law and order in most Western European countries, but solidarity still considered as an indispensable social value. There are ambitions in Europe to strengthen social integration, community cohesion, limiting the possibilities of segregation in order to follow the ideas of social justice.<sup>14</sup> The punitive strategy of the given society is driven more likely by a political dynamic based upon the tradition and culture rather than rational reaction for crime and social disorders of the society.

### **III. Some experiences of the implementation of the Hungarian Social Crime Prevention Strategy**

Between 2003 and 2009, during the implementation of the Strategy, the above mentioned experiences were gathered. Despite all difficulties there was no need to relinquish the original key principles. There were realistic hopes to establish a unique crime prevention system for the post-socialist Hungary.

Implementation of a coherent crime prevention strategy is quite a time consuming task, due to the involvement of many professionals and persons outside and inside of the administration. Clearly, the main actors and sectors (social welfare, child protections, police, elementary and secondary school education, health services, churches, NGO's, banks and private security sectors) should be open minded and trained to understand and deal with the multifactoral problems of social disorder and crime. They have to be ready for cooperation with each other in order to reduce the risks of being victims and offenders or both of their clients. With the background of the old “socialist” mentality and professional knowledge it is rather difficult to cope with the requirements of being partners in social crime prevention. Medical doctors, social workers or teachers are not necessarily easy partners of each other and usually not ready to be involved in police activities, or taking part in multisectoral signaling system in order to reduce the risks of serious family violence.

One of the most significant successes of the last eight years of the implementation of the Strategy was that the above actors and sectors were able to recognize the professional advantages of close cooperation and of overcoming the old type of crime control mentality and police activity. At governmental and local level the necessary partnership had been most effective when it has focused on children, juvenile and families in crisis. Close cooperation had been achieved in the development of the signaling system and the most active partners

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<sup>12</sup> GARLAND (1996), op.cit. p. 463.

<sup>13</sup> See Klára KEREZSI (2005), *Biztonság és bűnözés Európában (Safety and Crime in Europe)*. In László Korinek (ed.), PhD tanulmányok Finszter Géza 60. születésnapjára. Pécs

<sup>14</sup> See Katalin GÖNCZÖL (2002), *A nagypolitika rangjára emelkedett büntetőpolitika (Criminal policy as part of high politics)*. *Jogtudományi Közlöny*, No. 5. p. 197-205.

had been the child and family care professionals, social workers, teachers, some civic organizations and the police. Early intervention by the signaling system had been an effective and wide-spread method to prevent serious family violence mostly of children as victims. In comparatively short time drama pedagogy, community mediation had been quite successful methods in dealing with peer-group conflicts in and around the schools and in their neighborhoods. The National Crime Prevention Board had been supported by special public tenders quite a lot of local joint venture training programs, for designing local strategy and practice and also local monitoring in the above mentioned priorities. The best practice of the year had been published at the homepage of the Board and conferences were organized for interested professionals on the very practical problems of the ongoing projects.<sup>15</sup> There were also positive experiences of effective and intensive cooperation among the new state agencies of victim support and victim compensation with the local police, the representatives of the local social and medical services. Soon the new law on victim support entered into force in 2006.<sup>16</sup>

Compared with the above activities we have had no encouraging experiences in the areas of urban safety. We have seen a lot of effective local projects and good practices mostly initiated as results of the public tenders of the Crime Prevention Board. In spite of all efforts the Crime Prevention Board had not been able to create close and intensive cooperation with the majority of the local governments. There had not been a permanent forum of the mayors of the cities to discuss the actual problems of crime control and the new possibilities for local social crime prevention. Unfortunately, most of the mayors still do not see local public security as their own local responsibility, and leave the problems - according the historical tradition - to the police. They do not realize that enhancing public security, as well as its values is raising the sense of safety among the people, has tangible values for economic development, market security and increasing the sense of local community. Had they been nevertheless recognized the values of public safety like they did three or four years ago, than they had been trying to solve the problems more and more by technical control, like deploying CCT to each street corner without a proper system of quick reaction.

