

SPECIAL
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BELÜGYI SZEMLE

PROFESSIONAL AND SCIENTIFIC PERIODICAL OF THE MINISTRY OF INTERIOR



ANDRÁS CZEBE: Fuzzy logic behind forensic identity

JOHANNA FARKAS – GYULA SÓFI – MÁRTA FEKETE: Psychological Aspects of Restorative Justice

JOHANNA FARKAS – JÁNOS SALLAI – ERNŐ KRAUZER: The History of Law Enforcement Culture in Hungary

GÁBOR KEMÉNY: Hindering and supportive factors of cross-border information exchange

PÉTER GERGELY PÁSZTI: Measuring resilience in prisoners

GABRIELLA RÁCZKEVY-DEÁK: Hospital Security: Hospitals and Terrorism

VIOLETTA ROTTLER – JÁNOS SALLAI: When changes went into effect:
Hungarians from Transylvania permitted to cross the Western border from 1985

ANDRÁS LÁSZLÓ SZABÓ: Scientific methods of public administration in migration research

TAMÁS TÓTH: New challenges of recruiting personnel for the national security services
in light of the information society

BOOK REVIEW: COVID-19 The pandemic that never should have happened,
and how to stop the next one

INTERNATIONAL OVERVIEW: About SELEC

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PREFACE

It is a great pleasure for us that shortly after the publication of our first special online issue in English we can present you hereby our second special online issue. During our editorial work at *Belügyi Szemle* we had the opportunity to get known numerous valuable scientific and professional papers, beside the print issue we can now publish them the second time already in the online space. The publication in English offers a wider range both for authors and for the aimed readership. Beside honouring the traditions, we intend to make a full use of the opportunities in a modern era, we want to present again interesting and contentful articles for our readers in our special issue in English. The recipience of our first issue, the numerous positive feedbacks seem to verify our arduous work we put in compilation of our special issues under consideration of most possible conditions. The real fruits of our editorial work are the readers' satisfaction, supporting remarks and reflections. It gives us a special pleasure that we have an abundance of distinguished scholars, junior scientists and experts specialised on scientific fields of the interior, who are ready to share with us the results of their scientific researches, professional reports.

A special confirmation of all that is our present special issue in English containing again fantastic articles about fantastic topics.

Our author András Czebe is looking for an answer in his research „*Fuzzy logic behind forensic identity*” for the kind of logic behind forensic identity. To get an answer for this question he has made explanatory researches on the fields of justice, criminal law, philosophy and logic. By gathering and interpretation of qualitative data, the relevant literature and further of legal rules and justice practices he has come to the conclusion that behind forensic identity are non-transparent logical coherences to find.

Author Gabriella Ráczkevy-Deák explains in her paper with the title „*Hospital Security: Hospitals and Terrorism*” that hospitals are part of the critical infrastructure and are incredibly vulnerable. Unexpected events may hinder the functioning of institutions, causing severe damages and loss of asset values and quality of services. Every hospital should be prepared for such incidents with well-developed plans and strategies. A hospital can be an ideal target for a terrorist, because a lot of civilians are taken care of (and are open) 24 hours a day, seven days a week.

Unfortunately, in recent years more and more terrorist attacks have taken place. How are hospitals prepared for these events in Hungary and abroad? Are the Hospitals' Disaster Management Plans sufficient? What kind of terrorist attacks can occur in a hospital (e.g. cyber terrorism)? In her essay she is looking for answers to these questions, introducing the concept of hospital safety and security.

Authors Johanna Farkas, Gyula Sófi and Márta Fekete explain in the preface of their study titled „*Psychological Aspects of Restorative Justice*” that besides the traditional methods of jurisdiction restorative justice techniques (e.g. mediation, family group conferences), that focus more on the interests of the victim and the accused, have lately emerged. These methods create circumstances under which a common discourse is established and the position and needs of both the victim and the offender may surface. In the process there is an opportunity to express emotions and thoughts that eventually result in the emergence of psychodynamics on the level of both the individual and the community.

Authors Johanna Farkas, János Sallai and Ernő Krauzer present in the introductory sentences of their scientific work „*The History of Law Enforcement Culture in Hungary*” the main features of their research. In Hungary, Ágoston Karvasy was an early pioneer writing about the history of law enforcement. In his first study he defined the concept of law enforcement as a science. The idea of establishing a national police organisation was first mentioned after the reform era but it was only realized in the year 1872. The first professional journal of law enforcement was published in 1869 and the word police officer as the guard of the order appeared in the Hungarian language in 1870. The scope of authority and jurisdiction of the Police was declared in a law passed in 1881. In 1873 the Metropolitan Police Department was established and in 1905 the Border Police and the Police Department of Fiume. In the period between 1945-47, the police continuously emerged. The organizational culture of the Police is mostly influenced by its educational and training systems. The training of the probationary police officers was approved first by the prime minister in 1884. In 1920 the training of police officers was unified on new bases by the leaders of the Ministry for Internal Affairs and the Police Department. Then the Police Academy was set up in 1948 and the Police College was established in 1971. In 2012 the University of Public Service and its Faculty of Law Enforcement were established and took over the functionalities of the Police Academy as well.

Author Péter Gergely Pászti articulates in his research „*Measuring resilience in prisoners*” that the reintegration process is not a simple one. There are many

papers about the difficulties of re-entry into society and the possible reasons of the success or the failure of reintegration. In this article, he writes about the role of resilience in prisoners' reintegration process. In a brief presentation of the concept of resilience he introduces the models of resilience and the role of protective factors. From the several instruments that can be used to measure resilience he highlights the most common and most empirically based scales that can be a great help to identify protective factors of incarcerated people, to make the reintegration processes more successful.

Authors Violetta Rottler and János Sallai explain in their paper „*When changes went into effect: Hungarians from Transylvania permitted to cross the Western border from 1985*” that in the final years of socialism, Hungarians in Transylvania were going through the fires of adversity. Their circumstances were deeply met by the significant tension between the Romanian and Hungarian parties and government authorities at that time. The circumstances of the Hungarians living in Romania intended to relieve the strictly confidential action that permitted people staying in Hungary legally to travel on secretly to Austria or Yugoslavia.

Author László András Szabó specifies in his paper „*Scientific methods of public administration in migration research*” directions of migration research, all in aspect of public service science. The appearance of migration research as an independent branch makes the growth of migration necessary. Public administration applies a multidisciplinary approach determined by knowledge and character of the object of research. The author looks through and evaluates the methodical directions of research, which can give an answer on the phenomenon migration. The paper offers a look into the research methods of migration research.

Tamás Tóth, the author of the paper „*New challenges of recruiting personnel for the national security services in light of the information society*” explains in his research that for members of society cyberspace has become an indispensable scene of their communication and everyday interaction, thus contributing to the emergence and functioning of the global information society. Depending on the stage of their lives, in which the members of each generation have encountered ICT tools, different qualities, skills, abilities and expectations can be observed in them. The members of the Y, the Z, and now the alpha generation have a completely different set of values and adaptability than their predecessors. From the point of view of the national security services, it is important to examine the main characteristics of these generations and social groups, since among other things, the newly recruited members of the national security ser-

vices are members of the society. In order to ensure the operation of effective national security services based on traditional values, knowledge and age specifics, it is necessary to optimize recruitment systems that meet the needs of the next generation and are able to attract their attention and measure their suitability. The aim of this publication is to identify the main groups of challenges and to formulate possible solutions that can support the efficiency of both selection and recruitment activities for each national security service.

Viktor Németh presents in his book recension the book of Debora Mackenzie, titled “*COVID-19 The pandemic that never should have happened, and how to stop the next one*”. The author articulates in his recension that Debora Mackenzie guides the reader through the history of the virus Covid-19 from the first moments of its appearance in Wuhan in December 2019 until the preparation for the next wave of the pandemic. Her book is well structured and comprehensive, at the same time it explains the recent pandemic situation within the limits of clarity. Helps to dispel misconceptions about the coronavirus and makes clear its relationship to various types of flus. And the concluding part of the book contains conclusions on the first wave of Covid-19, hints and predictions how to prepare for the next pandemic at social and governmental organisations level.

Author Sonia Schachter presents briefly in her article „*About SELEC*” the South-east European Law Enforcement Center (SELEC), a crime prosecuting agency acting against trans-border organised crime. The organisation was founded in 1999 by 11 member states (among them Hungary as founding member).

We hope that we have succeeded in the present publication to select papers which meet expectations of a greatest possible part of our readers and offer pleasant experiences when reading, to that we wish you much fun.

the editorship

András Czebe

Fuzzy logic behind forensic identity¹

Abstract

With the development of forensic sciences during the 20th century, macro-scaled empirical relations were supplemented with micro- and submicro-scaled probability relations. High sensitivity analysis methods imposed increasingly stringent criteria on the science of individualization. This process even labelled those traditional forensic sciences junks, which rely heavily on an indefinable set of characteristics in order to achieve individuality. However, this has not led to a systematic change in the judicial interpretation of expert evidence. In this paper I will therefore address the theoretical question: What logic lies behind forensic identity? In order to answer this question, I conducted explanatory research in the fields of forensics, criminal law, philosophy and logic. Following the collection and interpretation of qualitative data, such as the relevant literature, legislation and case law, I came to the conclusion that fuzzy logic lies behind forensic identity.

Keywords: forensic identification, individualization, identity, fuzzy logic, philosophy

Introduction

Forensic sciences support criminal law by providing general principled solutions for scientific questions that arise during the criminal procedure (Chisum et al., 2011, 4.). In practice, the forensic expert is the person who presents this knowledge on a scientific level before the authorities (Alapy, 1930, 264.). His/her task is often aimed at forensic identification, that is to individualize the link between two or more objects (Kertész, 1972, 326.). However, following formal logic, the fact that forensic experts preliminarily analyze, compare and evaluate objects arisen, collected and managed under various conditions, make source

1 This research was funded by ÚNKP-19-3-III-SZE-8 New National Excellence Program of the Ministry for Innovation and Technology.

conclusions contradictory (Angyal, 2016, 11.). In this paper I will therefore address the theoretical question: What kind of logic lies behind forensic identity? The answer to this question is of methodological importance in the field of forensics (Viski, 1960, 75.). Namely, because the logic behind forensic identity highlights those axioms, that forensic disciplines are supposed to describe through the exploration of causal mechanisms. The task of forensic scientists, on the other hand, is considerably complicated by the fact that the axioms in question are theoretical cornerstones that cannot be proved or refuted by complete induction (Katona, 2002, 158.).

Materials and methods

In order to extend the theory of forensic identification, I conducted explanatory research in the fields of forensics, criminal law, philosophy and logic. In doing so, I was determined to explore the logic behind forensic identity. Following the collection and interpretation of qualitative data, such as relevant literature, legislation and case law, I established the causal link between forensic identification and fuzzy set theory.

Results

Forensic- or criminalistic identification? Identical or non-identical?

The term forensic sciences began to be used in states under Anglo-Saxon legal systems to denote and systematize the auxiliary sciences of criminal- and, later, civil justice (Chisum et al., 2011, 4.). On the contrary, in continental legal systems, this body of knowledge has been conceptualized as criminalistic technique (Viski, 1960, 70.). However, my question on scientific terminology and systematization has still not been answered. The situation is further complicated by the fact that the concept of criminalistics is used as a branch of forensic sciences by Anglo-Saxon authors, namely: trace evidence (Chisum et al., 2011, 5.), while continental European authors usually refer to it as a discipline that includes investigative acts as well as techniques (Fenyvesi, 2017, 23.). Different meaning in these linguistic areas can therefore be associated with forensic and criminalistic identification. The most glaring example of this is that, in continental European legal systems, criminalistic identification can not only be performed by an expert who has acquired the scientific knowledge of the given forensic field,

but even by lay persons (e.g. investigators and witnesses) (Kertész, 1972, 318.). The differential specificity of forensic identification is therefore best reflected in both legal systems by the concept of expert evidence. However, the practical task of forensic identification can only be performed on strong theoretical foundations (Alapy, 1930, 264.). The current differentiation and specialization of forensic sciences is threatening with atomization. In order to counteract this, criminalists need to explore continually the connection between forensic disciplines. The systematization of forensic sciences by internal contexts not only provides a clear overview, but also strengthens the collaboration between the practitioners of these various fields (Fogarasi, 1958, 414.). Whether it is forensic science in the Anglo-Saxon sense or criminalistics in the continental European sense, one thing is for certain: their first and most important disciplinary level issue is the identity-of identity and non-identity.

The identity of identity and non-identity

Ontology or epistemology?

What is the relationship between the material world and human consciousness? This is the principal issue of philosophy, firstly because it embraces the two extreme poles of the world – namely, material and spiritual phenomena – and secondly because it is challenging the person to master reality over and over again. In answering this question, philosophers split into two groups. Idealists are made up of those who think that the spirit is inherent, while materialists are made up of those who think that the nature is inherent (Szigeti, 1984, 111.). The problem of the relationship between matter and idea implicitly includes the issue of cognition in addition to the issue of primacy. Namely: How does the cognitive being become acquainted with, or can he/she become acquainted with the world at all? At first glance, it may seem that answering this question is necessary for deciding the issue of primacy. Because, in order to take a stand on the material or spiritual definiteness of the world, we must first ascertain whether the world can be known, and whether our cognition is really a cognition, not some sort of illusion. However, denying the possibility of cognition is in itself cognition, as well as asserting it, after all, they both count on being accepted as the general truth (Szigeti, 1984, 111.). Consequently, the more we deny the existence of truth, the more we consider true the proposition that there is no truth. By denying the truth abstractly, we are directly stating the truth. If our content-asserted theorem (no truth) becomes complete certainty, then the

form (proven truth) necessarily devalues the content: if the form does not prove it, then the content cannot become a universal truth either. The question of cognition cannot therefore be regarded as prior to the question of primacy. Otherwise, we end up in a paralogsism in which the form and the content mutually devalue each other (Szigeti, 1984, 112.). In this way, the main side of the essential philosophical question is not the epistemological side, but the ontological side. Especially because the cognitive being first had to become acquainted with the world to some extent in order to make the nature of cognition his/her research object based on his/her accumulated experience. The question of the possibility of cognition therefore necessarily presupposes research into the nature of the world (Szigeti, 1984, 113.). The same holds true for the process of forensic identification: understanding the unique relationship of the reference objects necessarily presupposes research into the nature of the source object.

Formal or dialectical logic?

Following formal logic, the fact that forensic experts preliminarily analyze, compare and evaluate objects arisen, collected and managed under various conditions, make source conclusions contradictory (Angyal, 2016, 11.). After all, the traditional formal logical principle of contradiction is defined by Aristotle as follows: *'It is not possible for the same thing at the same time both to belong and not to belong to the same thing in the same respect'* (Aristoteles, 1936, 101.). This principle, on the other hand, can be applied solely and exclusively to cases where the question is whether or not a concept, as a subject, really belongs to a predicate. In particular, in the case of the identity or non-identity of reference characteristics, two contradictory claims cannot be true together, because *'something is either A or not-A; there is no third'* (Hegel, 1979-B, 50.). The logical roots of the theory of forensic identification are therefore to be found in philosophical dialectics. The ancient type of philosophical dialectics is the Greek developmental dialectic and the accompanying emanational dialectic, which can be considered naïve only in the sense that they did not, and for the most part could not, rely on scientific data or theories, which also explains their spontaneity. As representatives of developmental dialectics in the 6th century BC, Anaximenes and Heraclitus were already drawing attention to phenomena such as the transformation of quantitative changes into qualitative difference and to contradiction as the driving force of movement and development (Szigeti, 1984, 506.). Although Plato did not completely break with this tradition, a new, rather problematic, historical type of dialectic, the emanational dialectic, began with him, which reverted the developmental process. What used to go from the simple to

the complex (bottom-up determination) has now moved from the richest ideational being to the material element considered as the most basic and treated as a by-product of the ideational existence (top-down determination) (Szigeti, 1984, 507.). The emanation character that prevailed in medieval development greatly contributed to the degradation of dialectic among the representatives of the new age. However, not all emanations are dialectic just as not all dialectics are emanational. This is why, at the beginning of the new age, philosophers with significant materialistic orientation reintroduced the elements of emanational dialectic into the materialist developmental dialectic. This was, for example, the case of Bruno and Leibniz, who have criticised the theorems of their idealistic forerunner, Cusa (Szigeti, 1984, 510.). According to Cusa, the last significant thinker of the Middle Ages and the first of the New Age: *'the universe is trine, that of all things there is none which is not one from possibility, actuality, and uniting motion, and that none of these three can at all exist without the other two, so that of necessity these three are present in all things according to very different degrees. They are present so differently that no two things in the universe can be altogether equal with respect to any one of them'* (Cusanus, 1999, 122-123.). Therefore, if ascending or descending the scale of numbers, we actually arrive at a maximum or minimum: still we do not come to an actual maximum or minimum number to which there can be no greater or smaller number. However, actuality cannot be defined as a number: it is the beginning of all numbers because it is the minimum; and it is the end of all numbers, because it is the maximum. We cannot reach the actual minimum or maximum number, because the opposites coincide through their uniting motion (Cusanus, 1999, 16.). Although the first thesis that follows from the principle of Cusa's coincidence of opposites is the right conclusion that the universe is infinite but also the false conclusion that the universe is unstructured. The emanational aspect is thus a limitation of dialectic, since the starting point of the upper ideational determination does not allow it to unfold (Szigeti, 1984, 509.). The real change was brought about by the principle of *'the identity of identity and non-identity'* (Hegel, 1979-A, 50.), with which developmental dialectic has reached the point at which it can be reached on idealistic ground. Hegel's logic is also ontology, in which the emphasis is no longer on the coincidence of opposites, but on the unity of opposites. The mutually exclusive poles do not coincide in abstract identity without difference because the unity maintains them in their relative autonomy. Concrete identity not only bears the moment of negation externally, but also internally, by denying the independence of its own elements, into a new, synthetic unity. The phenomena (unity) of the material world are not only identical (specificity) but also non-identical (generality) with themselves ($A=\bar{A}$) (Szigeti, 1998, 468.). In this

dialectic unity of contradictory and contrary oppositions, however, there is always a degree of uncertainty in the solution of which the basic idea of fuzzy sets seems to be unfolding (Mészáros et al., 1986, 487.).

A solvable or unsolvable residual problem?

The categories of unity, specificity and generality are the material definitions of reality (the degrees of determination) which the sciences are meant to describe in an object-specific way (Szigeti, 1984, 198.). Thus, forensic sciences cannot be indifferent to answering the question: What is the quantitative (specificity) limit of the qualitative (generality) changes in the characteristics of the source object (unity)? Concerning this question, material ontology designates that the generality () of the source object () is the logical basis which succinctly and necessarily defines the inherent content of the trace: which source object could have left the specific trace. However, not just any kind of source object, but the ones within the ‘fuzzy set’ justified by the competent forensic discipline. According to Zadeh, the founding father of fuzzy logic: *‘A fuzzy set is a class of objects with a continuum of grades of membership. [...] the notion of a fuzzy set provides a convenient point of departure for the construction of a conceptual framework which [...] provides a natural way of dealing with problems in which the source of imprecision is the absence of sharply defined criteria of class membership rather than the presence of random variables’* (Zadeh, 1965, 338-339.). Given that forensic sciences do not operate by coincidences but by the rule of axioms, fuzzy set theory can be particularly suitable for solving the residual problem of individualization. In the development of forensic sciences, it can be shown that the use of more advanced tools reduces uncertainty but does not completely eliminate it. Forensic sciences have always operated with a degree of uncertainty. With the expansion of the scientific horizon, they are now able to say even more what the scope of uncertainty is. The latter, however, should not be seen as an unsolvable residual problem. On the contrary, we must acknowledge positional irrationality in the process of individualization: *‘phenomena that are difficult to access in terms of cognition but can still be grasped and managed conceptually and practically in terms of the overall process’* (Szigeti, 1991, 13-14.). The residual in this way is not unknowable but is not yet known at the given stage of development. At this point, it is worth recalling and applying Hartmann’s theory to my research topic, according to which human thinking tends to extend goal-means associations to circles of reality where we cannot talk about purposeful activity. Behind this naïve anthropomorphism is human inertia towards nature, which can only be traced through

scientific thinking: *'most of the time, one understands very well that coincidence could not have happened otherwise, but the realization of causal necessity is only a step away from this. But it is precisely this blind necessity that happens unexpectedly'* (Hartmann, 1970, 64.). However, the concept of coincidence can only be defined in terms of its opposite, of necessity, which cannot manifest itself in isolation, but in a multitude of events.