Since the regime change, services that contribute to local security had mostly failed to deal with petty offences and social disorder especially in North Eastern and the South Western parts of the country. Consequently police officers were frequently looked at by the citizens as hostile parties who were unable to provide for them law and order. In the meantime the security business sector had become an important part of the market. Its products and services

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<sup>15</sup> <http://www.bunmegelozes.hu..>

<sup>16</sup> From 2008 to 2012 there is a reintegration program strengthening social cohesion by crime prevention and reintegration programs financed by the EU Social Found. One of the major goals of the project was to create optimal operation of the system requires proper network built up among the relevant professional stakeholders sharing and disseminating information on regular and structured basis in signaling system and daily cooperation on crime prevention practice. The project focusing on youth at risks (moral danger zone), victim support and protection, offender reintegration both in prison and in community under the control of probation or parole. More than 500 participants are intensively practicing together in the above mentioned three groups at three out of the seven regions of Hungary, those ones are responsible for most of the crime emission. In the project there are also possibilities for pilot studies to introduce new services, like 24 hours inspection and local psychological services for victims of violent crime and daycare centre for youngsters on probation or parole.

had been available soon in the transition period by solvent clients and according to the market rules which routinely motivated the needs of their supplies.

In the last decades, social segregation has become in certain parts of the country a significant mass phenomenon, in some cases strongly concentrated in particular cities, districts, and small villages. The low and still declining social status, the poverty and the extremely high rate of unemployment of unskilled, mostly Roma people, the weakening of social bounds among them, the manifestation of prejudices in the majority population have become stimulating minor criminal activities, like property crimes of small values (theft of bicycles, poultry, crop or fruit), and conflict type of violent offenses. There were very few locally settled policeman in the segregated parts of the country. The crimes had not been investigated; consequently the majority of the offenders had not been punished. The local population was more and more disappointed and demanded proper crime control. The basic knowledge of minority culture and its problems, which could improve communication, had been missing from the practice of the police, crime prevention activities, the professional culture of the criminal judiciary and the penal service.

In 2009, the Crime Prevention Board called for public tenders for pilot projects regarding small towns under 10.000 inhabitants in the segregated areas for community mediation. The programs were carried out by the professionals of different fields and involved local people from the groups being in conflict. Aimed to solve the problems of the towns with alternative conflict resolution methods, most of the community programs, in order to develop trust, consisted of facilitating communications, organizing common spare-time activities.<sup>17</sup> Most of the projects were very instructive and produced many experiences on the possibilities of use of community mediation methods to solve serious conflicts and to avoid violence as a conflict resolution in the local community. The major problems of the segregation remained unsolved by community mediation. But there are evidences that community meditation could and should be part of complex social integration programs focusing on employment, schooling, welfare service of the family. This type of problem solving programs for social integration of people living in segregated conditions had been missing for a long time in Hungary. However, this type of social reform could not and should not be implemented in the framework of a social crime prevention program because identification of segregation as a security problem is not only a complete failure of effective integration, but also violation of human dignity of the people concerned. People living in segregation could not be treated and controlled as potential offenders or victims of crimes. This approach would lead to criminalization of a segregated population, at least it would have the consequences of stigmatization and kill solidarity elements of public attitude and public policy.