The fuzzy set of forensic identity

As the mathematical formalism of probability calculation offers a numerical measure for the nomothetic interpretation of mass-scale events, the question is increasingly being asked in the field of criminal procedure based on idiographic approach: How unique is unique? For traditional forensic sciences (researching morphological characteristics), the theory of dactyloscopic identification served as a methodological model: regarding the quality of the source object, the link between the characteristics of the reference objects is unique as long as the quantitative difference of the latter does not show a change to an extent that would lead to a qualitative transformation of the source object (Faulds, 1905, 53.). However, there are also qualitative transformations in scientific cognition, as a result of which it reveals increasingly more differences where it has previously seen identity before (Fogarasi, 1958, 57.). With the development of forensic sciences during the 20th century, macro-scaled empirical relations were supplemented with micro- and submicro-scaled probability relations (Katona, 2002, 168.). High sensitivity analysis methods imposed increasingly stringent criteria on the science of individualization: the general acceptance of the given method was replaced by the criterion of methodological reliability placing the Bayesian approach in the forefront of forensics (Broeders, 2014, 3513.). This process even labelled those traditional forensic sciences junks, which rely heavily on an indefinable set of characteristics in order to achieve individuality: *'No basis exists in theory or data for the core contention that every distinct object leaves its own unique set of markers that can be identified by a skilled forensic scientist. Their claims exaggerate the state of their science. This sort of exaggeration, combined with public credulity, is the classic reason that common law evidence doctrine required a heightened threshold for admission of expert testimony. [...] Forensic identification scientists can help themselves immediately by forswearing exaggerated, definitive conclusions in favor of humbler, scientifically justifiable, and probabilistic conclusions'* (Saks et al., 2008, 218-219.). Saks and Koehler, as well as criminalists who promote the fallacy

of individualization, ignore the fact that practice always verifies the scientific result. The ontological nature of the theory of dactyloscopic identification is proved by the fact that its axioms have retained their validity even in the midst of scientific and technical changes. Nothing proves this better than the case law of the United States: *'Because of its focus on methodological rigor, many tort reformers trumpet the Daubert standards as a way to get rid of junk science in the courtroom. [...] In this more comprehensive analysis, we too find very little evidence that adoption of the Daubert trilogy has any systematic effect on whom is offered as an expert in state court disputes. [...] we cannot determine exactly why Daubert seems to have no systematic effect'* (Helland et al., 2012, 32-33.). The answer lies in the fuzzy logic behind forensic identity. In the field of forensics, mathematical logic did not make logic out of mathematics, but made mathematics out of logic: some of the objects and methods of forensic identification provide an opportunity to quantify the frequency distribution of characteristics, while others *'do not constitute classes or sets in the usual mathematical sense [...] Yet, the fact remains that such imprecisely defined 'classes' play an important role in human thinking, particularly in the domains of pattern recognition'* (Zadeh, 1965, 339.). Therefore, it is now a common criticism of the Bayesian approach that it requires such numerical prior probability values that are quite difficult, time-consuming, expensive, or merely impossible to determine experimentally (Halliwell et al., 2003, 42.).

In practice, it is often unavoidable to use subjective probability estimates published by experts. According to the United States National Research Council: *'there is an equally important responsibility not to use numbers, which convey the impression of precision, when the understanding of relationships is indeed less secure. Thus, whilst quantitative risk assessment facilitates comparison, such comparison may be illusory or misleading if the use of precise numbers is unjustified'* (National Research Council, 1981, 15.). Various studies have pointed out that while point estimates of probability expressions are highly variable among subjects, probabilistic uncertainty, expressed in verbal form, can provide more accurate estimates of the frequency of multiple characteristics (Halliwell et al., 2003, 43.). All this suggests is that: it would be useful to include probabilistic expressions in forensic probabilistic models. Foucault shed light on the above problem, saying that there are many areas in society, especially criminal justice, *'where truth is formed, where a certain number of ground rules are defined – certain ground rules of subjectivity, subject areas, knowledge types – and consequently, if we take them into account, we can create the external story of truth'* (Foucault, 1998, 8.). However, we must not forget that practice is the final test of the applied scientific results (Hartmann, 1970, 134.). After all, in addition to the certainty of

uncertainties, it is for the trier of fact to determine the probative value of expert evidence by comparing it with other data and evidence available in the case in question. This is how subjective elements take place in jurisprudence. Although positive law seeks to eliminate this subjectivity, criminal justice is also looking for certainty somewhere in the midst of uncertainty: the best possible solution available at a given degree; because the only one correct decision does not exist, only the one which is the most authoritative in the given conditions of the given age, both factually and legally. The concepts of morphological and substantive trace should therefore not be mechanically separated. Their separation is based on their information content relevant to the given case: if it is a reflected formal feature, we are talking about a morphological trace, and if it is a material feature, then we are talking about a substantial trace (residue material) (Kertész, 1973, 12.). The emphasis here is not on the fact that substantial traces represent the source object beside themselves because, even if we know the material properties of the source object, there are no reference materials that could be used to draw a conclusion about the individuality of the link between characteristics based on their quantitative and qualitative assessment. This is the objective dialectic relationship, the importance of which Locard has drawn to the attention of the forensic community during the discussion of the principle of mutual exchange (Locard, 1923, 80.). While it is true that, in the case of mutual exchange, it is possible to examine the individuality of the link between characteristics in the opposite direction, it must necessarily be preceded by the traditional approach of forensic identification. We can obviously go there and come back on the same route, but first we have to go there; in order to come back. The unique characteristics of the source object are constantly changing as a result of various circumstances, the process of which is interrupted by the stages of relative constancy that enable identification (Katona, 2002, 147.). Consequently, in order to be able to draw a source conclusion regarding a specific trace, we must first become familiar with the genus proximum of the source object nomothetically: that is the fuzzy set of its possibilities of change. Consequently, only in this way are we able to decide whether *'x does or does not belong to A'* (Zadeh, 1965, 339.).

Conclusions and discussion

In the present study, I sought to answer the question of the logic by which the theory of forensic identification can solve the contradiction that arises from the individualization of the link between two or more individual phenomena. After conducting explanatory research in the fields of forensics, criminal law,

philosophy and logic, I have come to the conclusion that fuzzy logic lies behind forensic identity.

The results of my research have methodological importance, which enriches the theory of forensic identification with the following knowledge:

- Given the differentiation of the Anglo-Saxon and European continental legal systems, expert evidence is the *differentia specifica* of forensic sciences, to which the theory of identification is given an independent disciplinary character.
- The question of cognition cannot be regarded as prior to the question of primacy regarding the theory of forensic identification: because understanding the unique relationship of the reference objects necessarily presupposes research into the nature of the source object.
- The ontology of forensic identification is rooted in the ancient Greek developmental dialectic, which medieval emanational limit Hegel, following the footsteps of Cusa, was able to overcome by the thesis of the identity of identity and non-identity, from which the basic idea of fuzzy sets has unfolded.
- In the development of forensic sciences, it can be shown that the use of more advanced tools reduces uncertainty but does not completely eliminate it. The resulting residual problem can be solved if we acknowledge positional irrationality in the process of individualization, namely that the residual in this way is not unknowable but is not yet known at the given stage of development.
- The theory of dactyloscopic identification has an ontological instead of a pseudo-scientific nature because its axioms have retained their validity even in the midst of scientific and technical changes. This is due to the fact that the unique characteristics of the source object form a fuzzy set.
- The concepts of morphological and substantive trace should not be mechanically separated in the field of forensics. Although both contain subjective elements, they can provide relevant information for the case in question.
- Criminal justice is an area in society, where practice checks the results of the applied forensic sciences by comparing it with other data and evidence available in the case in question.

The theses listed above form a theoretical bridge between the field of forensic identification and fuzzy set theory, and at the same time justify the influence of fuzzy approaches in forensic data analysis. The vision of forensic identification points in the direction of fuzzy expert systems.

References

- Alapy, Gy. (1930): *Az azonosság és azonosítás néhány elméleti kérdése a kriminalisztikában* [A few theoretic questions of identity and identification in criminalistics]. *Az Állam- és Jogtudományi Intézet Értesítője*, 3, 262-294.
- Angyal, M. (2016): *A kriminalisztikai megismerés, avagy a kriminalisztika megismerése* [Criminalistic recognition or recognition of criminalistics]. In: Fenyvesi, Cs. – Herke, Cs. (Eds.): *A munkát nem lehet eltitkolni, tiszteletkötet Tremmel Flórián professor emeritus 75. születésnapjára* [Work cannot be concealed, a book to honour of the 75th birthday of professor emeritus Flórián Tremmel]. Pécs: Pécsi Tudományegyetem Állam- és Jogtudományi Kar, 9-13.
- Aristoteles (1936): *Metafizika* [Metaphysics]. Budapest: Magyar Tudományos Akadémia Filozófiai Bizottsága
- Broeders, T. (2014): *Philosophy of Forensic Identification*. In: Bruinsma, G. J. N. – Weisburd, D. L. (Eds.): *Encyclopedia of Criminology and Criminal Justice*, New York: Springer Science and Business Media, 3513-3526. DOI: 10.1007/978-1-4614-5690-2_164
- Chisum, W. J. – Turvey B. E. (2011): *Forensic Science*. In: Chisum, W. J. – Turvey B. E. (Eds.): *Crime reconstruction*, 2nd ed., Waltham: Academic Press, 3-18. DOI: 10.1016/B978-0-12-386460-4.00001-1
- Cusanus, N. (1999): *A tudós tudatlanság* [From scientific ignorance]. Budapest: Kairosz Kiadó
- Faulds, H. (1905): *Guide to finger-print identification*. Hanley: Wood, Mitchell & Co.
- Fenyvesi, Cs. (2017): *A kriminalisztika tendenciái* [Tendencies in criminalistics]. Budapest: Dialóg Campus
- Fogarasi, B. (1958): *Logika* [Logics]. Budapest: Akadémiai Kiadó
- Foucault, M. (1998): *Az igazság és az igazságszolgáltatási formák* [Justice and forms of jurisdiction]. Debrecen: Latin Betűk
- Halliwel, J. – Keppens, J. – Shen, Q. (2003): *Linguistic Bayesian Networks for reasoning with subjective probabilities in forensic statistics*. In: Zeleznikow, J. – Sartor, G. (Eds.): *ICAAIL '03: Proceedings of the 9th international conference on Artificial intelligence and law*; New York: Association for Computing Machinery, 42-50. DOI: 10.1145/1047788.1047795
- Hartmann, N. (1970): *Teleológiai Gondolkodás* [Teleological thinking]. Budapest: Akadémia Kiadó
- Hegel, G. W. F. (1979-A): *A logika tudománya. Első rész* [Science of logics. Part one]. Budapest: Akadémia Kiadó
- Hegel, G. W. F. (1979-B): *A logika tudománya. Második rész* [Science of logics. Part two]. Budapest: Akadémia Kiadó
- Helland, E. – Klick, J. (2012): *Does Anyone Get Stopped at the Gate? An Empirical Assessment of the Daubert Trilogy in the States*. *Supreme Court Economic Review*, 20, 1-33. DOI: 10.1086/668621
- Katona, G. (2002): *A kriminalisztika és a bűnügyi tudományok* [Criminalistics and criminal sciences]. Budapest: BM Kiadó

- Kertész, I. (1972): *A tárgyi bizonyítékok elmélete a büntetőeljárás jog és a kriminalisztika tudományában [The theory of material evidences in the sciences of law and criminalistics]*. Budapest: Közgazdasági és Jogi Könyvkiadó
- Kertész, I. (1973): *A nyom és az anyagmaradvány fogalma [The terms traces and material residues]*. *Belügyi Szemle*, 11, 11-17.
- Locard, E. (1923): *Manuel de technique policière*. Paris: Payot
- Mészáros, M. – Molnár, P. (1986): *Az ellentétek ontológiája a mechanikai mozgás leírásában [The ontology of contrasts in description of mechanical motion]*. *Magyar Filozófiai Szemle*, 30, 475-495.
- National Research Council (1981): *The Handling of Risk Assessments in NRC Reports*. Washington: The National Academies Press
- Saks, M. J. – Koehler, J. J. (2008): *The Individualization Fallacy in Forensic Science Evidence*. *Vanderbilt Law Review*, 61, 199-219.
- Szigeti, J. (1984): *A tudományos gondolkodás forradalma [The revolution of scientific thinking]*. Budapest: Kossuth Könyvkiadó
- Szigeti, J. (1991): *Racionalizmus és irracionizmus dialektikája [Dialectics of rationalism and irrationalism]*. Budapest: Akadémia Kiadó
- Szigeti, J. (1998): *Azonosság és nem-azonosság azonossága [The identity of identity and non-identity]*. *Magyar Filozófiai Szemle*, 43, 445-507.
- Viski, L. (1960): *A kriminalisztika rendszeréről [About the system of criminalistics]*. *Az Állam- és Jogtudományi Intézet Értesítője* 3, 59-99.
- Zadeh, L. A. (1965): *Fuzzy sets*. *Information and control*, 8, 338-353. DOI: 10.1016/S0019-9958(65)90241-X

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Psychological Aspects of Restorative Justice

Abstract

Besides the traditional methods of jurisdiction restorative justice techniques (e.g. mediation, family group conferences), that focus more on the interests of the victim and the accused, have come into the light lately. These methods create circumstances under which a common discourse is established, the position and needs, the motivations of both the victim and the offender may surface. In the process there is an opportunity to express emotions and thoughts that eventually result in the emergence of psychodynamics on the level of both the individual and the community. Therefore, there are significant psychological moments in the background of restorative techniques. Being based on the professional literature and studying them, are fully relevant. We have analysed six factors where researches have shown positive effects. (1) We take into consideration the active involvement of the participants, which clearly defines the exercise of the „*influence on my own destiny*” as opposed to the “*experience of own vulnerability*”. (2) The area of morality, apology and forgiveness may become important. (3) Expressing the emotions by the offender the victim provides an opportunity to resolve any frustration. (4) Expressing the offender’s motivations gives the victim an opportunity to understand the hidden factors. (5) In addition, emphasis will be placed on offering and, where appropriate, accepting reparation. (6) Finally, the emotions of the involved may change, into the direction of a positive vision.

Keywords: criminal justice system, psychological mechanism, punishment, restorative justice

*„I'm sorry for all the pain that I caused
Putting your family through something I could have stopped
And now I'm staring at the stars thinking of what I have done.
Something stupid of course what was I thinking of
Looking for my mentality but that was lost
Back in the days BC I'd be pinned to a cross*

*But instead I'm writing this rhyme because you gave me a chance,
So in the words that I write
You should know that they came from my heart.
You opened my eyes despising what I had done.
Look above and find the strength to carry on...*

*The stupid things I've done in my life
Creating enemies that want to bring a lot of strife
We'd fight
On the streets
Is probably where you would see me
Drugged out struggling to breathe
But now I', down on my knees
With a million apologies
Please time freeze wish I could turn back the time
Rewind but it's all over and done
A new era begun."*

Andrew Becroft
Principal Youth Court Judge
(Kelly, 2014, 14.)

There is a growing number of cases that are solved through restorative justice techniques and there is also a tendency to involve communities in the healing process (Rosenblatt, 2015). The quotation above, was a reaction given to the affairs of a family group conference. The young offender opened up by getting rid of heavy feelings during and after the procedure. The deepness of the quotation demonstrates the power of the restorative justice. However, this does not mean that one has to sacrifice traditional legal practices for the sake of new techniques – but it is a requirement to consider whether the outcome of the cases can be positively affected by the help of the restorative methodology. There are crucial practical questions arising, too, namely: whether there is an actual reduction in recidivism when restorative technique is used, or whether the burdens of the judiciary system or the prevalence of crime are lower? (Polt et al, 2020)

Brief History of Restorative Justice

In the past, during 20-30 years, criticism towards traditional criminal justice has been accentuated. In the background of this, there is the fact, that traditional

criminal justice practices are less and less in accordance with the expectations of the 21st century (Barabás, 2014). The reactions to the traditional practice can be materialized in three aspects:

- Firstly, the pursuit of decriminalisation that is to narrow the scope of authority of penal law. In this matter the felonious behaviour is resolved and is followed by legalization.
- With depenalization legalization does not go live, but reparation takes place. That means, that from the field of penal law the case shifts to another legal area (e.g. administrative law, civil law).
- Diversion (i.e. diverting from penalty) is an alternative of traditional penal law, in the course of which the offender is treated by (mainly) medical, psychological, pedagogical methods. It is different from restorative techniques in a way as it is applied within the frame of traditional criminal justice practices.

Mediation – as part of restorative justice – and family group conference are widely used in Hungary (Barabás, 2015). They range widely in both theory and practice, and have significant history (Van Ness – Heetderks, 2015, 23.).

- As for the theory: the idea was born amongst the sociologists of the 19th century (e.g. Durkheim) (Leonard – Kenny, 2014, 30). Penalties at this time were primarily focused on the pedagogy of the delinquent. Such as positivism, which suggested that the offender is separated completely from the rest of the society and is healed with the help of medical methods (Sullivan – Tift, 2006, 440.).
- The “social defence” movement, which started after the II. World War, required an absolute alteration of the penal law practices focusing on the fact that the penalty should be individualized (i.e. formed individually) in a way that, in the long run, it serves the protection of the society and the criminals.
- In the mid-20th century in the USA, the treatment ideology awakened, in the centre of which, there was the reformation of the criminal. Treatment ideology can be seen as a reaction and opposition given to deed-proportional fine. This ideology proved to be unsuccessful so the deed-proportional fine strengthened.
- As neither the protection of the society nor the re-education of the criminal was materialized by the second half of the 20th century, from the ‘70s on, the review of criminal justice has been started. It resulted in the introduction of several alternative methods, such as the victim services in the

UK (where there are still mainly victim-centred practices), the foundation of which lies in the 1964-born Criminal Justice Scheme (Liebmann, 2007, 37.). The first recorded victim-offender mediation is from 1974, Ontario, Canada, when a Mennonite probation officer made two youngsters apologize to victims whose houses they had vandalised. Since then, the practice has become even more general.

Possible causes of the appearance of restorative practices:

- One of the main reasons is that victimology – that emphasizes the aspects of the victim – strengthened (Lloyd – Borrill, 2020).
- Also, there were significant efforts of decriminalization, in the course of which, the state disclaims practising retribution. This is realized, for example, through diversion that resolved conflict in an informal way. This practise tries to withdraw both the victim and the perpetrator from parts of the criminal justice.

The Restorative Approach

There is an obvious relation between crime and punishment. However, besides punishing the criminal, there is another technique when the compensation of the victim can be realized in an alternative way. Restorative techniques are built upon tribal traditions (Maoris and Navajo Indians) (Maxwell – Liu, 2007, 38). In these cultures, the interest of a community is more accentuated than it is in the individualist society. The delinquent is not alienated but they process the trauma and conflict caused to the victim. The individual goes on being the part of the community and is not stigmatized. This tribal practice was first built in criminal procedures in New Zealand and Canada. Based on their experience, restorative techniques result in lower recidivism (Strickland, 2004, 26.). Interestingly enough, in Papua-New- Guinea, or in the Malagasy language community, it is men, who tend to cooperate, reconcile, and negotiate about the problems in a moderate manner (Ürmösné, 2015).

In a Broader Sense

In the case of restorative justice, the emphasis is not on punishment but on how to resolve a certain problem or conflict. Its main characteristic feature is, that it

gives way to express feelings: stigmas in this approach are unknown; the shame of the perpetrator serves reintegration (McLaughlin – Muncie, 2013, 384.).

In a Narrower Sense

Emphasis is on the individual and the community. It is part of the criminal procedure rather than its alternative. According to ECOSOC (United Nations Economic and Social Council) 2002/12: „*Restorative process means any process in which the victim and the offender, and, where appropriate, any other individuals or community members affected by a crime, participate together actively in the resolution of matters, arising from the crime, generally with the help of a facilitator. Restorative processes may include mediation, conciliation, conferencing and sentencing circles.*” (ECOSOC, 2012)

These days, these alternative techniques and methodology of jurisdiction are emphasized and introduced – mainly as amendments to the traditional practice. Kent Roach (1999) and Herbert Packer (1964), by questioning the crime control model, played great role in this process. Roach and Packer were the ones to create a new model of the victims i.e. the punitive-, and non-punitive model (Roach, 1999). According to them, the traditional jurisdiction is in an acute crisis and its future lies in its ability of highlighting the importance of the rights of the victim. In the focus of the theory there is the individual as an autonomous being, who takes responsibility for his deeds and sees the consequences. In this system, the victim’s rights are in the first place, victimization is at the utmost importance and precipitates victim protection reforms. The model (where there is punishment) is built upon traditional jurisdiction and calls for strengthening the rights of the victim. The conception emphasizes the importance of prevention and the restorative characteristics; it is widely accepted and used in practice (Foley, 2014). However, restorative approaches are not unified: the conditions are whether the victim, the perpetrator or the community has the priority in the process and the usage of different aspects depends on the type of the crime committed. For example, in case of domestic- or school violence, it is more likely that confrontation with the deed, remorse and forgiveness will happen (Strang – Braithwaite, 2002). Mainly, when apology is more important than reparation as the parties go on being members of the same community, they maintain a relationship of some kind, so an acceptable personal attitude is a must. Reparation is accentuated when compensation is the priority.

Key Goals

- „To understand the harm and develop empathy for both the harmed and the harmer.
- To listen and respond to the needs of the person harmed and the person who harmed.
- To encourage accountability and responsibility through personal reflection within a collaborative planning process.
- To reintegrate the harmer (and, if necessary, the harmed) into the community as valuable, contributing members.
- To create caring climates to support healthy communities.
- To change the system when it contributes to the harm.” (Amstutz – Mullett, 2014, 10.)

Retributive paradigm vs. restorative paradigm

First, Zehr (1990) describes the difference between restorative justice and traditional criminal justice in his book “*Changing Lenses*”. The restorative justice asks:

- „Who has been hurt?
- What are their needs?
- Who is obligated to meet the needs?
- Who has been impacted or has a stake in this situation?
- What processes can be used to involve these „stakeholders” in finding a solution?” (Zehr, 1990, 15.)

On the contrary in the case of traditional criminal justice one can come across with three basic questions:

- What laws have been broken?
- Who did it?
- What do the offender(s) deserve?

As one can see in Table 1., there are several differences between the two approaches. One (and the basic) of these is that in restorative justice practices participants form their own needs and claims.