This example is an appropriate illustration of the destiny of the Hungarian Strategy. As it was mentioned before, the political climate for introducing a new type of social crime prevention and series of criminal policy reforms based upon the Strategy was favorable between 2002 and 2009. In 2003, in order to increase the possibilities for alternatives to imprisonments, parole, punishments in the communities, the probation service was reorganized. In 2006, a

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<sup>17</sup> [http://foresee.hu/en/segedoladalak/news/80/5cacdd1177e/5/?tx\\_ttnews:pointer](http://foresee.hu/en/segedoladalak/news/80/5cacdd1177e/5/?tx_ttnews:pointer).

victim support and victim compensation service was set up. In 2007, mediation in criminal procedure was made available. In the end of this period, in 2009, a significant modification of the criminal sanctioning system of the Criminal Code was carried out to improve the law enforcement instruments both in cases of petty crime, which represented the overwhelming majority of cases, and severe offences threatening the community. This program, called “double track criminal policy”, has aimed at motivating of the judiciary to use more often punishment in the community or other kinds of alternatives of imprisonment. The prison punishment should be the “ultima ratio”. In this period the prison population decreased significantly. In 1990, out of 100.000 inhabitants the prison population amounted 193 while in 2009, only 140.

In this period, the basic trend of Hungarian criminal policy was mostly determined by professionals, although there was a great demand in the public and the media for a more punitive crime control. Fortunately, the latter has not affected the criminal policy of the government. The complex criminal policy reform in the years 2003-2009 could be conceived as a great professional success. However, the implementation of a professionally determined criminal policy reform had been just one of the typical political syndromes of the post-socialist countries. As it will be shown, these reforms were not running parallel with other social policy reforms of the country. In fact, they preceded them. Thus the goals of the involved professionals proved to be too ambitious.

It seems that 20 years after regime changes the majority of the people of the post-socialist countries were more “subjects” of the state than self-respecting citizens of a democratic society. They had strongly been relying on the social, economic, health and public security services of the state. The security within the state has always been a significant priority compared with the democratic values like freedom of speech. In the last decade, the deficit in democratic values has been increased by politically different types of governments. Due to the public demand they had been trying to preserve significant parts of social welfare, health service, and state administration of the previous regime by the financial and political support. The badly needed reforms of social welfare, health service, and employment policy had been very slow or straggling behind.<sup>18</sup> The social problems, like unemployment or segregation as negative consequences of the regime change have been increased by the recent global financial crisis. Today, the structure of the Hungarian society corresponds with the 40-30-30 model of Will Hutton.<sup>19</sup> The shock caused by the dramatic increase in unemployment has been and still is a trauma for the society, which has never faced it under the previous regime.(In the 70s and 80s, Hungary had practically a full employment. Characteristically enough unemployment was criminalized by the Criminal Code up to 1990.) The quick structural changes in the society governed by the market rules have not improve the mentality of the people with regard to competition and risk management. Just to the contrary, it strengthened the sensitivity of social justice based upon the ideals of equality. There is a strong demand in the world for a more redistributive type of economic policy governed by the

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<sup>18</sup> János KORNAI (2010), Liberté, Égalité, Fraternité. Gondolatok a szocialista rendszer összeomlását követő változásokról (Thoughts on the consequences of the collapse of the socialist regimes). *Mozgó Világ*, No. 1, pp. 5-18.

<sup>19</sup> See Miklós LÉVAY (2009), Társadalmi kirekesztődés és bűnözés Közép-és Kelet-Európában. (Social exclusion and crime in Central and Eastern Europe). *Jogtudományi Közlöny*, No. 9.

state, but the majority of the postsocialist countries the support of this economic policy had been much higher.<sup>20</sup>

At the moment there is an overheated political climate in Hungary caused by serious conflicts in the society and the nostalgia for the old type of safety. The deepening of social conflicts has resulted in the decreasing confidence in the future. The majority of the population does not trust in the state or the political parties. Solidarity is less and less dominant among the contending values. As there is a lack of the tradition in civic activity, the people do not trust non-governmental organizations either. They anyway do not believe that they could have an influence on the major political decisions. “The people are coming more and more to the conclusion that the old noble idea of solidarity with the fellow citizens and the support of the goal of benevolence are not able to soften the heart of the global capitalism.”<sup>21</sup>

Under the circumstances of this value crisis the public is more and more open to populist and far right ideologies regarding order. Many people are seemingly in need to have nearby scapegoats because of their own failures to be successful in the life or at least to be able to overcome the everyday difficulties of managing their personal problems. They call the segregated population as parasitic or potential criminals. These are one of the first reactions of the majority of the public representing the very self-confident, obedient, honest taxpayers.<sup>22</sup> This attitude is strongly supported by the new government of Hungary.<sup>23</sup> It is not ready to introduce solidarity based complex social reforms of integration and to solve other basic problems of population living in the segregated conditions. Instead of this the recent government is willing to increase order by reinforced control. It introduced the “three strikes” law and another one which is significantly broadening the possibility for imprisoning offenders of minor offences against property. The latter includes maximum 30 days prison punishments for minor property offences for juveniles between ages of 14-18.<sup>24</sup> The new government reopened some old closed prisons, which are in a bad shape. These tendencies are looking more like the Americanization of solving the problems of segregation, than the hopefully ongoing European tendencies. Under these circumstances the Hungarian Social Crime Prevention Strategy is becoming a historically significant but a useless document. As it was mentioned recently by the new state secretary of the respective ministry, “crime prevention is just a philosophy; we have nothing to do with it in the present practice”.

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<sup>20</sup> The majority of the people of the post-socialist countries have accepted the regime change as a disturbing phenomenon, provided from outside, rather than an enjoyable, long lasting experience. “In a moment Hungary had become from the happiest barracks among the socialist countries the unhappy shopping centre.” György CSEPELI (2010), *A demokráciát felfalják gyermekei* (Democracy eats up their children). *Mozgó Világ*, No. 1, pp. 53-59.

<sup>21</sup> See KORNAI (2010), op.cit. p. 17.

<sup>22</sup> See Zygmund BAUMAN (2000), *Social Issues of Law and Order*. *British Journal of Criminology*, No. 40, pp. 205-221.

<sup>23</sup> The elections took place in April of 2010.

<sup>24</sup> 2010. évi LVI. törvény a Büntető Törvény módosításáról (Parliamentary Act No. LVI, 2010. On Modification of the Criminal Code) and 2010. évi LXXXVI. törvény a közbiztonság javítása érdekében szükséges törvény- módosításról. (Parliamentary Act No. LXXXVI, 2010, on Necessary Modification to Increase Public Safety).

## IV. Conclusion

My pessimistic conclusion is not only relating to the perspectives of Hungarian crime control and criminal policy. It could be seen more broadly as side effects of globalization. I am afraid Bauman was right as he expressed pessimistic views on that as early as in 2000. "Whereas modern liberal societies" he wrote, "were organized around a compromise wherein a measure of individual liberty was exchanged for collective economic security, today's tendency is the opposite of this: a trade off collective security in exchange for the maximalization of individual choice, which in turn, focused by political process upon the problem of crime and its control gives to a logic of exclusion and fortification. This feature of post-modernity is, in effect, symptomatic of a failure to face up to the challenge of existential insecurity generated by our social and economic arrangements."<sup>25</sup>

## SUMMARY

### **Strategy of Community Crime Prevention in Practice as an Integrative Part of Public Policy**

KATALIN GÖNCZÖL

The history of the reforms implemented in Hungary between 2002 and 2009 is presented as a case study of criminal policy in postmodernity. In Hungary waves of reforms in criminal policy were carried out between 2002 and 2009, a few years later than the transition (1989-90). The architects of the reforms had a systems approach and followed the dominant tendencies of Western Europe. The national *probation service* of Hungary was reformed as a part of the strategy to allow more scope for non-confinement sentences and to reduce the prison population. To assist with the plight of and to protect victims of crime, the government established a *victim support* service. To promote restorative criminal justice and to help aggrieved persons to articulate their interests, the institution of *criminal mediation* has been put in place for six years. The main points of these reforms are carried by the *National Strategy for Social Crime Prevention*, which the Hungarian Parliament adopted as a resolution in 2003. Those reforms duly reflected the relevant European Union recommendations but the proponents of the reform never lost sight of the useful elements of domestic legal traditions and the moral expectations of the Hungarian society.