	Paradigm of restorative justice	Paradigm of criminal justice
Focus	Victim	Violation of law
Role of delinquent	Compensation	Wrong-doer
Aim of the procedure	Agree on reparation	Enforcement, implementation of rules
Role of parties in the procedure	Active	Passive
Secondary aim of the procedure	To understand motivation and emotions behind the crime, agree on reparation.	Investigate the truth
Control is...	...in the parties' hands	...in the hands of the representative of the state
Nature of procedure	Confidential	Open
Orientation	Future-oriented thinking	Past-oriented thinking
Mode of the procedure	Informal	Formal

Table 1. Differences between restorative justice and criminal justice practices

The first approach unfolds the needs of the sufferer of the crime and here the responsibility from the offender part is integral. In criminal justice the perpetrator himself is more stressed than the victim, emphasis is on the breaches of the law and the punishment imposed upon by the state. In this case the type of crime is one of the most important questions. The victim plays an active part in the process, he has the opportunity to express emotions concerning the crime, can get answers to his questions, can feel remorse. The perpetrator may also explain his motivation in the criminal offence so the sufferer will be able to understand the dynamics of the deed that can be essential in processing the affair. As for the offender: the focus in his case is not solely on punishment but on him, to take responsibility and to help him settle in society. This is a future-oriented approach, whereas in the traditional practice the representatives of the state reconstruct a past event. Thus, psychological agents play an important role, because, instead of formal statements and framework procession is the first concern and it is executed in an informal setting. Dialogue that forms between victim and offender helps understanding the dynamics and the motivation of the deed (Farkas, 2018). The confidential situation can evoke shame in the perpetrator, he is not stigmatized, can have the opportunity to better the situation and the focus is in his reintegration (Farkas, 2017).

The procedure is executed by a neutral professional who guarantees the principles of restorative justice, including adhering to human rights. The mediator

has to be independent and impartial, cannot make a decision only can assist in negotiation. He has to possess all the necessary qualifications and has to try to compensate the hierarchy level in the process. Without these conditions the procedure might become unsuccessful. The case remains in state settings in order to provide security of the parties and keep the rule of law.

- Basic human rights should be respected.
- State intervention has to be provided – not all cases are good for mediation.
- One has to keep in mind that mediation does not always end in consent.

Psychological Processes

Fellegi asks the following: „*why this way of responding to crime might be more effective in reintegrating offenders and how it can achieve this goal more successfully than other sanctioning approaches.*” (Fellegi, 2007) In order to answer these questions, one has to turn to the science of psychology. Psychological characteristics can be realized at least in six areas (thus has to be explored in here) (Strasser – Randolph, 2004). The role of the parties, morality, emotions (of both the victim and the perpetrator) and motivation are just as important from a psychological point of view as reparation, the possible modifications in the feelings of the participants, the significance of the formation of a positive future. Table 2. presents these positive effects.

	Offender	Victim
Role	Active	Active
Morality	Apologies	Forgiveness
Emotions	To express emotions	To express emotions
	To understand emotions of the victim	To understand emotions of the offender
	Catharsis – resolve frustration	Catharsis – resolve frustration
Motivations	To express motivation behind the felony	To understand motivation behind the felony
Reparation	Offer reparation	Accept reparation
Future	Positive – without the shadow of punishment and stigmas	Positive – without fear and anxiety

Table 2. Positive effects on offender and victim

To Take an Active Role

In traditional procedure parties function passively. They cannot have a voice in either the process or sanctions. It depends on the judge whether they can express their opinion and feelings. On the contrary, restorative practices provide an active role to both the victim and the offender, who will be able to see themselves as autonomous, competent and effective individuals who can form and influence their fate and future life (Gromet, 2015). Resolving conflict is entirely up to the parties. As they jump to a conclusion collectively and following compromise, victimization is far less an option than in traditional practice as during the process neither the interests nor the dignity of the parties are damaged. And from a psychological point of view: the participants will be able to identify themselves with the agreement – that they formed together, and as such, the compliance with it will be more likely realized.

Morality

Apology helps in processing the events (Hutchison, 2014, 118.). The perpetrator has to reconsider his deeds morally. He has to face it and the fact that he did not obey the rules and norms. He has to do soul-searching as he receives a negative feedback from his victim. He has to recall his memories of the offence, has to explore the motives behind it and re-examine its emotional background. Restorative procedure creates an environment in which these psychological aspects can surface; after which, the delinquent will be able to understand his deed, encounter the consequences and the fact that he has caused damage to his fellow human being. He has the opportunity to feel remorse and if he feels the need of apologizing his victim, he is allowed to do so.

Emotions

Since under such circumstances the parties are able to speak out their own feelings, the victim and the offender as individuals, have greater value. The process is less faceless and nameless than it is experienced in the traditional criminal procedure (Kelly – Thorsborne, 2014). The parties can express their emotions about the felony in a safe setting – in connection with how they felt about it and of what effects they are afraid of or suffer from. The victim can encounter the delinquent. By doing so, the possibility of understanding each other is present.

During the process both parties can develop empathy, which, in the case of the offender, can reduce the chance of recidivism.

Empathy

Empathy has been described as the skill to recognize the feelings and the thoughts of others. When one empathizes, one tries to understand and feel the other one, both through verbal and nonverbal communication channels. Non-verbal elements could not only be gestures, postures, or mimics, but sighing, coughing, or throat clearing as well (Ürmösné, 2019). Interestingly enough, females generally verbalize their attentiveness, apply more feedback strategies, metacommunication phenomena, and motivational schemes (Ürmösné, 2017). In the restorative procedure situation empathy can be born from both sides. Empathy arising between the two human beings is the key concept in the restorative process. It can appear on five levels (Wallis, 2014, 8.):

- Empathy Level Zero (Hurting): starts with the offence itself. It is the phase of searching the offender of the crime (Sófi – Farkas, 2019).
- Empathy Level One (Seeing): entry into the criminal justice system. After the police investigation there are two possible solutions: retributive or restorative justice (Farkas et al., 2020).
- Empathy Level Two (Voicing): initial discussion with the parties involved.
- Empathy Level Three (Hearing): indirect communication and the beginning of the restorative conversation. Traumatic events can be recalled in this phase after which a reaction to it, and positive or negative thoughts may appear. These all help in processing.
- Empathy Level Four (Helping): during the restorative meeting, the perpetrator can apologize as a consequence of which frustration is minimalized.
- Empathy Level Five (Healing): the feelings of shame and guilt appear; empathy is in the focus. The emergence of these can be life changing.

All the other psychological factors that accompany the procedure, also help to deal with the events that cause anxiety in the individual. Through the course of the meetings, the parties can experience such emotional shower that can result in the development of the catharsis.

Motivations

From the point of view of restorative work, understanding and expressing the motives behind a criminal offence is a must (London, 2011, 156). Both the parties arrive in the situation with needs, curiosity and eagerness to comprehend the crime and the motives in the other party. If the offender is able to manifest his conscience, he will win the trust of the victim that can be a key momentum in the agreement that follows. By admitting failure, the restoration of trust can take place, that has a curing effect in the process.

Reparation

In the social interaction, the victim can express his discontent and can also decide on the means of reparation. The offer of the offender is reported by the facilitator, thus can begin the convergence of the claims. In an ideal situation, this process results in a compromise and even though it is not always the case, it is an undeniable accomplishment of the method that, by having opportunity to take an active part in decision-making, one is more easily able to identify with the results.

The Sense of a Positive Future

The positive effects of the restorative procedure are certain. The victim gets rid of the emotions accompanying the offence, processes his anger so – hopefully – the situation will no longer be combined with anxiety. The victim most probably will be more confident with the offender or the other individuals similar to him. The offender will not be stigmatized and be part of the criminal procedure, which is also beneficial.

Conclusion and discussion

To sum up the previous thoughts, one can see, that in the restorative procedure an independent, professional facilitator takes care of the validation of the maxims of restorative justice as well as adhering to procedural law and to human rights treaties. The mediator is of utmost importance in the process, since he does not fulfil the basic criteria that can result in the unsuccessful-

ness of the procedure. One has to admit, that there are several positive traits of restorative criminal justice as opposed to the traditional practices; however, one cannot overlook the fact that cases must not quit entirely state influence as it is the state, that secures the individuals and the rule of law. As restorative approach is accompanied by the resurface of grave feelings and anxiety, psychological supervision gains territory in it (Gavrielides, 2016). In order to explore psychodynamics behind the restorative procedure more researches would be beneficial.

References

- Amstutz, L. S. – Mullet, J. (2014): *The Little Book of Restorative Discipline for Schools*. NY: Skyhorse Publishing
- Barabás, A. T. (2014): *A resztorativitás elmélete és gyakorlata [Theory and practice of restorative approach]*. In: Ruzsonyi, P.: *Tendenciák és alapvetések a bűnügyi tudományok köréből [Tendencies and fundamental assumptions from the circle of criminal sciences]*. Budapest: Nemzeti Közszerkesztési és Tankönyv Kiadó, 287-334.
- Barabás, A. T. (2015): *Restorative justice in Hungary: a rapidly growing field of practice*. *Restorative Justice*, 3, 387-395. DOI: 10.1080/20504721.2015.1109348
- ECOSOC Resolution 2002/12*. Basic principles on the use of restorative justice programmes in criminal matters.
- Farkas, J. (2017): *Psychological Assessment of Children by Forensic Experts*. In: Homoki-Nagy, M. – Hajdú, J. (eds.) *Acta Universitatis Szegediensis. Ünnepi kötet dr. Zakar András c. egyetemi tanár 70. születésnapjára [Festive volume to the 70th birthday of Dr. András Zakar, titular professor]* Szeged: SZTE, 55-64.
- Farkas, J. (2018): *A fejlődéslelektan alapvető kérdései [Basic questions of developmental psychology]*. *Határrendészeti Tanulmányok*, 2, 97-110.
- Farkas, J. – Sallai, J. – Krauzer, E. (2020): *The organisational culture of the police force*. *Internal Security*, 1, 77-84. DOI: 10.5604/01.3001.0014.3189
- Fellegi, B. (2007): *Explaining the Impact of Restorative Justice - the '4-way interaction' of morality, neutralisation, shame and bonds*.
- Foley, T. (2014): *Developing Restorative Justice Jurisprudence: Rethinking Responses to Criminal Wrongdoing*. UK: Ashgate Publishing
- Hutchison, K. (2014): *Forgiveness*. In: Kelly, V. C. – Thorsborne, M.: *The Psychology of Emotion in Restorative Practice*. London: Kingsley Publishing, 118-127.
- Gavrielides, T. (2016): *The Psychology of Restorative Justice*. UK: Routledge

- Gromet, D. M. (2015): *Psychological perspectives on the place of restorative justice in criminal justice systems*. In: Oswald, M. – Bieneck, S. – Hupfeld-Heinemann, J. (eds.): *Social Psychology of Punishment of Crime*. UK: Wiley
- Kelly, V. C. – Thorsborne, M. (2014): *The Psychology of Emotions in Restorative Practise*. UK: Kingsley
- Leonard, L. – Kenny, P. (2014): *The Sustainability of Restorative Justice*. UK: Emerald
- Liebmann, M. (2007): *Restorative Justice: How It Works*. UK: Kingsley
- London, R. (2011): *Crime, Punishment, and Restorative Justice: A Framework for Restoring Trust*. Oregon: Wipf & Stock
- Lloyd, A. – Borrill, J. (2020): *Examining the Effectiveness of Restorative Justice in Reducing Victims' Post-Traumatic Stress*. *Psychological Injury and Law*, 13, 77–89.
- Maxwell, G. M. – Liu, J. H. (2007): *Restorative Justice and Practices in New Zealand: Towards a Restorative Society*. New Zealand: Wipf and Stock Publishers
- McLaughlin, E. – Fergusson, R. – Hughes, G. – Westmarland, L. (2003): *Restorative Justice: Critical Issues*. UK: SAGE
- Polt, P. – Pallagi, A. – Schubauer, L. – Blaskó, B. (2020): *Büntetőjog a gyakorlatban* [Criminal law in practice]. Budapest: Ludovika Egyetemi Kiadó
- Roach, K. (1999): *Four Models of the Criminal Process*. *Journal of Criminal Law and Criminology*. 89, 2, 671-716. DOI: 10.2307/1144140
- Rosenblatt, F. F. (2015): *The Role of Community in Restorative Justice*. NY: Routledge
- Sófi, Gy. – Farkas, J. (2019): *A fiatalkori pszichopátiás vonások legfőbb jellegzetességei és rendészeti vetületei* [Main characteristics and law enforcement projections of psychopathic features in the adolescence]. In: Marton, Zs. – Németh, K. – Pelesz, P. – Péter, E. (eds.) IV. Turizmus és Biztonság Nemzetközi Tudományos Konferencia Tanulmánykötet. Nagykanizsa: Pannon Egyetem, 42-54.
- Sullivan, D. – Tifft, L. (2006): *Handbook of Restorative Justice: A Global Perspective*. NY: Routledge
- Strang, H. – Braithwaite, J. (2002): *Restorative Justice and family violence*. UK: Cambridge University Press
- Strasser, F. – Randolph, P. (2004): *Mediation – A Psychological Insight into Conflict Resolution*. London-NY: Continuum
- Strickland, R. A. (2004): *Restorative Justice*. NY: Lang Publishing
- Ürmösné, S. G. (2015): *Érák, szubkultúrák, szocializáció, férfi-kontra női agy a genderyelvészet tükrében* [Eras, subcultures, socialisation, male vs. female brain as reflected in gender linguistics]. *Magyar Rendészet*, 2, 151-161.
- Ürmösné, S. G. (2017): *A case study, based on a spontaneous discourse of Greek - Hungarian bilinguals, in respect of interjections, swear words and syntactical mistakes, as regards gender*. *Magyar Rendészet*, 4, 193-210.

- Ürmösné, S. G. (2019): *Miben segítik a nyelvi ujjnyomok a nyomozást?* [What linguistic fingerprints can help investigations in?] *Magyar Rendészet*, 1, 65-75.
- Van Ness, D. W. – Heetderks, K. (2015): *Restoring Justice: An Introduction to Restorative Justice*. USA: Anderson Publishing
- Wallis, P. (2014): *Understanding restorative justice: How empathy can close the gap created by crime*. UK: Policy Press
- Zehr, H. (2015): *Changing Lenses – Restorative Justice for Our Times*. USA: Herald Press

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The History of Law Enforcement Culture in Hungary

Abstract

In Hungary, Ágoston Karvasy was an early pioneer writing about the history of law enforcement. In his first study he defined the concept of law enforcement as a science. The idea of establishing a national police organisation was first mentioned after the reform era but it has not been realized that time but only in the year of 1872. However, the first professional journal of law enforcement was published in 1869 and the word police officer as the ‘guard of the order’ appeared in the Hungarian language in 1870. The scope of authority and jurisdiction of the Police was declared in a law passed in 1881. In 1873 the Metropolitan Police Department was established and in 1905 the Border Police and the Police Department of Fiume were established. In the period between 1945-47, the police continuously emerged. Although the State Security Office was destroyed by the revolution of October 1956 and it was not restored afterwards, it has not effected the Police itself. The organizational culture of the Police is mostly influenced by its educational and training systems. The training of the probationary police officers was approved first by the prime minister in 1884. In 1920 the training of police officers was unified on new bases by the leaders of the Ministry for Internal Affairs and the Police Department. Then the Police Academy was set up in 1948 and the Police College was established in 1971. In 2012 the University of Public Service and its Faculty of Law Enforcement were established and took over the functionalities of the Police Academy as well.

Keywords: law enforcement, organizational culture, history, police force

Introduction

The beginning of modern law enforcement¹ goes back to the second half of the mid-19th century. The first word in Hungarian meaning ‘police officer’ was published in 1833 in the book of János Fogarasi. Ignác Zsoldos was the first to write about order and the police force in his work entitled ‘*A few words on public bravery in our country*’ (Zsoldos, 1838, 50). One of the most significant scholars involved in laying the foundations of modern Hungarian law enforcement was Ágoston Karvasy, who discussed policing, public policy, the police force and police science in detail in his three major works; ‘*Political Sciences Presented as a System*’, (1843-44) ‘*The Science of Public Policy*’ (1862) and ‘*The Science of Public Policy and Cultural Policy*’ (1870). In Karvasy’s first work, ‘*Political Sciences Presented as a System*’ he formulates the concept of law enforcement and elaborates on his ideas related to it (Karvasy, 1843-1844), which form the basis for the creation of the concept of law enforcement during his later work. Approximately at the same time, after the Hungarian reform era (1825-1848) during the revolution and war of independence of 1848-49 the question of the establishment of the national police arose, which, however, could not be realised at wartime, with too little time at the disposal of the first government responsible for the Parliament. Following the revolution and war of independence of 1848-49 the Habsburg rule returned, preventing the creation of a Hungarian police force, which would have been the symbol of the facilitation of Hungarian interests. At the same time, the political public sphere had the uniting of Pest, Buda and Óbuda, the state of public safety on the agenda and the demand for the safety of persons and property intensified. The next milestone in the history of the Hungarian police force is related to the uniting of Pest, Buda and Óbuda, that is to the birth of the capital.

Formation of the Capital Police Force

According to the Article 20 of Act XXXVI of 1872 ‘*in the jurisdiction of the local authority of the capital city the police force as a unified organisation called ‘the Police of the Capital shall be managed by the state, through its own functionaries. The rulemaking rights (legislations) of the local authority in local police matters shall not be affected.*’ Thus, the first state police force was creat-

1 In this paper, this expression will refer to activities of both the police and all law enforcement organisations.

ed, whose responsibilities, competences and jurisdiction were laid down in law only later (Pichler, 1876). The Act on the institution of reporting on persons and events to the police was passed in 1879 in Budapest. Of course, this new institution could not guarantee a precise registration system until the registration of inhabitants had been introduced in all larger communities in Budapest to serve as a basis for it. The introduction of the population registers – at first related to population policing – is a very important step in the history of law enforcement. It made it much easier to carry out criminal investigation tasks, as finding the place of residence of certain people during an investigation did not absorb so much energy. One weakness of this Act was that at that time it only concerned the capital city, as it was the only place to have a state police force. However, it was used later as a basis for a system of institutions covering the territory of the whole country, a possibility not excluded by the MP introducing the bill in the Parliament, either. Having a similar range of responsibilities and jurisdiction, the registration office in Vienna was taken as a model for the Budapest one. Its structure and budget was also elaborated on in the bill. Simultaneously with the above process the Act on the police was being prepared with the Vienna and the London police forces taken as models. From 15 December 1873 the police force of the capital was directly subordinated to the Minister of the Interior. This was followed by a transition period, during which the capital retained the competence to present the basic regulations for associations and to manage press and passport matters. The Police of the Capital also had to control political workers' associations and showmen (at fairs etc.), manage announced assemblies and deploy special armed forces, as well as exercise employer's rights, put forward proposals for the police officers' salaries and manage the budget of the police. Eventually, the law on the organisation of the police was passed and came into force in 1881. According to it, the jurisdiction of the organisation covered all the external and internal areas of the capital formed on the basis of the Act XXXVI of 1872. According to Act XXI of 1881, *'the task of the Police of the Capital is to protect the safety of persons and property, maintain peace and public order, prevent if possible the violations of the penal laws and regulations and also the risks and damage due to accidents or omissions of any nature and restore disturbed order and peace in its jurisdiction, detect those breaking them and report or hand them to the competent court or authority to be punished. Also, to fulfil the general tasks of the watching, preventing and discovering police force within the framework of the present Act.'* These tasks demonstrate that the Act mainly defined law enforcement tasks, chiefly of public safety character for the Police of the Capital. They can be divided into three types. Thus, there are state policing tasks, regarding the aversion of

dangers emanating from the assembly of people, public policing ones, aimed at the elimination of dangers occurring due to people's ill intentions and will and, as it was called at the time, those belonging to policing against the elements. The first Hungarian state police force, then also having an Act on the police, served as an example for the police officers of the towns in the country since it had been established. From the second half of the 19th century the issue of the nationalisation of the country police forces and the centralisation of the police force were constantly on the agenda.

Toward of the Modern Law Enforcement

At the end of the 19th century police experts and lawyers had a discussion about the discretionary powers of the police and their application. Miklós Rédey, drawing attention on the issue by works satisfying high scientific requirements says that it follows from this concept that policing should act against the imminent dangers and not the events that have already taken place, which are the competence of justice. As the imminent events cannot be outlined beforehand, the police cannot precisely define how to manage dangers. The police force must be given the opportunity to recognise the danger and evaluate it, depending on its size and quality and to act and take measures against it at its discretion. The police, too, should be able to operate only within the limits of the law. For example, where the police force would restrict the human rights of the citizens, also because the police force has the knowledge of these rights and of its discretionary powers, it is clear that it cannot do it without limitation. According to Rédey, in everyday life this means that if there are reasonable grounds to suspect that a citizen wants to behave in an illegal way, the police force must be provided the opportunity to recognise it according to its discretion and also to terminate this illegal behaviour according to its discretion, even by restricting the human rights of the citizen. Similarly, it is very difficult to manage every mass demonstration in the same way. Every gathering and demonstration needs a different type of management, also from the aspect of policing, for which the police must be given the discretionary powers. The guarantee for its application is provided by the legal and political responsibility of the Government and the criminal liability of those applying them. Rédey published several books that give good examples for police officers even today. The one entitled '*The Manual of Police Service*' was published in 1916, during World War 1. He had been an experienced commissioned police officer, police scholar and author by that time. In fact, he formulated his creed in this book. He ex-

plained who he thought could be a police officer and what requirements should be set for a police officer. In his opinion, a good police officer should first of all be an impeccable man, who had to become worthy of this honourable title. He says, *'Nobody is born a police officer; he must be educated!'* (Rédey, 1916, 7.) In Rédey's opinion, those who take to drinking or gambling will sooner or later rush headlong into disaster, and therefore are not fit to be police officers. *'A police officer must be a whole person. Apart from the time for rest, he must live only for his profession. He must not take up another office or be in any business.'* Also, *'A police officer should not engage in politics!'* (Rédey, 1916, 19.) He finishes his book with the ten commandments of a good police officer. We consider Rédey's book entitled *'Introduction to the Fundamental Doctrines of Hungarian Police Law'* another exemplary work. It was published in 1923, three years after the nationalisation of the police. According to him, the road to understanding police law leads through the clarification of the basic concepts. For that reason, at the beginning of the book he presents the concepts of order, state and social order, law and order, public order and policing and their content. He also draws attention on the public duties of policing and its place and role in public administration. After this he goes on to present the police and elaborates on what he means by the concept of the police and their tasks. To define the police, he applied a shorter scholarly concept, saying that this authority is the guardian of order and a longer one: *'The police force is the organisation (a separate institution) of home administration, competent to establish, maintain and ensure the preconditions of public order, even by force if necessary.'* (Rédey, 1923, 9.) Further, he presents his ideas about the character, directions and boundaries of the operation of the police. He thinks that the following comprise the operation of the police force:

- 1.) It constantly keeps watch to avert illegal attacks.
- 2.) It prevents already started attacks from being carried out.
- 3.) It terminates attacks that have happened by immediate response, with the use of force, when needed and according to its subjective discretion.
- 4.) The court assists with restoring the disturbed law and order.
- 5.) It also prevents the free activity of certain persons even if this activity does not cause damage to others but may lead to it and may cause discomfort, scandal or fear for others or it may disturb their free activity and the pleasure gained from their property (Rédey, 1923, 10.).

The beginning of the 20th century was dominated by the phenomena identical to those we experience today, that is emigration and immigration. To manage them,

Act V of 1903 on the residence of foreigners in the territory of Hungary, the Acts on emigration and immigration, on the passport and on the Border Police were passed. Thus, the second state police force, the Border Police was established. Large-scale emigration and immigration was stopped by World War I, to be followed by revolutions, resulting in the complete transformation of the police forces. After the disintegration of the Austro-Hungarian Monarchy, the council dictatorship and the years following it brought about several significant changes that concerned the police. For the 133 days of the dictatorship of the proletarian Red Guard² was established, whose main task, according to the Small Textbook of a Red Guard, was ‘*to ensure for his proletarian brothers undisturbed work for the purpose of the development of a communist society, that is the happiness of the whole mankind. The Red guard will protect the rule of the proletarians and thus of himself over the bandit bourgeois, be that external or internal enemy and he will ensure the order of the proletarian dictatorship.*’ (Huszák, 1919, 8.) The commissariats took over the jurisdiction of the old ministries and the powers of the police were transferred to the Red Guard. Thus, all law enforcement issues (transport, public safety, public health, customs, railways and navigation, fire safety, vice squads and politics) had to be managed by the Red Guard. After this transitory period, the capitalist system was restored and, as masses of people were on the move, a lot of policing/law enforcement work had to be done. Although the Police of the Capital was established in 1873 and the Border Police and the Police of Fiume were created in 1905, there was a serious need for a unified state police force with a central management. In 1893 this movement was led by Sándor Hegedűs, the head of the police headquarters, who called the attention of the country and of political decision-makers to the issue by organising congresses and writing articles and studies on the nationalisation of the police force. The purpose of the National Association of Police Officers in Hungary established on 17 December 1907 in Budapest was the same. It published several books and periodicals on law enforcement. In autumn 1919, as a result of political and professional demand for public safety and as a part of a lengthy public administration reform, Government Decree No. 5047/1919. ME was issued, which nationalised the police force in Hungary. It was raised to legislative level by Act I of 1920 on the restoration of constitutionality and the temporary arrangement of practicing supreme state power. In Hungary we have had a police force with national jurisdiction, having different names in each historical peri-

2 Decree No. 1 BN of the commissar for internal affairs of March 30 established that laying the foundations of the internal order and its maintenance was the duty of the Red Guard. At the same time all the armed forces related to the police ceased to exist.

od, since 1920. From 1920 it was called the Royal Hungarian State Police, later the Royal Hungarian Police while after World War II. it was officially called the democratic police. After a few, relatively peaceful years, from the early 1930s the country prepared for the next war, and the Royal Hungarian Police was part of this. The passing of the Act of 1939 on national defence was an unambiguous sign of preparation for the war, which, together with the extraordinary act passed before World War I codified a lot of policing administration activities. It set up stricter conditions for leaving the country (concerning persons liable to military service) and for emigrating. It provided the Government Commissioner to be appointed with a wide scope of authorisation for the purpose of maintaining public order and safety. An interesting feature of the act is that it gave the Minister of the Interior the powers to refer the right to issue passports to the Government Commissioner. Considering the interests of warfare (anti-aircraft situation), it gave the powers to military headquarters to evacuate territories. As a result of the well-known military events in 1943 and to manage the evolved public safety situation and to enhance its protection, the Prime Minister's decree No. 3810/1944 ME on the enhanced protection of public safety gave the Minister of the Interior the opportunity to supplement the staff of the Royal Hungarian Police and organise auxiliary armed units from volunteers. These were followed by the Prime Minister's decree No. 4190/1944 ME on the organisation of the armed National Service, which, with reference to the Act on national defence, made it possible to organise the armed National Service, whose task, according to its Article 1, was *'to carry out security duties for the close protection of the Leader of the Nation, to ensure the realisation of Hungarianism, the Hungarian embodiment of national socialism and to support public safety armed forces.'* At the same time, the Prime Minister's decree No. 3430/1944 ME on the establishment of the National Guard was declared. The mission of the National Guard was to support the public safety organisations (Royal Hungarian Gendarmerie and the Royal Hungarian Police) in maintaining the public order and safety of the country; to defeat smaller enemy partisan and paratrooper groups, to prevent and avert acts of sabotage; to guard property important from a military aspect; to secure the hinterland areas of military operations, according to the orders of the commanders of operating military corps when needed.

The period of Second World War

World War II. brought about significant changes also in the history of policing/ law enforcement. During it, a range of regulations were issued, which annulled

its previous civil character. An outstanding example is the Prime Minister's decree No. 2300/1944 ME, which militarised the police, starting a process that had its impact on policing after World War 2, too. With reference to Article 141, paragraph (2) of Act II of 1939 the Prime Minister's decree instructed the Ministers of the Interior and of Defence to reorganise the police, as a result of which the Royal Hungarian Police was changed into a body organised in an almost military way. After this the Royal Hungarian Gendarmerie and the Royal Hungarian Police were subordinated to an integrated leadership. The Commander became a Superintendent of the Gendarmerie and of the Police who was recommended by the Minister of Defence in agreement with the Minister of the Interior and appointed by the Regent. After Charles IV was dethroned, Miklós Horthy was elected by the Parliament as the head of the state to serve the Kingdom of Hungary as a Regent. The unified body of commissioned police officers was formed and its members had to be sorted into various ranks.

After the Second World War

After the Second World War, following the disbanding of the Gendarmerie and the establishment of the democratic police force, also in accordance with the Soviet practice, army ranks were retained in the police force and they exist even today. In the period between 1945 and 1947 the police force underwent several transformations. While the police officers' textbooks of 1946-47 retained the earlier professional learning material, later, at the Police Academy -established in 1948- they copied the Soviet model. In the years to follow, for the purpose of maintaining the evolved situation, reinforcing socialist legality, protection of social property and the enhanced fight against criminals, law-decree No. 22 of 1955 on the Police was created to record the range of tasks and jurisdictions of the police. According to the law-decree, the police force, apart from its detection and investigative activities carried out, according to the rights and obligations laid down in the code of criminal procedure, with the purpose of preventing, detecting and disrupting crimes, was entitled to use secret means and methods. Law-decree No. 22 of 1955 stipulated that the police had to carry out duties in three areas, namely the protection of public order, of the order of traffic and administrative policing. In 1956 the outward movement at the western section of the border increased and the impact of tensions in domestic policy were also felt in the law enforcement organisations. In this period the ideas of József Tóth, written in 1938, policing is similar to a mirror, which reflects the image of the state, or like a seismograph, which shows every single vibration,

proved true. The revolution of 23 October 1956 swept the State Security Office away and it was not restored later, either, when the revolution was suppressed. A decision was made about laying the minefield again along the western border and about the reorganisation of the Ministry of the Interior. As a result of the events in 1956, the politicians of the Workers'-Peasants' Government came to the conclusion that in order to protect public order and safety the Soviet-type state security system must be maintained, albeit not in the form of the former State Security Office, and thus, state security stayed within the jurisdiction of the police, which did very much harm to the public opinion of the organisation. Following the traditions, in the 1970s, based on earlier experience, the essential tasks related to the protection and maintenance of state security and public safety were regulated again by law-decree No. 17 of 1974. Law-decree No. 17 of 1974, the decrees of the Ministers' Council No. MT 23/1974 (XL 1.) on the Police and MT 40/1974 (XI 1.) on the guarding of the borders of the Hungarian People's Republic meant that the earlier legislation became obsolete. They also symbolised the consolidation of the socialist regime. These decrees and the regulations built upon them were in force until the removal of the iron curtain in 1989 and the change of the system that followed. The fact that the new Act on the Police (Act XXXIV of 1994 on the Police), which is still in force, took four years to be passed by the Parliament very well illustrates the new times and the transition into the civilian system.

Law Enforcement Uniforms

The staff of armed forces and law enforcement organisations typically do their duties in uniforms. *'Every organisation is comprised of content, substance and some type of a format. The format holds the substance together and it adapts itself to the content, still, the content is embedded in the format. Our uniform is an essential element of the format of our organisation. We live in this uniform, work in it and, wear it, if the service requires, we make even the greatest sacrifice. Therefore, it is not indifferent what we wear.'* (Berky, 1940) Before the Austro-Hungarian Monarchy due to the Austrian control, both the Police and the Gendarmerie bore Austrian marks on their uniforms, too. After 1873, until the nationalisation of the police in 1920, members of the town police forces and those of the Police of the Capital had different uniforms. *'However, during the dualistic and the Horthy eras a unique uniform was introduced, which had Hungarian roots and was typical exclusively of the police and which – accompanying the organisation all along its development – truly reflected its*

rich traditions.' (Androvicz, 2016, 139.) Uniforms are symbols not only of the police forces but also of the states. Also, they emanate authority and dignity, therefore the Hungarian leaders of the state, of the Ministry of the Interior and of the Police paid special attention to the police uniform. That is why tradition was so important in its development, manifested in the helmet resembling that of Miklós Zrínyi (Hungarian hero of the fights against the Ottomans) and in the jacket decorated with braids. A police officer's weapon accompanied him throughout his career. At first it was a sword, later a baton/truncheon, a pistol, a Mannlicher rifle or a machine gun. After the Second World War similarly to many other things, they broke with the traditions concerning the design of the uniform, too. In the 1950s Soviet-type uniforms and epaulettes were introduced, to be withdrawn from the system in 1956. From 1957 the light grey police uniform was brought into service, which survived the change of the system and was worn by officers until 2001.

The educational and training system

The organisational culture of the police force in every historical period was mainly influenced by its educational and training system (Farkas – Horváth, 2020). The first training courses were conducted at the Police of Budapest, established after the Austro–Hungarian Compromise of 1867. Later, in accordance with an order of 1884 for the service, approved by the Prime Minister, it was decided that the duration of probationary police officers' training should be six months, after which only those suitable for the job were employed in the service. The preparedness of police officers attracted a lot of criticism in those times, too, and the fact that in different towns they did their duties wearing different uniforms, according to different regulations and after having different types of training seemed to justify it. However, after the nationalisation in 1920 the leadership of the Ministry of the Interior and of the Police put an end to this unfavourable situation, when, laying new foundations for the training of police officers, as they unified it. Prior to it, the types of staff and the number of positions to be filled within the Hungarian Police were specified. According to the Minister of the Interior's decree No. 102.837/1922 B.M. the organisational structure of the Police at the time was as follows:

- Supreme management
- District police headquarters
- Police headquarters

- Police offices
- Offices at the edge of the border

The police staff was comprised, on the one hand, of persons authorised to and, on the other hand, of persons not being entitled to wear a uniform and/or carry a weapon. Applicants could only become members of the administrative policing officers' and inspectors' faculties after they had met the stringent requirements for employment, attended the courses and passed the examinations prescribed by the training system. However, he could only take this exam after passing an entry test, completing a year's service on probation and a year's training course. In those times one was admitted to the police as probationary officer if he fulfilled – apart from general conditions prescribed by the law – the conditions as follows: being between 21 and 30 years of age; single marital status; healthy, strong physique and sound financial state. The decree also elaborated on the opportunities for entering the administrative policing officers' or inspectors' faculties in another way. Applicants from the Army, (See Minister of the Interior's Decree No. 36.092/1924 B.M.) the Gendarmerie (Minister of the Interior's Decree No. 112.957/1922 B.M. Section 6) and public administration were only appointed after passing the police commissioned officers' or the senior officers' exam.

While attending the opening ceremony of the first special training course, national educational inspector Dorning Henrik made the following statements concerning the police. I think these ideas are relevant even today:

- The police are the public authority organisation which must protect the existing rule of law against the dangers directly threatening it even by using coercive means.
- The requirement for economic efficiency also applies to the police; to achieve the best possible result while investing the least possible (physical) effort.
- The greatest strength of the police force in all of its work is the unity of its organisation.
- Regarding special training, unified, specialised intensive courses should be supported. Study trips abroad and specialised literature are the two tools of further training.
- Nobody should give up acquiring knowledge in this profession and even a short period of rest results in regression.

Due to the losses during and after the Second World War and many police officials leaving the country and later as a result of left-wing political takeover

there were hardly any well-trained police officers in the service. Therefore, already in the last few days of the war it was necessary to think of their training so that the missing staff could be replaced. *‘In order to fill in the gaps in qualifications, based on the decree of the Temporary National Government No. 1690/1945. ME. and following the order of the Ministry of the Interior, firstly a few weeks’ local training courses were conducted, as well as correspondence courses based on self-tuition, with 2-3 days consultations every month, ending in a final examination. This, however, could not replace specialised training. Therefore, the Temporary National Government wanted to restart the pre-war, centrally managed specialised training courses, together with the introduction of a completely new schooling system.’* (Bacsá, 2007, 8.) In 1947 the foundation of the Police Academy was on the agenda, whose purpose was formulated as follows: *‘To ensure the training of the future commissioned personnel of the state police, I intend to establish a police college that will train commissioned police officers equipped with sufficient knowledge of theory and practice and suitable to do their duty in every branch of the police service.’* (National Archives of Hungary, 1947) The years to follow saw various types of training for commissioned and non-commissioned officers in the field of public order, state security and criminal investigation. The length of the training period was also varied, ranging from several months to 2 or 3 years. As the requirements increased and due to the new internal and external circumstances, the President of the Presidential Council established the Police College by law-decree No. 1970.30. Training was first announced at its 3-year full-time course and 4-year correspondence course for the 1971/72 academic year. The curricula for the training of commissioned police officers were approved jointly by the Minister of the Interior and the Minister of Cultural Affairs, which was a new phenomenon. Commissioned police officers graduated from the full-time and correspondence courses of the Police College year after year, which meanwhile became the base of training commissioned officers for the Customs and Finance Guard (Szabó, 2013), the Border Guard (at the border policing specialisation from 1992) and for the Prison Service (at the Corrections specialisation), too. (Ruzsonyi, 2006:a, Ruzsonyi, 2006:b). Considering penal institutions, these officers may serve in detention centres, prisons and maximum security prisons as well (Ürmösné, 2018:a; Ürmösné, 2018:b). The year 1980 brought about great changes in the training of non-commissioned police officers. As a result of proposals to modernise education, issued by the order of the Minister of the Interior No 18/1980, the Academic Work Regulations were published. They contained basic orders concerning the management of tuition in these schools. The original name basic-level police training was changed into non-commis-

sioned police officers' training. Based on the order, the police training schools in Budapest, Miskolc and Szombathely were named Non-commissioned Police Officers' Training School of the Ministry of the Interior, Non-commissioned Officers' Training School of the Ministry of the Interior and Kun Béla Training School for Ensigns of the Ministry of the Interior, respectively. They were joined by the non-commissioned officers' schools established in Körmend, Szeged, Sopron and Adyliget on earlier border guard bases after the change of regime and later, as a result of qualitative developments, transformed into law enforcement secondary schools. Today they are situated in Körmend, Szeged, Miskolc and Adyliget and are functioning as vocational (law enforcement) grammar schools. From the 1970s the basic training for first-year students of the Police College was conducted in Csapak and a non-commissioned officers' school was also established here. The year 2012 is another milestone in the history of training commissioned police officers, when the University of Public Service (UPS) and its Faculty of Law Enforcement were established. Since then, the would-be members of the professional intelligentsia of law enforcement have had the opportunity to be trained in the framework of the university education. Today, upon successful completion of their studies, students graduating from the UPS FLE are awarded BA and MA degrees, and, after they have gained a few years' experience in the field of law enforcement they can return to the University, attend the doctoral school of the FLE (established in 2016) and defend their PhD thesis in police science.

Conclusion

In summary, we can establish that the Hungarian police force has a venerable past (Farkas, 2016). In its first major phase, the Police of the Capital, modelled on Western European organisations and confirmed on the level of legislation by Act XXI of 1881, served as a good example for the establishment of the central state police. The second phase of the history of the police lasted from its centralisation and the nationalisation of the police forces in the provinces in 1920 until the end of WW2, by which time faculties of well-trained non-commissioned and administrative policing officers, inspectors and detectives had been formed. The system and content of special training courses introduced in this period turned out to be future-proof. In the third phase, after WW2 the whole commissioned personnel was replaced and law enforcement training was started on new foundations. As a result of this process, from the early 1970s high-standard (higher education) training for commissioned officers and from

1980 for non-commissioned officers was established. Of course, the history of the police, too, was defined by historical events, such as the two world wars, the revolutions, the influxes of migrants and the changes of the political system that brought decisive changes in the life of Hungary.

References

- Androvicz, G. (2016): *A magyar rendőrség egyenruházata, felszerelése és fegyverzete (1896-1909) [The Uniform, Equipment and Weapons of the Hungarian Police]*. Magyar Rendészet, 5, 139-149.
- Bacsa, G. (2007): *A rendőrképzés 1945–1950 [Police training 1945–1950]*. In: Rendvédelem-történeti Füzetek, 16, 13.
- Berky, E. (1940): *Az egyenruhánkról. [About Our Uniform]*. Magyar Rendőr, December
- Farkas, J. (2016): *The Drawbacks of Group Decision Making from a Psychological Aspect*. Magyar Rendészet, 2, 67-79.
- Farkas, J. – Horváth, J. (2020): *Szervezeti kultúrák és kutatásuk [Organisational cultures and their research]*. Budapest: Ludovika Press
- Farkas, J. – Krauzer, E. – Kovács, G. (2018): *A rendőrség szervezeti kultúrája*. Belügyi Szemle, 12, 71-81. DOI: 10.38146/BSZ.2018.12.5
- Farkas, J. – Sallai, J. – Krauzer, E. (2020): *The organisational culture of the police force*. Internal Security, 12, 1, 77-84. DOI: 10.5604/01.3001.0014.3189
- Huszák, S. (1919): *A Vörös Őr kis tankönyve [Small Textbook of a Red Guard]*. Budapest
- Karvasy, Á. (1843-44): *A politikai tudományok. [Political Sciences]*. Győr:
- Karvasy, Á. (2014): *Közrendészeti tudomány [The Science of Public Policy]*. In: Sallai, J. A magyar rendészettudomány úttörője [The Pioneer of the Hungarian Police Science]. Magyar Rendészet, 6, 113-117.
- Karvasy, Á. (1870): *Közrendészeti tudomány és kulturpolitika [The Science of Public Policy and Cultural Policy]*. In: Sallai, J. (2014): A magyar rendészettudomány úttörője [The Pioneer of the Hungarian Police Science]. Magyar Rendészet, 6, 113-117.
- Kenedli, T. (2008): *A Budapesti Rendészeti Szakközépiskola és a rendőr tiszthelyettes-képzés története [The History of the Budapest Law Enforcement School and of the Training of Non-commissioned Police Officers]*. Hadtudományi Szemle, 1, 60-71.
- Közbiztonság [Public safety]* (1870): 2, 9 January
- National Archives of Hungary* (1947): XIX_B_1_j_318_n.a._1947. DOI: 10.5694/j.1326-5377.1947.tb63557.x
- Magyar Rendőr [Hungarian Police Officer]* (1971): *Ünnepélyes tanévnyitó a Rendőrtiszti Főiskolán [Opening Ceremony at the Police College]*. 1 September