Since April 2010, when a new government took office in Hungary, a change of paradigm has been taking place. The author states that since then inclusive criminal policies, which are typical of the advanced parts of Europe, have been increasingly replaced by crime control of an exclusive type. Examples include the recently adopted, so-called "three strikes law" and an amendment of the Criminal Code under which even minor offences against property incur

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<sup>25</sup> BAUMAN (2000), op.cit. p. 205.

confinement of offenders even as young as 14 years. The newly emerging Hungarian criminal policy model is departing from the established European practice of a systems approach. Indeed it is increasingly embracing the criminal policies of the United States, which disregard social integration and solidarity and emphasize incarceration and control - even though those US policies have not proved to be efficient.

## RESÜMEE

### **Die praktische Verwirklichung der Strategie der gesellschaftlichen Kriminalprävention als integrativer Teil der öffentlichen Politik**

KATALIN GÖNCZÖL

In der Studie stellt die Verfasserin die zwischen 2002 und 2009 verwirklichten ungarischen kriminalpolitischen Reformen und deren Geschichte in den Modellen der postmodernen Kriminalpolitik als Fallstudie vor.

Die zwischen 2002 und 2009 verwirklichten kriminalpolitischen Reformen wurden in einer Systemanschauung, unter Beachtung der in Europa vorherrschenden Tendenzen realisiert. Im Interesse der Erweiterung der Strafen ohne Freiheitsentzug, bzw. der Senkung der Zahl der Gefängnisinsassen entstand die Reform *des Systems der Bewährungshilfe*.

Zur Unterstützung und zum Schutz der Opfer von Straftaten wurde von der Regierung der *Staatliche Opferhilfsdienst* geschaffen. Zum Zweck der Verwirklichung der Bestrebungen der wiederherstellenden Rechtssprechung, sowie der besseren Geltendmachung der Interessen von Geschädigten ist die Institution der *strafrechtlichen Mediation* nunmehr im sechsten Jahr intakt. Die wichtigsten Zielsetzungen der Reformen sind in dem 2003 als Parlamentsbeschluss verabschiedeten Dokument mit dem Titel *Die nationale Strategie der gesellschaftlichen Kriminalprävention* enthalten. In diesen ungarischen kriminalpolitischen Reformen kamen die Empfehlungen der Europäischen Union zur Geltung. Diejenigen, die die Reformen verwirklichten, waren jedoch stets bestrebt, dass sich die ungarischen Lösungen an die nutzbaren Traditionen der ungarischen Rechtskultur anpassen, sich nicht allzu sehr von diesen loslösen und sich nach den moralischen Erwartungen der Gesellschaft richten.

In Ungarn können wir seit April 2010, der Bildung der neuen Regierung, Zeugen eines kriminalpolitischen Paradigmenwechsels sein. Der Verfasserin zufolge wird die für Europa eher charakteristischere inklusive Kriminalpolitik neuerdings von der Kriminalkontrolle exklusiven Typs abgelöst. Seit dem Regierungswechsel wurde zum Beispiel das Gesetz „Three strikes“ eingeführt, und es ist im breiten Kreis möglich geworden, diejenigen Täter, die kriminelle Ordnungswidrigkeiten begehen - so auch minderjährige Täter zwischen 14 und 18 Jahren - mit einer zu vollstreckenden Freiheitsstrafe zu bestrafen. Das sich jetzt herauskristallisierende ungarische Modell entfernt sich intensiv von den komplexen

Zielsetzungen aufweisenden europäischen Praxis und ist immer offener für die in den USA angewandte gefängnis- und kontrollzentrische kriminalpolitische Anschauung, die die gesellschaftliche Integration und die Solidarität beiseite stellt und sich auch dort als immer weniger wirksam erweist.