- Padányi, J. – Kovács S, T. – Négyesi, L. (2018): *Zrínyi-szablyák*. Hadtörténelmi Közlemények, 1, 3-27.
- Pichler, N. (1876): *Nézetek a rendőrségről általában és különösen a fővárosi rendőrségről [Views on the Police in General and on the Police of the Capital in Particular]*. Budapest: Fanda és Frohna
- Rédey, M. (1916): *A rendőri szolgálat vezérfonala [The Manual of Police Service]*. Budapest
- Rédey, M. (1923): *Bevezetés a magyar rendőri jog alaptanaiba [Introduction to the Fundamental Doctrines of Hungarian Police Law]*. Budapest
- Ruzsonyi, P. (2006a): *A büntetés-végrehajtási dolgozók felsőfokú képzése [Higher Education Training of Corrections Staff]*. Börtönügyi Szemle, 4, 67-76.
- Ruzsonyi, P. (2006b): *A büntetés-végrehajtási dolgozók felsőfokú képzése: A tipikus európai büntetés-végrehajtási kezelési típusok és a felsőfokú szakemberképzés [Higher Education Training of Corrections Staff, The Typical Types of European Corrections Management and the Higher Education of Professionals]*. Börtönügyi Szemle, 5, 83-94.
- Sófi, Gy. – Farkas, J. (2019): *A fiatalkori pszichopátiás vonások legfőbb jellegzetességei és rendészeti vetületei*. In: Marton, Zs. – Németh, K. – Pelesz, P. – Péter, E. (eds.): IV. Turizmus és Biztonság Nemzetközi Tudományos Konferencia Tanulmánykötet. Nagykanizsa: Pannon Egyetem, 42-54.
- Somogyi, E. (1884): *Magyar Lexikon XIV. kötet [Hungarian Encyclopedia, XIV]*. Budapest: Wilckens és Waidl
- Szabó, A. (2013): *A rendészeti felsőoktatás egy speciális területe: a pénzügyőr tisztek képzése [A Special Area of Law Enforcement Higher Education – the Training of Commissioned Customs and Finance Guards Officers]*. In: Keresztes, G. (szerk.): Tavaszi Szél Konferencia Kötet. Budapest: Doktoranduszok Országos Szövetsége
- Tóth, N. Á (2017): *Negyvenöt éve a Belügyminisztérium szolgálatában [45 Years in the Service of the Ministry of the Interior]*. In: Boda, J. – Felkai, L. – Patyi, A. (szerk.): Ünnepi kötet a 70 éves Janza Frigyes tiszteletére [Volume of Essays on the Occasion of Frigyes Janza's 70th Birthday]. Budapest: Dialóg Campus, 563-569.
- Ürmösné, S. G. (2018a): *Amazing penal institutions and the dwelling circumstances of inmates*. Internal Security. 2. DOI: 10.5604/01.3001.0013.8303
- Ürmösné, S. G. (2018b): *Organized Crime*. In: Ürmösné S. G. (szerk.): Technical English for Officers. Budapest: Dialóg Campus, 87-100.
- Zsoldos, I. (1844): *A szolgabírói hivatal [The nobility judge office]*. Pápa

Used Legislation

1872. évi XXXVI. törvénycikk Buda-Pest fővárosi törvényhatóság alakításáról és rendezéséről [Act XXXVI of 1872 on the establishment and regulation of the local authority of Buda-Pest Capital City]

1881. évi XXI. törvény a Budapest fővárosi rendőrségről. [Act XXI of 1881 on the Police of the capital]; 1881. évi XXI. törvény indoklása. [Explanatory Memorandum to Act XXI of 1881]
1884. Utasítás a Budapest fővárosi rendőrség számára. [Order for the Police of the capital, 1884]
1903. évi V. törvénycikk külföldieknek a magyar korona országai területén való lakhatásáról. [Act V of 1903 on the residence of foreigners in the countries of the Hungarian Crown]
112.957/1922. VI. BM. rendelet [Minister of the Interior's Decree No. 112.957/1922 BM.]
3720/1922. ME. rendelet A rendőri szolgálat fogalmazói és felügyelői szakában való alkalmazáshoz szükséges kellékek és ezek joghatálya [Prime Minister's Decree No. 3720/1922 M.E. The prerequisites of employing staff in the administrative policing officers' and inspectors' faculty of the police service and their legal effect.]
36.092/1924 BM. r. [Minister of the Interior's Decree No. 36.092/1924 BM]
3.810/1943. ME számú rendelet a közbiztonság fokozottabb védelméről [Prime Minister's Decree No. 3.810/1943. ME on the enhanced protection of public safety]
4.190/1944. ME számú rendelet a fegyveres Nemzetbiztonsági Szolgálat szervezéséről
1955. évi 22. törvényerejű rendelet a rendőrségről [Law-decree No. 22 of 1955 on the Police]

Gábor Kemény

Hindering and supportive factors of cross-border information exchange

Abstract

The aim of this paper is to provide a well-detailed insight into the theories of international law enforcement information exchange and by this to provide guidance to strategic level decision makers how to improve their work and efficiency. The author tries to achieve this goal by introducing the relevant scientific theories in the field of organisational cooperation and adapting these 'civilian' concepts to the specific law enforcement context. The theoretical evaluation identifies three main environments, organisational, legal and technological (Yang and Maxwell, 2011), to find the supporting and hindering factors of law enforcement cross-border information exchange. Within the organisational environment the author examines how the bureaucratic organisational structure, the diverse organisational culture, trust, reciprocity and leadership influences the information sharing process. Under the policy environment, the impact of the national and EU legislation is introduced. Furthermore, the consequences of various data protection and privacy regulations, lack of harmonised national legislation and diverse interpretation of the policies are outlined under this section. Lastly, the characteristics of the hindering and supporting technological environment is detailed. Here we discuss the issue of interoperability, homogeneity and the state of the Information and Communication Technology (ICT) system and its impact to the exchange process. Based on the findings, the necessary conclusions are deducted and recommendations are elaborated which helps to eliminate barriers and thereby to create a supportive organisational environment. The most important recommendations are: to avoid coercive bureaucracy; to promote transformational leadership style and shared organisational culture; to establish a unified and harmonized legal background for cross-border information exchange; to create an information exchange friendly ICT environment and to ensure interoperability, homogeneity.

Keywords: cross-border information exchange, inter-organisational cooperation, organizational theory, law enforcement, policing

Introduction¹

Transnational law enforcement cooperation was never as essential as it is today when hybrid security threats, terrorism, the changing form of radicalization, violence and organised crime are becoming more varied and more international (European Commission, 2016, 41). Cross-border information exchange is an important tool in the fight against these threats as it contributes to the detection of criminal activities such as terrorism, serious and organised crime, document fraud, facilitation of networks and the smuggling of human beings and weapons (Frontex, 2018). It also plays a crucial role, during the planning and implementation of preventive measures in the battle against the COVID-19 epidemiological situation. The importance of information exchange among law enforcement agencies (LEA) was recognised by various agencies and institutions in the EU (Frontex, 2018.; Europol, 2018), yet personal experiences show that there are serious shortcomings in cross-border information exchange when rapid information is required in order to properly fulfil the police job. First of all, the information exchange activity of a LEA depends on many factors, such as the level of organisational centralisation, the culture of the agency and the individual, the implemented and enforced internal policies, national and international regulations and the applied technology. In practice, this results in disharmonious and inconsistent information exchange activity among and even within the Member States (MS) (Doherty et al., 2015, 6.), which leads to delayed or not fulfilled exchange. Nothing shows the need for a real-time information exchange better than the proliferation of informal communication channels, which utilise personal relationships and networks in order to receive a rapid answer about persons or documents (Kemeny, 2019, 2.). I have also experienced that cross-border information exchange is sometimes not initiated and therefore appropriate police measures are not taken when the field officers know there is no chance to receive a formal or informal reply rapidly. The aim of the research is to introduce the supportive and hindering factors of cross-border information exchange and to provide guidance to the managers and decision makers how

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to improve the organisational, legal and technological environment in order to contribute to an efficient information sharing activity thereby to an increased national and EU security.

The definition of information exchange

Forms of interactions

Four main types of personal and organisational interactions are distinguished by the literature: communication, cooperation, coordination and collaboration. Although these types are often used in an interchangeable way, they differ considerably. Firstly, communication is a process whereby information and ideas are exchanged between entities. It helps in developing shared understanding and to communicate goals and objectives. Communication can be one-way or two-way and can be real-time or non-real-time. Second, coordination is the deliberate adjustment, synchronization of the work of different organisations to achieve common goals, without interference (Ranjay – Wohlgezogen – Zhe-lyazkov, 2012). It is a well-defined process, which can encompass meetings, sharing of information or resources. A more intense form of working together is cooperation, which is a joint pursuit of common and well-defined goals, *‘when not only information or resources are shared but also work’* (Martin, 2017, 5.). Contrary to coordination, cooperation requires a kind of mission alignment and the harmonisation of previously separated activities to achieve joint goals. Finally, collaboration is the highest level of interaction. It is the process of jointly creating something that had not been done before, when organisations with *‘complementary skills interact to create a shared understanding that none had previously possessed or could have come to on their own’* (Denise, 2007, 3.). Cooperation, coordination and collaboration require a two-way communication activity. This is information exchange.

Levels of information exchange

Information exchange can be defined as the formal and informal sharing of significant and timely information between two or more parties (Čater, 2008, 3.). According to Mausolf (2010) information exchange can be conducted on three interrelated levels, namely the inter-personal, intra-organisational and inter-organisational ones. Inter-personal relationships can facilitate information

exchange between individuals, it is conducted when ‘*individuals share information within the context of interpersonal relationship*’ (Yang and Maxwell, 2011, 165.). Intra-organisational information exchange means that the different units with different functions are using the knowledge and information from each other within one organisation (Sardjoe, 2017, 26.). It is essential in the proper functioning of the organisation. The information sharing process among these subunits can be considered as a smaller scale of inter-organisational information exchange, for this reason we can find some similarities in their nature. Inter-organisational information sharing is conducted between independent organisations, it can increase the efficiency and the interoperability of the organisations. Inter-organisational information exchange is more complex than the intra-organisational one, as the influencing factors are more complex and diversified when various organisations are involved in the process (Gil-Garcia, 2015). Even though there is a strong distinction between the levels, it is clear that these levels of information exchange are interrelated: Intra-personal information exchange is embedded in the intra-, and inter-organisational information exchange and even further, the intra-organisational information exchange is embedded in the inter-organisational one. The levels should be connected to each other in order to create an efficient information-sharing environment.

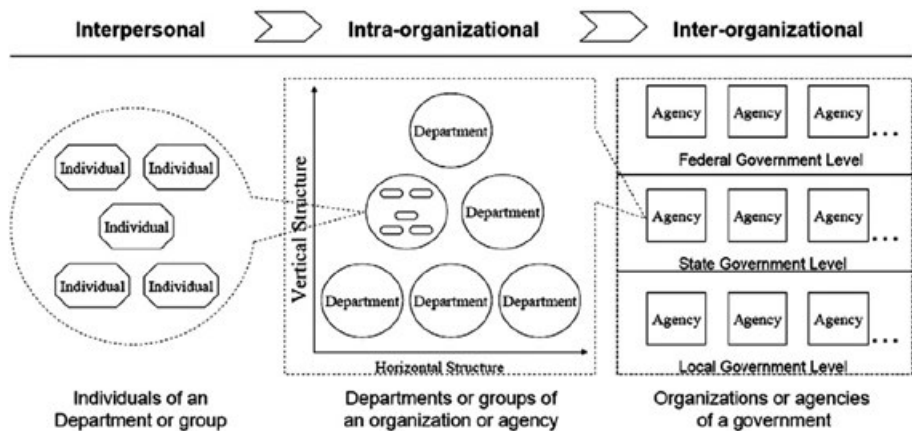


Fig. 1. Interrelation among different levels of Information Sharing relationship’ (Yang - Maxwell, 2011, 172.)

This theory is supported by Saloven et al (2010, 83.), which states that weak internal coordination and inter-organisational information exchange can negatively influence cross-border information exchanges. Besides the (inter)connection of the levels, efficient information-sharing requires adequate organisa-

tional-managerial, legal and technological environments, which are determined by various factors such as the ICT, organisational structure, culture and values, human resources, trust, leadership, rewards, self-interest, legal instruments and regulations (Yang and Maxwell, 2011, 172., Dawes, 1996, Zhang - Dawes, 2006). These environments will be detailed under the next section.



Fig. 2. Factors influencing inter-organisational information sharing (Yang – Maxwell, 2011, 169.).

Factors effecting inter-organisational information exchange

Organisational environment and management

Bureaucratic organisation

In the literature two main types of organisational structure are distinguished: the bureaucracy and the adhocracy (Gruszczak, 2016, 165., Duncan, LaFrance and Ginter, 2003, Mintzberg, 1989, Lunenburg, 2012). Bureaucracy can be characterized by formalized and hierarchized structure, functional departmentalisation and by standardized regulations and procedures (Argote et al, 200.). Rainey (2009, 209.) describes formalisation as *‘the extent to which an organisation’s structures and procedures are formally established in written rules and regulations’*.

Based on this, researchers distinguish between facilitating (good) and coercive (bad) bureaucracy (Adler and Borys, 1996, 78.). Supporters of facilitating bureaucracy states, it helps employees to work more efficiently and to strengthen their commitment (Adler and Borys, 1996, 83.) by using good regulations and procedures. Such rules, the so called ‘green tape’, contribute to the efficiency of the organisation (DeHart-Davis, 2009), they help to manage the complexity of the environment, reduce risks and minimise uncertainties. Followers also argue that departmentalisation and standardisation contribute to specialization and can thereby increase efficiency and help individuals to be more effective by providing the necessary guidance and detailed responsibilities (Adler and Borys, 1996, 61.; Deming, 1986). On the other hand, coercive bureaucracy and its rules are designed to force the reluctant obedience and ‘*to extract recalcitrant effort*’ (Adler and Borys, 1996, 69.). The presence of ‘red tape’, the excessive, rigid and redundant formal rules or procedures that serve no noticeable organisational functions ‘*result in inefficiency, unnecessary delays, frustration, and annoyance*’ (Bozeman and Scott, 1996, 8.). This formalisation can hinder and prevent action or decision-making argued by Chung-An (2010). Moreover, these rules are positively related to psychical and psychological stress, the feeling of powerlessness and have a negative impact on innovation, openness to new ideas, motivation and job satisfaction (Rousseau, 1978.; Arches, 1991.; Kakabadse, 1986). The presence of ‘red tape’ is seriously hampering cross-border information exchange (Yang and Maxwell, 2011.; Saloven et al., 2010, 112.). All in all, centralisation and hierarchical structure hinder initiatives and actions for the exchange of information, as individuals lack autonomy and managerial approval is required in most decision making processes (Kim and Lee, 2006), which strictly controls the information flow and exchange (Wheatley, 2006.; Tsai, 2002.; Creed, 1996.; Tsai, 2002).

Trust

Trust is a crucial relationship building block, which is often ‘*defined as a belief that one relationship partner will act in the best interest of the other*’ (Wilson, 1995). Both inter- and intra-organisational trust influence cooperation and information exchange. The lack of trust among national organisations can seriously hamper cross-border information exchange. For example, a previous study has shown that a national authority refused to provide the requested information because doing so would allow another national LEA to have access to the information (Saloven et al., 2010, 83.). Although there is a lack of empirical

testing of inter-organisational trust models (Adams et al., 2010), a positive relationship between the degree of trust and the will for information sharing seems to exist (Goldenberg, Soeters and Dean, 2017, 85.). This positive correlation can be experienced in the field of international police cooperation where mutual trust and personal relationships are the most compelling forces (Hufnagel, 2016, 86.; Doherty et al., 2015, 89.).

Due to the importance of trust, number of theories have emerged on trust development. These theories can help to explore the origin of trust, such as calculation (cost, risks, advantages, benefits), understanding (common culture, values, moral and so on) or personal identification (Child, Faulkner and Tallman, 2005). Bstieler (2006) argues that the trust can be developed and maintained by timely, reliable, and adequate information sharing and perceived fairness. Other factors that support inter-organisational cooperation and trust are mutual benefit, mutual bonding, predictability and conflict resolution. We can speak about mutual benefit when partners are honouring their commitments, when legal safeguards are established and understood, a clear and well detailed written working agreement is in place, the project is feasible, and the commitment is realistic. Also, mutual bonding is important on each level as it encompasses the regularly maintained friendly relationship between the staff and also between the managers of the organisations. A good personal relationship between the managers must also be recognisable for the staff in order to have a trust building effect. Already established trust can be further strengthened by increased mutual bonding: when more colleagues trust each other, their relationship becomes more personal (Teboul and Cole, 2005., Sias and Cahill, 1998). Finally, predictability can be ensured by free information exchange and clearly defined and agreed responsibilities on both sides, while conflict resolution can be ensured by appropriate dispute resolution mechanisms for both work-related and personal disputes (Child, Faulkner and Tallman, 2005). As conflicts have a negative impact on trust formation (Bstieler, 2006), conflict resolution techniques should be available within and between the organisations. Saloven et al. (2010, 83, 111.) argues that the greatest danger to the formalisation of trust at the police is (the fear of) corruption or the fear of outsourcing the shared information.

Reciprocity and reputation

There is a general belief and norm of reciprocity, which states that helping rather than hurting behaviour is to be preferred (Koeszegi, 2004). The anticipated reciprocity positively influences the individual's attitude towards information

sharing (Constant, 1994.; Bock et al., 2005). Moreover, reciprocity plays an important role not just between individuals, but also between organisations. A positive correlation exists between the extent of information sharing and the degree of reciprocal interdependence meaning that each participating organisation possesses information that others need and vice versa (Travica, 1998, 1228.). Consequently some academic literature concludes that reciprocity promotes and stabilizes international cooperation (Axelrod, 1990.; Keohane, 1986). Research on cross-border information exchange also argues that reciprocity and delayed responses are correlated. As Doherty et al., revealed (2015, 29.), delays can lead to further delays as some individuals base their information exchange efforts on reciprocity, and individuals are much more motivated to react quickly to those MSs which also react quickly. Another important supporting factor, which is correlated with reciprocity, is reputation. The lack of reciprocal action results in a loss of reputation (Koeszegi, 2004). Moreover, positive reputational calculations are the driving factors of police cooperation especially at *'turf conscious bureaucratic organisations'* (Busuioc, 2015, 41.).

Organisational values, norms and cultures

Organisational values, norms and cultures also influence the attitudes of individuals and the collective actions regarding information sharing (Constant, Kiesler - Sproull, 1994., Jian - Jeffres, 2006). This is especially true on the field of cross-border law enforcement information exchange. Although, as Hartmut (2001, 100) found that, the historical roots are common *'neither police organisations nor their daily actions are uniform'* in all countries. The police structure is centralised in some countries, and decentralised in others, some countries have single police force others have multiple (Bayley, 1990). On the field of law enforcement, organisational culture is different in each EU MS, which comes from the diversity of the socio-cultural-, historical backgrounds, education, mentalities, work traditions, habits and fragmentation of the law enforcement tasks and authorities. Organisational differences, such as the diverse national systems, the different culture, the different geographical locations of the national services, the different division of police tasks among various organisations and the different task distribution within one organisation result in a different structure of cross-border information exchange. This significantly influences the efficiency of such exchanges (Saloven et al., 2010, 19.). Moreover, as Styczyńska and Beaumont (2017, 9.) the cultural diversity creates misunderstandings and the *'lack of synchronisation in the communication between*

police forces can hamper cross-border police cooperation'. Intra and inter-organisational law enforcement information exchange are positively influenced by an organisational culture that decreases the internal competition (Doherty et al., 2015, 50.) and emphasizes fairness, solidarity, mutual interests, shared goals and organisational ownership of the information (Bock et al., 2005., Jarvenpaa - Staples, 2001). The task of information sharing should be part of the organisational culture in order to increase the will of the individuals to exchange information and to avoid clashes between the information sharing efforts and the organisational culture (Wilson, 1989, Zhang, Dawes - Sarkis, 2005). Researchers found that strong shared belief, attitude and behaviour increases the organisational commitment and promotes information exchange (Marks et al., 2008., Willem - Buelens, 2007). The strong social network (informal social interactions and personal relationships) is also an important promoting factor (Kolekofski - Heminger, 2003, Reagans - McEvily, 2003). This structural and cultural diversity and their effect on cross-border information exchange was recognised by the European Commission (2004), they emphasised the importance of creating a common culture and common instruments in order to increase cross-border information exchange and cooperation.

Reward and bonus system, leadership

An appropriate (performance based) reward or bonus system designed specifically to encourage information exchange motivates individuals to share information and thereby greatly facilitates information exchange was found by Zhang, Dawes and Sarkis (2005, 552.). Yang and Maxwell (2011, 173.) complement this by arguing that, the general, non-specific incentive methods can create competition that hinder inter-organisational information exchange, therefore, the importance of information exchange in performance assessment should be emphasised and assigned (Soeters, 2017). The attitude of the leadership also determines the reward and bonus system. Resteigne and Van den Bogaert (2017, 58.) found that *'the style of the leadership can enforce the negative and positive attitude towards information exchange'*. An authoritarian leadership style, for example, can dissuade staff from developing a positive approach towards information sharing. Contrary to this, transformational leadership encourages staff to exchange information (Goldenberg - Dean, 2017). Moreover, strong leadership supports the sharing of information, the organisational culture, the reward system and provides vision and guidance which can support initiating and exchanging information in an organisation (Akbulut et al., 2009).

Staff condition

The researchers argue that the conditions of the human resources also influence the exchange of cross-border information. One of the main reasons for delays in response is the absence of a 24/7 coverage (Saloven et al., 2010, 82.) and an increase in information exchange which is not followed by an increase in staff (Doherty et al., 2015, 29.). This theory is supported by Yang and Maxwell (2011, 170.), who stated that the lack of staff can hamper cross-border information exchange, as the agency *'may focus on urgent issues within its own organisation when the immediate benefits of sharing information cannot be foreseen'*. However, not only the number of staff, but also their knowledge play an important role in order to exchange quality information (Saloven et al., 2010, 105.). The lack of training courses for field officers and the lack of awareness could hinder cross-border information exchange. The staff should have knowledge about intelligence and criminal investigation techniques, national legislation and data protection rules and receive regular training courses (Council, 2014, 15.). On the other hand, the end-users (requesters, investigators) also need to have appropriate knowledge about the existing channels.

Language

In the field of cross-border information exchange, communication in a foreign language can be a major obstacle and cause complications for daily police cooperation (Hofstede, 1993.; Hufnagel - McCartney, 2017, 5.). Insufficient knowledge of the foreign language significantly hinders cross-border information exchange (Styczyńska - Beaumont, 2017, 9.). Furthermore, the proficiency in a common language is a precondition of optimal information sharing (Goldenberg, - Dean, 2017) as it makes it easier to understand the organisational culture, the information needs and it could also help to create social networks. On the other hand, Saloven et al., (2010, 83.) demonstrated that, although language barriers exist, they do not have a significant effect on cross-border information exchange. Nevertheless, they continued, the use of the same language supports the exchange of information, as the quality of the information shared is usually higher between MSs using the same language. Moreover, one common language increases efficiency in case of an urgent request, as this could contribute to a better responsiveness. The need for translation services slows down the process and may influence the quality of the information exchange (Saloven et al., 2010, 60.).

Policy, legal environment

The ruling policies and the legal environment have an impact on the behaviour of the individuals and of the organisation, and therefore on the cooperation between the organisations. Stable and accountable legislation and administrative procedures – who has access to what information and in which way – can mitigate the risks and can enhance inter-organisational cooperation (Landsbergen - Wolken, 2001, Lane - Bachman, 1996). Researchers argue that confidentiality and privacy should be supported by the legal environment in order to facilitate information exchange (Gil-Garcia - Pardo, 2005). Clear legislation, regulation and policies are therefore fundamental to reduce uncertainties created by a difference in organisational culture, conflicting political and legal principles and competing values such as *'privacy, system integration, security, and confidentiality, which constantly threaten to put restrictions on information sharing into inflexible legal forms'* (Zhang, Dawes - Sarkis, 2005, 552.). On the other hand, a rigid legal environment and policies that prohibit sharing sensitive and regulated information in domains such as public safety and security can create barriers to cross-border information exchange and may hamper cooperation (Zhang, Dawes and Sarkis, 2005, 558.; Gil-Garcia - Pardo, 2005). Moreover, *'pre-defined policies about program boundaries and goals may create barriers to information sharing'* (Yang - Maxwell, 2011, 170.). Researchers point out that the implementation of policies and rules for instructing international cooperation do not guarantee the following of the decrees. Factors, which have already been mentioned, such as turf wars and lack of trust can make individuals and the organisation reluctant to cooperate (Wilson, 1989). This theory is applicable both to national and international cooperation, but researchers state that *'the magnitude of the problem is only compounded in a trans-boundary context'* (Busuioc, 2015, 40.).

In the field of cross-border information exchange Saloven et al., (2010, 83., 94.) pointed out that the requirements of different national legal systems, different data protection and privacy regulations, secrecy and confidentiality issues are among the main hindering factors of cross-border information exchange. A difference in national data protection and privacy rules regulate the access to the same type of information differently in the MSs. Different national legal requirements and restrictive or various interpretations of the existing rules, as well as uncertainty about what information another MS can provide also hinder efficient cross-border information exchange and violate

inter alia the Hague Programme introduced principle of availability². Different national laws lay down different law enforcement procedures for cross-border information exchange which also blocks the process. The different national classification systems, interpretations and a lack of harmonisation of national legislation and the different understanding of EU and international legal bases also pose problems for the exchange of confidential information, and could cause implementation problems (Saloven et al., 2010, 94, 95.). Finally, the lack of strategic approach, the proliferation of non-binding (inter-governmental) instruments, the slow decision-making procedure on the EU level, the slow implementation of legal instruments adopted by the Council and the existence of signed but not ratified agreements were identified as the main policy impediments (Commission, 2004.; Saloven et al., 2010, 94, 82.).

Technological environment

Although researchers argue that the challenges deriving from the technological environment are less complex than the factors of the organisational and policy environment (Brazelton - Gorry, 2003.; Landsbergen - Wolken, 2001), the importance of the technological background must not be underestimated. Efficiency of inter-organisational collaboration and information exchange can be increased by the advancement of the ICT (Zhang - Dawes, 2006). An appropriate ICT environment can ensure shorter response times and better data quality (Commission, 2012, 12.). The ICT system supports information exchange if different systems are homogeneous, the system combines user friendly ICT applications and has a high number of users (Kim - Lee, 2006). However, the diversity of ICT systems makes the integration into one homogenous system complicated (Atabakhsh, 2004; Doherty et al., 2015, 23.). Saloven et al. (2010) concludes that, the most common ICT related hindering factors come from the incompatibility of the systems, such as different software versions being in place which can create obstacles to opening files, different size limitation of emails, security rules (firewalls, blocking attachment etc.) and a different level of available technology (fax, email, cloud, closed network etc.). Furthermore, the lack of direct access to the necessary databases and the absence of interoperability create obstacles during the information exchange (Saloven et al., 2010, 85.). The European Commission (Commission, 2004, 12.) also rec-

2 European Council, The Hague Programme: strengthening freedom, security and justice in the European Union, 2005/C 53/01 (Brussels, 3.3.2005, 1-14.).

ognised the heterogeneity of ICT systems and found that the large number of different and non-interoperable databases and communication systems create duplications and hinder cross-border information exchange. Furthermore, the '*perceived usefulness and perceived ease of use and the absorptive capability*' (Yang - Maxwell, 2011, 165.) of the ICT system also have an impact on the individual acceptance of the system and individuals' belief in inter-organisational information exchange. The level of information security, the lack of secured communication channel and the old-style data transfer systems are other factors which can hinder inter-organisational information exchange (Saloven et al., 2010, 84.). Ensuring access authorization, authentication, security and confidentiality are critical in the design of the ICT system (Chau et al., 2001). A case management system which helps to evaluate, classify and disseminate the information originating from all channels and national authorities and which has an interface to a secured communication platform, increases the efficiency of cross-border information exchange if it is accessible for the information exchange channels (Doherty et al., 2015, 48.).

Conclusion and recommendation

Based on the research we can conclude that the theory on the influencing environment at the public administration information sharing process (Yang - Maxwell, 2011) is also applicable to the LEA cross-border information exchange. Within the organisational-managerial environment the highly centralised, coercive bureaucracy, the lack of shared organisational and inter-personal culture, the absence of trust, reciprocity and adequate reward system and the authoritarian leadership style are the most important hindering factors. As far as the policy-legal environment is concerned, the stable and accountable legislation regulates inter-organisational information exchange which ensures confidentiality and privacy in order to create a supportive legal environment. Additionally, rigid regulations, interpretations and procedures are considered as serious hindering factors for information exchange. Regarding the technological environment, we found that a state of the art, user friendly and homogenous ICT system can increase inter-organisational information exchange however, the system must also ensure adequate information security. Based on the identified gaps, one of our most important suggestions is to create a unified and harmonized legal background for the cross-border information exchange and to equip all actors to be able to conduct fast cross-border information exchange. Furthermore, the management must be aware of the importance of supporting, transformational lead-

ership in the information exchange, which can be ensured by organizing managerial training courses. Management could introduce a tailor-made incentive system and provide appropriate feedback. This could be supported by the legislation which creates an institutionalised feedback system providing thereby the opportunity to the staff to be aware of the outcome of their job. Decision makers shall promote the organisational change towards a supportive, less centralised and facilitating organisational structure that motivates and encourages the staff to perform tasks independently and in a flexible way. Last, but not least, team building activities (e.g. workshops, joint sport activities and recreation, etc.) shall be promoted in order to increase the level of trust within and across the organisations. Staffing and the ICT environment of the channels need to be adequate to conduct secured information exchange around the clock. Taking into consideration the sovereignty of the MSs and the ruling data protection concerns, the question whether the MSs are willing to share their national databases seems to be a rather ambitious request. However, the establishment of a direct and secure connection between the actors could be one of the most feasible solutions. Next, interoperability should be ensured to increase the speed of the information exchange. User friendly and advanced ICT system should be created which support rapid response time. Moreover, minimal requirements and ICT standards need to be designed and put in place on EU level, this shall promote the use of Unified Message Format and secured channels during the information exchange. Finally, in order to avoid duplication and to decrease the workload, a case management system should be set up, which promotes the information exchange process.

References

- Adams, B. - Flear, C. - Taylor, T. - Hall, C. - Karthaus, C. (2010): *Review of Interorganizational Trust Models*. Ft. Belvoir: Defense Technical Information Center
- Adler, P. - Borys, B. (1996): *Two Types of Bureaucracy: Enabling and Coercive*. Administrative Science Quarterly, 1, 61-89. DOI: 10.2307/2393986
- Akbulut, A. - Kelle, P. - Pawlowski, S. - Schneider, H. - Looney, C. (2009): *To share or not to share? Examining the factors influencing local agency electronic information sharing*. International Journal of Business Information Systems, 2, 143-172. DOI: 10.1504/IJBIS.2009.022821
- Arches, J. (1991): *Social Structure, Burnout, and Job Satisfaction*. Social Work, 3, 202-206. DOI: 10.1093/sw/36.3.202
- Argote, L. - Ingram, P. - Levine, J. - Moreland, R. (2000): *Knowledge Transfer in Organizations: Learning from the Experience of Others*. Organizational Behaviour and Human Decision Processes, 1, 1-8. DOI: 10.1006/obhd.2000.2883

- Atabakhsh, H. - Larson, C. - Petersen, T. - Violette, C. - Chen, H. (2004): *Information sharing and collaboration policies within Government Information Quarterly agencies*. Lecture Notes in Computer Science, 3073, Springer: Berlin and Heidelberg, 467–475. DOI: 10.1007/978-3-540-25952-7_37
- Axelrod, R. (1990): *The Evolution of Cooperation*. New York, Basic Books, 241.
- Bayley, D.H. (1990): *Patterns of Policing: A Comparative International Analysis*. New Jersey: Rutgers University Press
- Bock, G.W. - Zmud, R.W. - Kim, Y.G. - Lee, J.N. (2005): *Behavioural Intention Formation in Knowledge Sharing: Examining the Roles of Extrinsic Motivators, Social-Psychological Forces, and Organizational Climate*. MIS Quarterly, 1, 87. DOI: 10.2307/25148669
- Bozeman, B. - Scott, P. (1996): *Bureaucratic Red Tape and Formalization: Untangling Conceptual Knots*. The American Review of Public Administration, 1, 1-17. DOI: 10.1177/027507409602600101
- Brazelton, J. - Gorry, G.A. (2003): *Creating a knowledge-sharing community: If you build it, will they come?* Communications of the ACM, 2, 23-25. DOI: 10.1145/606272.606290
- Bstieler, L. (2006): *Trust formation in collaborative new product development*. The Journal of Product Innovation Management, 1, 56-72. DOI: 10.1111/j.1540-5885.2005.00181.x
- Busuioc, E. (2015): *Friend or foe? Inter-agency cooperation, organizational reputation, and turf*. Public Administration, 1, 40-56. DOI: doi.org/10.1111/padm.12160
- Čater, B. (2008): *The importance of social bonds for communication and trust in marketing relationships in professional services*. Management: Journal of Contemporary Management Issues, 1, 1-10.
- Child, J. - Faulkner, D. - Tallman, S. (2005): *Trust in cooperative strategies*. In: Child, J. - Faulkner, D. - Tallman, S. (2005): *Cooperative Strategy: Managing Alliances, Networks, and Joint Ventures*, 2nd Edition. New York: Oxford University Press, 50-70. DOI: 10.1093/acprof:oso/9780199266241.003.0004
- Chau, M. - Zeng, D. – Atabakhsh, H. – Chen, H. (2001): *Building an infrastructure for law enforcement information sharing and collaboration: Design issues and challenges*. Proceedings of the National Conference on Digital Government Information Quarterly Research, Los Angeles CA
- Chung-An, C. (2010): *Teamwork and formal rules in public and private organizations: Evidence that formalization enhances teamwork*. Public Management Research Conference: Research Directions for a Globalised Public Management, Hong Kong
- Constant, D. - Kiesler, S. - Sproull, L. (1994): *What's Mine Is Ours, or Is It? A Study of Attitudes about Information Sharing*. Information Systems Research, 4, 400-421. DOI: 10.1287/isre.5.4.400
- Council of the European Union (2014): *Draft SPOC Guidelines for international law enforcement information exchange 6721/3/14*. Brussels
- Creed, W. - Douglas, E. - Miles, R., (1996): *Trust in organizations: A conceptual framework linking organizational forms, managerial philosophies, and the opportunity costs of Controls*.

- In: Kramer, R.M. - Tyler, T.R. (eds.): *Trust in organizations: Frontiers of theory and research*. California: Thousand Oaks, Sage Publication, 16-38. DOI: 10.4135/9781452243610.n2
- Dawes, S. (1996): *Interagency information sharing: Expected benefits, manageable risks*. *Journal of Policy Analysis and Management*, 3, 377-394. DOI: 10.1002/(SICI)1520-6688(199622)15:3<377::AID-PAM3>3.0.CO;2-F
- De Hart-Davis, L. (2009): *Green Tape and Public Employee Rule Abidance: Why Organizational Rule Attributes Matter*. *Public Administration Review*, 5, 901-910. DOI: 10.1111/j.1540-6210.2009.02039.x
- Deming, W. E. (1986): *Out of the crisis*. Cambridge, Mass: Massachusetts Institute of Technology, Center for Advanced Engineering Study
- Denise, L. (2007): *Collaboration vs. C-three (cooperation, coordination, and communication)*. The Rensselaerville Institute, 3.
- Doherty, R. - Vandresse, B. - Kamarás É. - Siede, A. (2015): *Deloitte Study on the implementation of the European Information Exchange Model (EIXM) for strengthening law enforcement cooperation, Final Report*. Brussels: European Commission, Directorate-General Migration and Home Affairs
- Duncan, W. - LaFrance, K. - Ginter, P. (2003): *Leadership and Decision Making: A Retrospective Application and Assessment*. *Journal of Leadership & Organizational Studies*, 4, 1-20. DOI: 10.1177/107179190300900401
- European Commission (2004): *Enhancing police and customs co-operation in the European Union, COM (2004) 376 Final*. Brussels
- European Commission (2012): *Strengthening Law Enforcement Cooperation in the EU: The European Information Exchange Model (EIXM), COM (2012)735 Final*. Brussels
- European Commission (2015): *A European Agenda on Migration, Brussels, European Commission COM (2015) 240 Final*. Brussels
- Frontex (2018): *European Border and Coast Guard Agency, Risk analysis for 2018*. Warsaw, Frontex
- Gil-Garcia, J. R. - Pardo, T. A. (2005): *E-Government success factors: Mapping practical tools to theoretical foundations*. *Government Information Quarterly*, 2, 187-216. DOI: 10.1016/j.giq.2005.02.001
- Gil-Garcia, J. R. - Schneider, C.A. - Pardo, T.A. - Cresswell, M.A. (2015): *Interorganizational information integration in the criminal justice enterprise: Preliminary lessons from state and county initiatives*. Hawaii International Conference on System Sciences (HICSS-38), Hawaii. DOI: 10.1109/HICSS.2005.338
- Goldenberg, I. – Dean, W. H. (2017): *Enablers and Barriers to Information sharing in Military and Security Operations: Lessons Learned* In: Goldenberg, I. - Soeters, J. - Dean, W. (eds.): *Information sharing in military operations*, Springer Cham, 251-267. DOI: 10.1007/978-3-319-42819-2_16
- Goldenberg, I. - Soeters, J. - Dean, W. (2017): *Information sharing in military operations*. Springer DOI: 10.1007/978-3-319-42819-2

- Gruszczak, A. (2016): Police and Customs Cooperation Centres and their Role in EU Internal Security. In: Bossong, R. - Carrapico, H. (eds.) (2016): *EU Borders and Shifting Internal Security*. Springer: Heidelberg, 157-175. DOI: 10.1007/978-3-319-17560-7_9
- Hartmut, A. (2001): Convergence of Policing Policies and Transnational Policing in Europe. *European Journal of Crime Criminal Law and Criminal Justice*, 2, 99-112. DOI: 10.1163/15718170120519345
- Hofstede, G. (1993): *Coopération policière transfrontalière entre la Belgique, l'Allemagne et les Pays-Bas avec une attention particulière pour l'euro-région Meuse-Rhin*. Maastricht: University Press Maastricht
- Hufnagel, S. - McCartney, C. (2017): *Trust in international police and justice cooperation*. Hart Publishing Oxford. London: Portland
- Hufnagel, S. (2016): *Policing cooperation across borders*. London: Routledge. DOI: 10.4324/9781315601069
- Jarvenpaa, S.L. - Staples, D.S. (2001): Exploring perceptions of organizational ownership of information and expertise. *Journal of Management Information Systems*, 1, 151-183. DOI: 10.1080/07421222.2001.11045673
- Jian, G. - Jeffres, L. W. (2006): Understanding employees' willingness to contribute to shared electronic databases: A three-dimensional framework. *Communication Research*, 4, 242-261. DOI: 10.1177/0093650206289149
- Kemeny, G. (2019): *Fifteen minutes to decide*. Master Thesis, Frontex
- Kakabadse, A. (1986): Organizational Alienation and Job Climate: A Comparative Study of Structural Conditions and Psychological Adjustment. *Small Group Behaviour*, 4, 458-471. DOI: 10.1177/104649648601700406
- Kim, S. - Lee, H. (2006): The impact of organizational context and information technology on employee knowledge-sharing capabilities. *Public Administration Review*, 3, 370-385. DOI: 10.1111/j.1540-6210.2006.00595.x
- Keohane, R.O. (1986): Reciprocity in International Relations. *International Organization*, 1, 1-27. DOI: 10.1017/S0020818300004458
- Kolekofski, K.E. - Heminger, A.R., (2003): Beliefs and attitudes affecting intentions to share information in an organizational setting. *Information Management*, 6, 521-532. DOI: 10.1016/S0378-7206(02)00068-X
- Koeszegi, S.T. (2004): Trust-building strategies in inter-organizational negotiations. *Journal of Managerial Psychology*, 6, 640-660. DOI: 10.1108/02683940410551534
- Landsbergen, D. J. - Wolken, G. J. (2001): Realizing the promise: Government Information Quarterly information systems and the fourth generation of information technology. *Public Administration Review*, 2, 206-220. DOI: 10.1111/0033-3352.00023
- Lane, C. - Bachmann, R. (1996): The social constitution of trust: Supplier relations in Britain and Germany. *Organization Studies*, 3, 365-395. DOI: 10.1177/017084069601700302
- Lunenburg, F.C. (2012): Organizational structure: Mintzberg's Framework. *International Journal of Scholarly, Academic, Intellectual Diversity*, 1, 1-8.

- Marks, P. - Polak, P. - McCoy, S. - Galletta, D. (2008): *Sharing knowledge*. Communications of the ACM, 2, 60-65. DOI:10.1145/1314215.1314226
- Martin, M. (2017): *Cooperation between Border Guards and customs*. Master Thesis, Frontex
- Mausolf, A. (2010): Keeping up appearances: Collaboration and coordination in the fight against Organized Crime and Terrorism. Master Thesis, University of Leiden.
- Mintzberg, H. (1989): *The Structuring of Organizations*. In: Asch, D. - Bowman, C. (eds.) (1989): Readings in Strategic Management. London: Palgrave, 322-352. DOI: 10.1007/978-1-349-20317-8_23
- Rainey, H. G. (2009): *Understanding and Managing Public Organizations*. San Francisco: Jossey-Bass. DOI: 10.1002/pam.4050110432
- Ranjay, G. - Wohlgezogen, F. - Zhelyazkov, P. (2012): *The Two Facets of Collaboration: Cooperation and Coordination in Strategic Alliances*. Academy of Management Annals, 6, 531–583. DOI: 10.1080/19416520.2012.691646
- Reagans, R. - McEvily, B. (2003): *Network structure and knowledge transfer: The effects of cohesion and range*. Administrative Science Quarterly, 2, 240-267. DOI: 10.2307/3556658
- Resteigne, D. - Van den Bogaert, S. (2017): *Information sharing in Contemporary Operations: The Strength of SOF Ties*. In: Goldenberg, I. - Soeters, J. - Dean, W.H. (eds.) (2017): Information Sharing in Military Operations. Springer Cham, 51-66. DOI: 10.1007/978-3-319-42819-2_4
- Rousseau, D.M. (1978): *Characteristics of departments, positions and individuals: Context for attitudes and behaviour*. Administrative Science Quarterly, 4, 521-540. DOI: 10.2307/2392578
- Saloven, M. - Grant E. - Hanel, P. - Makai, V. - Brent, K. - Linas, H. - Pohnitzer, B.A. (2010): *ICMPD Study on the status of information exchange amongst law enforcement authorities in the context of existing EU instruments*. Vienna: ICMPD
- Sardjoe, N. (2017): *Understanding inter-organisational information sharing*. Master thesis, Delft University of Technology
- Sias, P. - Cahill, D. (1998): *From co-workers to friends: The development of peer friendships in the workplace*. Western Journal of Communication, 3, 273-299. DOI: 10.1080/10570319809374611
- Soeters, J. (2017): *Information Sharing in Military and Security Operations*. In: Goldenberg I. - Soeters, J. - Dean, W.H. (eds.) (2017): Information Sharing in Military Operations. Springer Cham, 1-15. DOI: 10.1080/14702436.2018.1558055
- Styczyńska, I. - Beaumont, K. (2017): *Easing legal and administrative obstacles in EU border regions Case Study No. 8, Police cooperation Complexity of structures and rules on the border*. Brussels: European Commission DOI: 10.2776/814404
- Taylor, R. W. - Russell, A. L. (2011): *The failure of police “Fusion” Centers and the concept of a national intelligence sharing plan*. Police Practice and Research, 2, 184-200. DOI: 10.1080/15614263.2011.581448
- Teboul, J. - Cole, T. (2005): *Relationship Development and Workplace Integration: An Evolutionary Perspective*. Communication Theory, 4, 389-413. DOI: 10.1111/j.1468-2885.2005.tb00341.x

- Travica, B. (1998): *Information aspects of new organizational designs: exploring the non-traditional organization*. Journal of the American Society for Information Science, 13, 1224-1244. DOI: 10.1002/(SICI)1097-4571(1998110)49:13<1224::AID-ASI8>3.0.CO;2-V
- Tsai, W. (2002): *Social structure of 'coopetition' within a multiunit organization: Coordination, competition, and intraorganizational knowledge sharing*. Organization Science, 2, 179-190. DOI: 10.1287/orsc.13.2.179.536
- Wheatley, M. J. (2006): *Leadership and the new science: Discovering order in a chaotic world*. San Francisco, CA: Berrett-Koehler Publishers
- Willem, A. - Buelens, M. (2007): *Knowledge Sharing in Public Sector Organizations: The Effect of Organizational Characteristics on Interdepartmental Knowledge Sharing*. Journal of Public Administration Research Theory, 4, 581-606. DOI: 10.1093/jopart/mul021
- Wilson, D.T. (1995): *An Integrated Model of Buyer–Seller Relationships*. Journal of the Academy of Marketing Science, Greenvale, 4, 335-345. DOI: 10.1177/009207039502300414
- Wilson, J. (1989): *Bureaucracy: What Government agencies do and why they do it*. New York: Basic Books, Inc.
- Yang, T.M. - Maxwell, T.A. (2011): *Information-sharing in public organizations: A literature review of interpersonal, intra-organizational and inter-organizational success factors*. Government Information Quarterly, 2, 164-175. DOI: 10.1016/j.giq.2010.06.008
- Zhang, J. - Dawes, S.S. (2006): *Expectations and perceptions of benefits, barriers, and success in public sector knowledge networks*. Public Performance & Management Review, 4, 433–466.
- Zhang, J. - Dawes, S.S. - Sarkis, J. (2005): *Exploring stakeholders' expectations of the benefits and barriers of e-Government knowledge sharing*. The Journal of Enterprise Information Management, 5, 548–567. DOI: 10.1108/17410390510624007



Péter Gergely Pászti

Measuring resilience in prisoners

Abstract

The reintegration process is not a simple one. There are many papers about the difficulties of re-entry into society and the possible reasons of the success or the failure of reintegration. In this article, I am going to write about the role of resilience in prisoners' reintegration process. In a brief presentation of the concept of resilience, I will introduce the models of resilience and the role of protective factors. From the several instruments that can be used to measure resilience I will highlight the most common and most empirically based scales that can be a great help to identify protective factors of incarcerated people, to make the reintegration processes more successful.

Keywords: reintegration, resilience, protective factors, risk factors, resilience scales

Introduction

We often hear people say that someone is resilient, because he/she could overcome a tragic event. Most of the time we assume this about children, because they are living in risks, dealing with danger constantly or casually, or facing a bad family or social background daily are very sensitive cases in every society. It is probably because a big part of the history of resilience was about the researches on children's mental disorders. However, during the last few decades, scientists started to study resilience more frequently with adults who had adverse childhood experiences, experienced some terror, survived an accident, lived riskily or worked in danger, such as firemen or policemen. In spite of the fact, that multidisciplinary study of resilience is expending rapidly (Herrman et al., 2011, 259.), most of the resilience studies still focus on children, but there are growing numbers of studies worldwide that focus on adults. In this paper I only focus on prisoners, a special group of people, and on the importance of resilience in their life and in their successful reintegration.

The importance of measuring resilience in prison or jail

Suffering traumatic events, disaster or psychological distress are parts of our lives. Although, having these experiences makes us react with negative emotions, it takes a great part in our development and builds resilience. Resilience is what we need to get over the effects of adversity or risk and it does not only help us bounce back, but sometimes we can take advantage of difficult situations. Spending time in prison or jail can be a really hard time for every incarcerated men and women. Most people who spend short or longer periods in prison or jail will be released one day. Unfortunately, a large number of these incarcerated people return to life of crime and usually go back to prison. There is a growing number of studies about the difficulties of re-entry into society and many of them are highlighting the importance of social networks and social capital for these people's successful reentry. (Clear (2007), Farrall (2004), as cited in Taylor, 2013, 122.) According to Visher, the successful reintegration into society depends on the individual's characteristics and family context, the community to which he or she is returning, and the larger socio-legal environment governed by existing policies and regulations (Visher, 2015, 61.). Many times, when an inmate is released from prison, crime returns into his or her life because of the negative influence of the family, neighborhood or friends. We can say that the factors we usually count on as great help in successful reintegration, may have counterproductive effects. However, if these negative effects can be eliminated by a well-functioning reintegration program, then, in my opinion, the chances of returning to prison may be also reduced. The process of reintegration, the outcome always depends on individuals and their living conditions, is best understood for the whole life process. In this connection, Visher and Travis identified four stages of reintegration. The first stage consists of pre-prison status, the second is the experience of the prison world, while the third stage consists of direct experiences after release. The fourth part is the reintegration process after release (Visher et al., 2003, 94.). The fourth phase corresponds to a long-term alignment, the output also depends largely on prison reintegration programs. So, the four parts as an interactive and complementary element constitute the entire reintegration process. According to this, if a person is sent to prison from a family or living conditions that can be considered to have a particularly negative effect, they can receive support during their stay, which can not only make the post-release period easier, but also helps longer-term resocialization. According to my observation, different programs to promote reintegration are also typical in Hungarian prisons, but they do not have the same effect on the condemned, even if they have the same background and could almost draw parallels between their careers. Finding, accepting and suc-

successful use of the right help does not seem to be a viable option for all prisoners. According to Ann Jacobs, the success of the ex-convicts' re-entry into society can be determined through how adequately they can meet six basic life needs: livelihood, residence, family, health, criminal justice compliance and social relationships. Those needs occur differently, depending on the phase at which the inmate is in when they are released. (URL1) In the 'Success in the Community' diagram Jacobs breaks these phases down into three categories: survival, stabilization and self-sufficiency (Table 1).

PHASES	BASIC LIFE AREAS					
	Livelihood	Residence	Family	Health and sobriety	Criminal justice compliance	Social/civic connections
Survival	<ul style="list-style-type: none"> - Gate money - Public assistance - Soup kitchens, pantries - Personal care kits 	<ul style="list-style-type: none"> - Shelter - Family or friend - Street 	<ul style="list-style-type: none"> - Find children - Make contact 	<ul style="list-style-type: none"> - Continuity of medication - Relapse prevention 	<ul style="list-style-type: none"> - Report to supervising authority (court, probation, parole, etc.) - Comply with requirements 	<ul style="list-style-type: none"> - Receive peer support
Stabilization	<ul style="list-style-type: none"> - Public assistance/workfare - Employment or education training - Clothes for interviews 	<ul style="list-style-type: none"> - Transitional residence - Family or friend 	<ul style="list-style-type: none"> - Supervised visitation - Get re-familiarized - Trial discharge 	<ul style="list-style-type: none"> - Drug treatment and treatment of urgent health and mental issues - Counseling 	<ul style="list-style-type: none"> - Earn reduced supervision 	<ul style="list-style-type: none"> - Join support group or nurturing community - Volunteer work
Self sufficiency	<ul style="list-style-type: none"> - Job that pays a living wage and provides benefits 	<ul style="list-style-type: none"> - One's own apartment with public subsidy, if necessary 	<ul style="list-style-type: none"> - Reunify - Participate in family counseling - Contribute to others 	<ul style="list-style-type: none"> - Regular health visits paid by health insurance - Outgoing support, 12 step, therapy, community activities 	<ul style="list-style-type: none"> - Satisfy conditions of supervision 	<ul style="list-style-type: none"> - Help others - Contribute to community life
GOAL	<ul style="list-style-type: none"> - Adequate money for food, clothing, transportation, and personal and family expenses 	<ul style="list-style-type: none"> - Safe, clean, affordable home that accommodates household comfortably 	<ul style="list-style-type: none"> - Reunification with children - Reconciliation with family members 	<ul style="list-style-type: none"> - Physically and mentally healthy, or receiving affordable quality care, including prescriptions 	<ul style="list-style-type: none"> - Abide by laws - Live without community supervision 	<ul style="list-style-type: none"> - Healthy friendships and network of supportive adults - Opportunities to give back, civic participation (voting, etc.)

Table 1.: 'Success in the Community' matrix (Jacobs, 2015).

The matrix created by Jacobs does not address the past of individuals and the social status or material situation they came from. It is to be concluded that the really important is not that who brings what from his or her past, but how, after his or her release, he or she can process the unexpected events that have occurred against him or her. Based on the author's idea, we can say that people who are released in different states are re-entering society with completely different expectations. If the inmate leaves the prison behind with a self-sufficiency level in the matrix, he or she is very close to talking about the full success of reintegration. If, on the other hand, he or she is more capable of surviving only, he or she needs constant help and cannot get rid of the everyday negative influences and disappointments he or she is suffering during the reintegration period (Pászti, 2020). Bahr said that inmates leaving prison can be divided into three groups. In the first one are those who have already decided not to return, and they have the strength, the potential and the support they need to do so. In the second one there are people who are most likely to be condemned again because they are unwilling or unable to give up the lifestyle they like. Many of them suffer from drug addiction, have mental problems or simply do not believe in the success of reintegration. The third group includes ex-prisoners who cannot be fitted into the previous two, meaning they would like and would be able to change, but the outcome is uncertain (Bahr, 2015, 3.). In my opinion, the target group of a resilience study should consist of prisoners from the first and third groups mentioned above, who voluntarily apply for long-term training in prison. People in both groups will most likely be determined enough to complete the training, but those in the third group will be more likely to have a certain percentage of drop-out. In the course of research, it would be worthwhile to establish what protective factors are present for prisoners applying for a long-term course, that make them turn to programs helping them reintegrate, despite the harms of prison and the negative effects of the pre-prison period. I believe that if these resilience factors can be identified and grouped, with particular emphasis on them, serious results can be achieved in the design and implementation of reintegration programs.

Resilience, concept, models and scales

Ordinary magic

In the 1960s and 1970s, a new approach, the so-called science of resilience emerged from the same confluence of forces (Masten, 2007, 921.). As Luthar

highlights it, Norman Garmezy noticed that some of the children at high risk for psychopathology had surprisingly healthy patterns (Luthar, 2006, 740.). This observation brought the attention of scientists to the phenomenon of resilience and started to study children who developed well despite risks or adversities. They wanted to know why and how some children can stay and recover well, when others do not, and began to identify risk factors then categorized them. These researchers, included Michael Rutter, Norman Garmezy and Emmy Werner, believed, the serious problems that caused children to be at risk are perinatal hazards (e.g., premature birth), biological heritage (e.g., a parent with mental problem) and the effects of risky environments (e.g., poverty).(Cutuli et al., 2018, 2.) Garmezy and colleagues also began to identify the factors associated with the unusually well-being of these children (Luthar, 2006, 740.). In their early publications these scientists have not mentioned these children as resilient, instead, they called them invulnerable, stress-resistant or invincible. In the 1980s among several publications there were two, which strongly influenced the study of resilience. Garmezy, Masten and Tellegen conceptualized the major constructs, methods, and data analytic strategies of the phenomenon in 1984, and in the second paper in 1987, Rutter clarified the main concepts in the study of resilience (Luthar, 2006, 740.). As central to the development of resilience, three sets of factors became commonly used: *'attributes of the children themselves, aspects of their families, and characteristics of their wider social environments'*. (Luthar et al., 2014, 126.) Although, in the 80s investigators started to use the term resilience instead of invulnerable or invincible more frequently to talk about children in risk, the image of a resilient child still remained as a super kid or special child. By the end of the century, scientists realized that some of the original assumptions about resilience were wrong or misleading. However, the greatest surprise of resilience research was the ordinariness of the phenomena (Masten, 2001, 227.). Evidence shows that resilience is common and arise from the operation of basic human adaptation system. Of course, there are some extraordinary talents who can overcome heavy odds, but usually average children can make it, using their protective factors and ordinary human researches (Masten, 2014).

Definition of resilience

In the 1620s, the word resilience was first used with the meaning act of rebound (URL2), but they only started using it figuratively in the middle of the 19th century for people or groups (URL3). There are many different ways researchers

tried to define resilience since the early start of the 20th century. Although, the phenomenon has been studied by scientists from diverse disciplines, they could not come up with a final definition yet. The most commonly used approaches are probably that the resilience refers to *'the capacity of dynamic system to adapt successfully to disturbances that threaten its ability to function and continue developing'* (Masten, 2014), as cited in Cutuli et al., 2018, 3.) or *'a class of phenomena characterized by good outcomes in spite of serious threats to adaptation or development'* (Masten, 2014). Both definitions can be used regarding children and adults, and they also show the two basic criteria for resilience. One is about the threat side of the inference, there must be a significant risk or adversity in the person's life. The other one is about the person's success in development or the quality of adaptation (Masten, 2001, 228.). The researchers have to define the method and criteria for identifying developmental and successful adaptation, and the risks and strong, negative effects that could disturb positive adaptation and development (Cutuli et al., 2018, 3.). If there is no evidence of good outcome or development, or if there is no sign of great threat in the person's life, we cannot talk about resilience at the time of the investigation. Positive adaptation has been judged by the positive behavior desired by society for people of this age and the absence of undesirable behavior such as emotional distress, mental illness or criminal behavior. Good outcomes are usually defined as a success in meeting the given society's developmental tasks (Cutuli et al., 2018, 3.). In the developmental sciences, many well-documented risks for general or more specific problems have been collected during the last few decades. Risk factors can be divided into different groups. They can be the source of local or remote, specific, or common problems. Community or domestic violence, divorce, low birth weight, neglectful parenting, parents' low income and education, poverty are parts of the major risks in the context with family and neighborhood. War, terrorism, natural disasters are also major negative factors, but they cannot be connected directly to family. Most of the well-known childhood risks predict multiple problems of growth, health and behavior (Masten, 2014). According to Rutter, when the discrete risks mentioned above coexist and the effects of this multiple risk add up, the individual's outcome is usually far poorer, than when any of these risks exists in isolation (Rutter, 1979 as cited in Luthar, 2006, 742.).

Promotive and protective factors

Researchers of resilience always wanted to know what makes a difference between children, why can some develop well even in high risk and others cannot.

I think, to find the answer the individuals' qualities and also their environments must be examined. Resilience researchers have to identify not only the vulnerability, but the promotive and protective factors and related processes as well, to do a proper investigation (Table 1). Vulnerability contains those indices that increase the negative effects of the risk condition (Masten, 2014). The promotive factors, such as human-, social-, and material capital, the often-mentioned resources that a human being needs for adaptive success, predict a good outcome or a positive adaptation across levels of risk. However, the role of the protective factors rises when adversity is high. Some of them act when there is a particular threat, others have a generally positive influence on development and also help in the context of significant threat (Cutuli, 2018, 7.). These protective factors are usually classified into three major categories, personal factors (e.g. self-efficacy, self-esteem, optimism or personal traits), biological factors (e.g. physical changes in the brain), environmental factors (e.g. social support) (Herrman et al., 260.). Despite the fact, that most of the time the content remains almost the same, investigators use varied names of these categories.

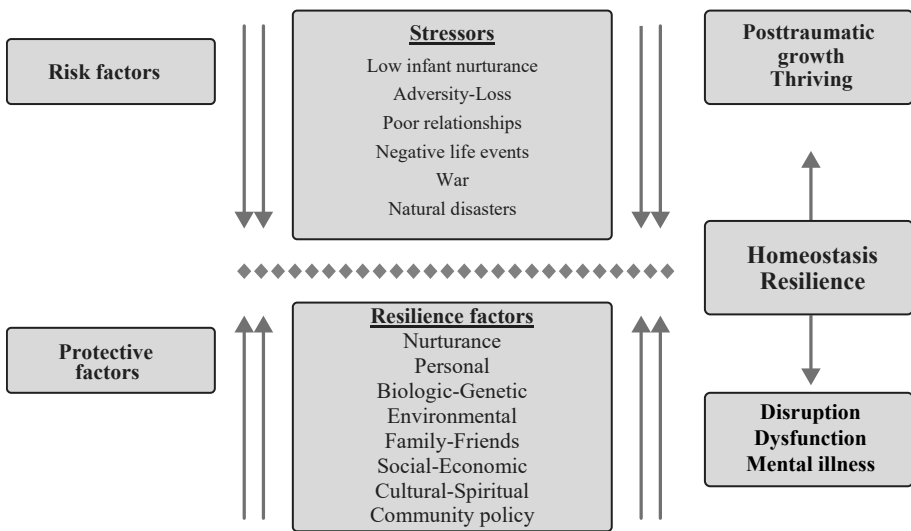


Table 1. Factors that enhance or reduce homeostasis or resilience (Herrman, et al., 2011, 261.).

Although, there are some controversies and confusions in the history of resilience research, scientists have made a short list of widely reported factors associated with resilience (Table 2) (Masten, 2014). The short list that has not changed much in more than 20 years, contains the factors that are connected to

good outcomes and the adaptive systems that play an essential role in this phenomenon. These important protective factors help overcome adversities (Masten, 2001, 2007 as cited in Masten, 2014).

Resilience factors	Adaptive systems
Effective caregiving and parenting quality	Attachment; family
Close relationships with other capable adults	Attachment; social networks
Close friends and romantic partners	Attachment; peer and family system
Intelligence and problem-solving skills	Learning and thinking systems of the CNS (Central Nervous System)
Self-control; emotion regulation; playfulness	Self-regulation system of the CNS
Motivation to succeed	Mastery motivation and related reward systems
Self-efficacy	Mastery motivation
Faith, hope, belief life has meanings	Spiritual and cultural belief systems
Effective schools	Education systems
Effective neighborhoods; collective efficacy	Communities

Table 2. The Short List of Widely Reported Factors Associated with Resilience in Young People and Implicated Adaptive Systems (Masten, 2014).

Models of resilience

The theory that determinants of resilience are worth to be studied in process and at a systemic level is now widely accepted by researchers. In the research of resilience, the spread of the investigation of complex systems has led to a widespread proliferation of interpretation of resilience on protective and vulnerability factors (Rutter, 1979, 1989, 2000, as cited in Szokolszky et al., 2015). There are two major approaches to identifying protective and vulnerability factors in the resilience literature (Luthar, 2006, 744.). Variable-based approaches usually examine patterns and the statistical connections among measures of individuals' environments, characteristics and experiences to find out what explains the good outcomes in high risk. Person-focused approaches identify resilient people and try to find their researches and protective processes that help them doing well in the face of adversity (Cutuli, 2018, 7-8.; Masten, 2014).

There are some characteristics and promoting factors that are often related to resilient people: optimism, altruism, moral compass, faith and spirituality, humor, having a role model, social support, facing fear, meaning or purpose in life, training. These components help to understand the nature of resilience and most of them are easy to spot and measure. Also, there are many different ways to measure resilience. In the next part, I will introduce several resilience scales that were mentioned as *'most popular and most empirically based'* on a psychology website. These represent different theories and are made of different parts and for different populations. (URL4) Choosing and using the appropriate scale could give us enough information about the strength of the resilience of a prisoner who applied for education. With this information it is possible to plan education much more precisely, and, by making training more personal, reintegration after release can become more obtainable as a goal.

Resilience scales

Although, there are many resilience scales in use nowadays, in this article I focus on the collection of eight scales that, according to Ackermann, are used more often than others. I added another scale that I missed from the list, because it is easy to use and can be used in almost any circumstances.

1, Connor-Davidson Resilience Scale (CD-RISC)

This scale was originally developed by Kathryn M. Connor and Jonathan R. T. Davidson in 2003. It is a self-report measure of resilience within the Post Traumatic Stress Disorder (PTSD) clinical community. The first CD-RISC, consisting of 25 items, contained dimensions that were highly likely to provide information on the degree of resilient behavior, such as *'I can adapt to change'*, *'I can see the human side of things'*, *'Even if the situation seems hopeless, I will not give up'*. (Kiss et al., 2015, 96.)

The first CD-RISC was used in five groups:

- primary care outpatients
- general psychiatric outpatients
- community sample
- clinical trial of generalized anxiety disorder
- two clinical trials of PTSD (Kiss et al., 2015, 96.)

The original scale consists of 25 items designed to measure successful stress. Now it has 2, 10 or 25 items versions too. They all measure resilience as function of these interrelated elements:

- Personal Competence
- Acceptance of Change and Secure Relationships
- Trust/Tolerance/Strengthening Effects of Stress
- Control
- Spiritual Influences (URL4)

2, Resilience Scale for Adults (RSA)

The RSA is a self-report scale which was created by Friborg et al. in 2003, and it is recommended for use in clinical and non-clinical population. This is an instrument for assessing the six protection dimensions of adult resilience:

- Perception of the Self
- Planned Future
- Social Competence
- Family Cohesion
- Social Resources
- Structured Style (Morote et al., 2017, 5.)

RSA is very useful in determining protective factors that inhibit or protect against psychological disorders.

3, Brief Resilience Scale (BRS)

BRS was developed by Smith et al. in 2008. The task of this self-assessment questionnaire is to measure the ability to exit the stress effect. It is used in non-clinical population. It has six items that relate to the person's ability to bounce back from stress.

4, Resilience Scale (RS)

'The original 25-item Resilience Scale (RS) is likely the most popular scale in the world to measure resilience.' (URL5)

RS was developed by Wagnild and Young in 1993. It can be used to measure resilience based on five basic characteristics:

- Meaningful Life (or Purpose)
- Perseverance
- Self – Reliance
- Equanimity
- Existential Aloneness (URL4)

There are the original 25-item version which consists of the 17-item Personal Competence and the 8-item Acceptance of Self and Life subscales, and the shortened 14-item version of the scale.

5, Scale of Protective Factors (SPF)

The Scale of Protective Factors was developed by Ponce - Garcia, Madwell and Kennison in 2015. This 24-item scale is used to measure specific social and cognitive protective factors that affect the resilience of people experienced as assault. The four subscales of resilience protection factors are:

- social support
- social skills
- planning and prioritizing behavior
- goal efficacy

6, Predictive 6-Factor Resilience Scale (PR6)

The Predictive 6-Factor Resilience Scale was developed by Rossouw & Rossouw in 2016. It was developed based on neurobiological foundations of resilience and the theorized relationship with health hygiene factors. PR6 consists of 16 items and it is used to test the assumption that health hygiene factors correlate with six psychological resilience domains: (Rossouw et al., 2016, 31.)

- Vision
- Composure
- Tenacity
- Reasoning
- Collaboration
- Health

7, Ego-Resilience Scale

The Ego-Resilience Scale was developed by Block & Kremen in 1996. It is used in non-psychiatric contexts to measure the construct of ego-resiliency, which refers to the individual's dynamic ability to adjust the characteristic level of ego control in both directions depending on the demand characteristics of the environment, in order to preserve or improve the balance of the system. It consists of 14 items rated on a 4 point-scale where '1' means 'does not apply' and '4' is 'applies very strongly'. The scores on the scale can be associated with intelligence linked to the ability to adapt, helping to measure an individual's ability to bounce back from failure or disappointment (URL4).

8, Academic Resilience Scale (ARS-30)

The 30 item Academic Resilience Scale is a recently developed, multi-dimensional construct which focuses on adaptive and non-adaptive cognitive-affective and behavioral responses to academic difficulties (Cassidy, 2016, 3.). The items in the scale fall into one of the following three factors:

- Perseverance
- Reflecting and Adaptive Help-Seeking
- Negative Affect and Emotional Response

The ARS-30 is highly internally reliable, but it is most appropriate in academic contexts.

8+1, Resilience Research Centre - Child and Youth Resilience Measure & Adult Resilience Measure (RRC-CYRM-R, RRC-ARM-R)

The Resilience Research Centre-Adult Resilience Measure is an adapted version of the Child and Youth Resilience Measure. The original version was developed at the Resilience Research Centre by Ungar et al. (2002). The CYRM was created to be used with youth from 9 to 23 years old and the RRC-ARM is used with people aged 23 and older. All versions have a 28-item and a reduced 12-item version. All the versions offer a three-point and a five-point response scale.

The 28-item RRC-CYRM has three sub-scales:

- Individual capacities/resources
- Relationships with primary caregivers
- Contextual factors that facilitate a sense of belonging

For adults, the developer of the scale advises to change the name of the second sub-scale to '*Personal relationships with key individuals*'. RRC-ARM was validated in a 3-year old research project that took place in prisons, on the basis of RRC-CYRM.

Summary

Overcoming negative impacts is important for our development. The protective factors play a major role in a person's life in risky situations. The strength of these factors shows how resilient someone is. Being in prison or jail is one of the really tough situations, when an individual has to be strong physically and mentally, in order to be able to reintegrate into society after release. Not all these resilient factors are present in everyone, but all of them can be strengthened in order to make the person to be able to develop or adopt well. In my opinion, if an incarcerated person shows a little interest in school at prison, it means that the prisoner's one or more resilience factors serve him/her well. There are several popular and empirically based resilience scales that are being used to measure people's resilience. I think, those working in reintegration should find those factors by measuring resilience strength and increase them. If we learn the source of persons' strength, then, by incorporating this into their personal development, we can probably make their reintegration more successful.

References

- Cassidy, S. (2016): *The Academic Resilience Scale (ARS-30): A New Multidimensional Construct Measure*. *Frontiers in Psychology*, 7, 1-11. DOI: 10.3389/fpsyg.2016.01787
- Cutuli, J. J. – Herbers, J. E. – Masten, A. S. – Reed, M-G. J. (2018): *Resilience in Development*. *The Oxford Handbooks of Positive Psychology*, 3rd Edition, 1-31. DOI: 10.1093/oxfordhb/9780199396511.013.9
- Herrman, H. – Stewart, D.E. – Diaz-Granados, N. et al. (2011): *What Is Resilience?* *The Canadian Journal of Psychiatry*, 5, 258-265. doi.org/10.1177/070674371105600504
- Kiss, E. Cs. – Vajda, D. – Káplár, M. – Csókási, K. – Hargitai, R. – Nagy, L., (2015): *A 25-ítemes Connor-Davidson Reziliencia Skála (CD-RISC) magyar adaptációja [The Hungarian adaptation of the 25-item Connor-Davidson Resilience Scale (CD-RISC)]*. *Mentálhigiéné és Pszichoszomatika*, 1, 93-113. DOI: 10.1556/Mental.16.2015.1.4
- Luthar, S. S. (2006): *Resilience in development: A Synthesis of Research Across Five Decades*. Cicchetti, D. – Cohen D. J. (Eds.): *Developmental Psychopathology: Risk, disorder, and adaptation*, 3 (2nd edition), 739-795. DOI: 10.1002/9780470939406.ch20
- Luthar, S. S. – Lyman, E. L. – Crossman, E. J. (2014): *Resilience and Positive Psychology*. Lewis, M. – Rudolph, K. D. (Eds.): *Handbook of Developmental Psychopathology*, 125-140. DOI 10.1007/978-1-4614-9608-3_7
- Masten, A. S. (2001): *Ordinary Magic: Resilience Process in Development*. *American Psychologist*, 3, 227-238. DOI: 10.1037//0003-066X.56.3.227
- Masten, A. S. (2007): *Resilience in developing systems: Progress and promise as the fourth wave rises*. *Development and Psychopathology*, 19, 921-930. DOI: 10.1017/S0954579407000442
- Masten, A. S. (2014): *Ordinary Magic: Resilience in Development*. New York: The Guilford Press
- Morote, R. – Hjemdal, O. – Uribe, P. M. – Corvelyn, J. (2017): *Psychometric properties of the Resilience Scale for Adults (RSA) and its relationship with life-stress, anxiety and depression in a Hispanic Latin-American community sample*. *PLoS ONE*, 11, 1-20. DOI: 10.1371/journal.pone.0187954
- Pászti, P. G. (2020): *Egy reintegrációval foglalkozó kutatás megalapozása a külföldi publikációk tükrében [Establishing a research on reintegration as reflected in foreign publications]*. *Belügyi Szemle*, 7, 73-84. DOI: 10.38146/BSZ.2020.7.5
- Rossouw, P. J. – Rossouw, J. G. (2016): *The Predictive 6-Factor Resilience Scale: Neurobiological Fundamentals and Organizational Application*. *International Journal of Neuropsychotherapy*, 1, 31-45. DOI: 10.12744/ijnpt.2016.0031-0045
- Szokolszky, Á. – V. Komlósi, A. (2015): *A „reziliencia-gondolkodás“ felemelkedése – ökológiai és pszichológiai megközelítések [The rise of resilience-thinking – ecological and psychological approaches]*. *Alkalmazott Pszichológia*, 1, 11-26. DOI: 10.17627/ALKPSZICH.2015.1.11
- Taylor, C. J. (2013): *The Supervision to Aid Reentry (STAR) program: Enhancing the social capital of ex-offenders*. *Probation Journal*, 2, 119-135. DOI: 10.1177/0264550513478319

- Visher, C. A. (2015): *Re-entry and Reintegration After Incarceration*. International Encyclopedia of the Social & Behavioral Sciences, 61-66. DOI: 10.1016/B978-0-08-097086-8.45096-8
- Visher, C.A. – Travis, J. (2003): *Transitions from prison to community: Understanding individual pathways*. Annual Review of Sociology, 29, 89-113. DOI: 10.1146/annurev.soc.29.010202.095931

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Gabriella Ráczkevy-Deák

Hospital Security: Hospitals and Terrorism

Abstract

Hospitals are part of the critical infrastructure and are incredibly vulnerable. Unexpected events may hinder the functioning of institutions, causing severe damage and loss of asset value and quality of service. Every hospital should be prepared for such incidents with well-developed plans and strategies. A hospital can be an ideal target for a terrorist, because a lot of civilians are taken care of (and are open) 24 hours a day, seven days a week. Unfortunately, in recent years have taken place more and more terrorist acts. (eg: 13th November 2015 Paris, and 22nd March 2016., Brussels). How are hospitals prepared for these events in Hungary and abroad? Are the Hospitals Disaster Management Plans sufficient? What kind of terrorist attacks can occur in a hospital (e.g. cyber terrorism)? In my essay I am looking for the answers to these questions and introducing the concept of hospital safety and security.

Keywords: hospital, security, soft target, terrorism, critical infrastructure

Introduction

Hospitals are part of the critical infrastructure and are incredibly vulnerable. Unexpected events may hinder the functioning of institutions, causing severe damage and loss of asset value and quality of service. Every hospital should be prepared for such incidents with well-developed plans and strategies. In this article, I am looking for an answer about how the hospitals in Hungary, in Western countries, and in the USA are prepared for these disasters and impacts resulting from human reactions towards these acts of terrorism. Is it possible to eliminate harmful effects of these events thought adequate preparations? An organization that is prepared for unexpected events can reduce damage. How can be a conscious institute leader prepared for preventive actions? A hospital

can be an ideal target for a terrorist attack, because a lot of civilians are taken care of and is open 24 hours a day, seven days a week.

Critical infrastructure conception

According to the Green Paper on a European Programme for Critical Infrastructure Protection the critical infrastructure is composed of device systems, or parts of systems which can be found on the territory of member states and which are essential for providing the vital social functions, health, and security, economic and social welfare. (URL1) The disruption or destruction of any of these device systems, or parts of systems could lead to important consequences due to the lack of supplying the vital functions.

The Green Paper divides the critical infrastructure in nine different groups:

- 1.) Energy facilities and networks
- 2.) Communications and Information Technology
- 3.) Finance
- 4.) Health care (hospitals, health care and blood supply facilities, laboratories and pharmaceuticals, search and rescue, emergency services)
- 5.) Food
- 6.) Water supply
- 7.) Transport
- 8.) Production storage and transport of hazardous materials
- 9.) State Infrastructure

The European Union Critical Infrastructure Protection Program (EPCIP) adjusted the interruption or loss of the infrastructural functioning to the size and severity of the possible consequence. Hungary has created and adopted the National Green Paper (NGP-NKIV) by Government Resolution. NGP lists the possible dangers into three main groups, taking the priority of terrorism as a basic principle. It highlights the *'acts of terrorism and its instruments, and related acts (explosives, misuse of firearms...).'* (URL2) The Green Paper emphasises the need for an appropriate security level in order to reduce risks to an acceptable minimum level. It also emphasises paying attention to communication and effectuating regular trainings because it makes the implementation of the plans more effective. The experience and information transfer between agencies, regions, and countries is also very important in prevention.

How can we define the concept of terrorism?

There is no clear definition for terrorism. Terrorism is defined in several ways by organizations. According to United States Federal Bureau of Investigation (FBI), the terrorism is the unlawful use of force or violence against people or property, the intimidation of the government, the civil population or any segment and coercion for political purposes and to promote social goals. (URL3) The UN says: *‘crimes which aim with a political purpose to arise terror in the general public, group of people, or in individuals(...)*’ (URL4) Terrorism uses violence for the purpose of achieving socio-political goals through fear. So, they struggle to achieve their goals by violent means (explosion, armed violence, etc.). Generally, terrorists are committed to more violent acts doing this in a pre-planned manner (Tálas, 2006, 66.). A very important peculiarity is creating panic-fear and victims. However, it is important to distinguish terrorists from ordinary criminals. Motivations and goals are different. Anyone who wants to acquire property, or injures people because of offences, acts because of selfish reasons, it wants to achieve no psychological effect. He does not convey any message for the State Government and does not want to influence public opinion. The insane bomber mainly takes somebody hostage or shoots because of personal reasons. The terrorists have political intentions and want to achieve a violent and psychological effect and may have an organization in the background (Besenyő, 2016. 5.). Their aim is to spread terror to influence society by means of that. The person who threatens with bomb, usually has personal reasons to create panic so that I would describe him as an ordinary criminal but not as a terrorist.



Figure 1. Terrorist targeting objectives (by Hospitals. Potential indicators of terrorist activity, common vulnerabilities and protective measures 2007. (URL6)

The explosion in one of the most commonly used instruments of terror, induces a great panic, has a significant, spectacular impact and it is difficult to prevent. However, each institution must expect and be prepared for such situations. A bomb threat is designed to create panic. Every public danger (bomb) threat call has to be taken seriously and should be treated as if it were true (Pascal, 1977, 111). The vulnerability of the institution is real and requires constant readiness. These calls may be very common, and their motivation is to enforce or cause malfunction. The special method of defence shall be determined according to the nature of the received information.

Hospital safety and security

A lot of people, and security teams too, use these two expressions safety and security as synonym words. But they are not synonym. Safety is the prevention of accidents, not intentional cases, security is the prevention of malicious activities by people like robbery, terrorist activities etc. The safety and security can be defined as a system, having the task to protect the property of the institute as well as to provide a relative protection of all persons who interact with the institution and its environment. Security is not a static concept; it can be viewed as a fluctuating state or situation. As the environment and human circumstances change, so changes the protection status. These factors could be divided into three groups: the assets and rights of staff, patients' rights and valuables, as well as the risk factors affecting the operation of the hospital (Besenyő – Deák, 2010, 19.)

Some studies divide the hospital security threats in interior and exterior group. Harmful factors for hospitals can be divided into their origin and development:

1. external threats, such as natural disasters, terrorism, demonstrations, etc.
2. internal hazards. These are the factors that result from the operation and the health activities (Pascal, 1977, 111.).

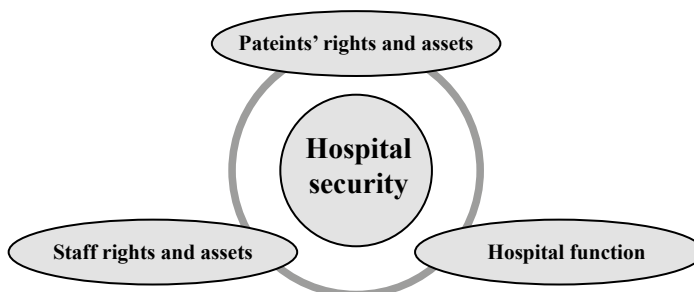


Figure 2. Hospital security threats (made by the author.)

Hospitals as soft targets

What does soft target mean? Soft Targets:

- Persons or things relatively unprotected or vulnerable, especially to a military or terrorist attack.
- More attractive to terrorists (significant casualties, economic/psychological). (URL5)

While there are many other soft targets, such as schools, sporting arenas, amusement parks, and theatres, hospitals have relatively unique vulnerabilities. Unlike other soft targets, hospital patients are often very sick or otherwise disabled, unable to ambulate, and hard to evacuate from a menacing situation damage (Fiuncane, 2017, 6.).

Hospitals have common vulnerabilities:

Visibility, accessibility and population: open to public with multiple entrances, metal detectors are rarely present, easy access by motorized vehicles, including parking close to hospital, potential for mass casualties, diverse staff, and lack of background checks. Presence of hazardous, toxic, and explosive materials: potential to spread dangerous chemicals, microbes, or radionuclides through the ventilation system, potential for explosions and fire, such as liquid fuel, or gasses or medical gasses, attractive theft targets such as radionuclides and pharmaceuticals, unprotected, easily accessible utility supplies (URL6). Hospitals, and the Emergency Departments in particular, are vulnerable and are real soft targets for terrorists aiming to destabilize society. Historically, one would think that one's hospital would not be targeted by international or domestic terrorists. Two researchers reviewed worldwide terrorist attacks on hospitals in the period 1981-2013 and collected data of approximately 100 attacks, altogether resulting in 775 casualties in 43 countries. They concluded that many health care workers have already been confronted with terrorism as a victim. The motives of the terrorists were diverse, ranging from ideas derived from nationalistic to communist to Islamic beliefs (Cauwer – Somville – Sabbe - Mortelmans, 2016, 99.). Not only do government authorities consider the medical and emergency sectors to be capital targets, both domestic and international terrorists also consider these sectors to be possible targets.

Terror acts against hospitals

I cannot discuss this topic without pointing out that I write about a very real problem even if experts consider terrorism only as a potential threat in Hun-

gary. In our country a bomb threat against hospitals is more likely to occur. In the following chapter I present some terrorist attacks against foreign hospitals.

14/06/1995 Chechnya

In the bloodiest years of the Chechen war an attack took place near the border of Chechnya. On 14th June 1995 Chechen armed forces occupied the whole city of Budyonovsk. Almost 1500 civilian hostages were taken by the militants led by Shamil Basaev. The hostages were detained for six months in the hospital and city health care. After six-months of awaiting the Russian troops besieged the city and the hospital. 129 people died and 500 people were wounded in the attack. 18 of them died later due to injuries (URL7).

2/08/2003 Mozdok

On the evening 02.08 2003. in Mozdok belonging to the Northern Ossetian Land (Russia), two suicide bombers draw a track loaded with explosives against a military hospital. The detonation of 100 kg TNT destroyed the building completely. In the explosion 42 people were killed and 78 were injured (URL8).

04/11/2005 Iraq

In Iraq, a bomb killed 30 people in a hospital courtyard. Because of the good security system, the bomber was not able to get into the hospital (URL9).

16/04/2010 Pakistan

At least eight people were killed, and 35 people injured in a bomb blast, which occurred in a hospital in the south-western Pakistani city of Quetta. Gunfire could be heard after the explosion of the civil hospital. Two policemen and a local television cameraman were among the casualties. The bomber detonated the explosives-filled jacket (URL10).

06/08/2010 Istanbul

In Istanbul, a bomb exploded in front of a hospital, precisely at the arrival of the police. 15 people were injured (URL11).

06/01/2010 Pakistan: Lahore

Five people, including three policemen were shot when four bombers wearing police uniforms rushed into the Jinnah Hospital's emergency department late in the evening. They wanted to save or kill a fellow patient who was injured in another attack. The bombers could not be apprehended they escaped (URL12).

Cyber-attacks:

05/2017 United Kingdom's National Health Service worm

WannaCry attack on the UK National Health Service (NHS) in May 2017. The UK National Audit Office reports: The attack led to a disruption of at least 34% of trusts in England although the Department and NHS England do not know the full extent of the disruption. On 12th May, National Health Service England initially identified 45 NHS organizations including 37 trusts that had been infected by the WannaCry ransomware. Over the following days, more organizations reported they had been affected. In total, at least 81 out of 236 trusts across England were affected (URL13).

01/2018 hackers had breached Norway's IT system of hospital

An incident in Norway illustrates that cyber espionage against the healthcare sector is a reality. In January 2018, it was revealed that hackers had breached an IT system at a hospital (URL14).

Attacks' consequences

Attacks on hospitals also could cause long-term effects: hospital units could be unavailable for a long time and replacing the staff could take several months, further complicating hospital operations. Both physical and psychological (e.g. posttraumatic stress disorder (PTSD) after-effects of a terrorist attack can be detrimental to health care services are most of the time civilians (Harald et.al., 2016, 22.).

Consequences of a successful attack on hospitals can be wide-ranging:

Public Health and Safety Consequences: large number of deaths and injuries, in a biological attack on a hospital, the agent could be spread to the community through hospital staff or patient visitors. The attack would also impact local and regional emergency and public health services.

Economic Consequences: the costs of a terrorist attack on a hospital could be very high for victims and families, hospital owners, and insurance companies.

Social and Institutional Consequences: a large-scale attack on a hospital, that caused many casualties, could result in a fear of using hospital services among in the general public (URL6).

Cyber-attack: cause infliction of economic and operation damages, data theft, endangering patients' lives, unauthorized access to personal data etc.

Regulatory liability, plans

In Hungary, the Decree of the Ministry of Health No. 29/2000. (X. 30.) requires health care institutions to prepare disaster plans (URL15). The response and preparedness plan are inserted into the disaster plan. The fire safety plan of the institutions includes the evacuation plans prepared for specific departments or buildings. No explicit instructions are made for bomb threat and other terrorist acts. These are included in the action plan for the policing of crime and noticing detection of suspicious people. Workers are not trained what to do in a terrorist attack. They get just fire protection training and do not participate in simulation exercises. The western hospitals put on detailed plans for a public danger threat. A great emphasis is given to logistics, communication and information. Their purpose: review of Security/Risk Management Plans to assess the threat of a terrorist attack including a vulnerability assessment and possible preventative actions (URL6; URL18). American and British hospitals carry out simulation trainings. They gain experiences and measure the evacuation time of the hospital. According to experiences, there is bad communication towards the healthcare staff, so that they do not know when and what to do, who should propose evacuation, and as a result there were congestions in the staircases and delays in patients' evacuations. Domestic experts should take into account the experiences of these simulations and include them in their plans (URL17). A Canadian hospital in Ontario created and standardized an emergency color code system for Ontario hospitals and, on that basis, a protection plan that is used in almost every hospital in Canada. Each hospital ward has a code-based preventive or protective plan. (Code Orange Alert-Emergency Preparedness/ disaster Response Plan-St. Thomas Elgin General Hospital- Canada 2011.15.)

INCIDENT	NAME
Fire	Code Red
Cardiac Arrest	Code Blue
Internal Evacuation	Code Green
Missing Patient	Code Yellow
Bomb Threat or search	Code Black
Violent Person	Code White
Chemical Spill	Code Brown
Neo-Natal Arrest	Code Pink
External Disaster	Code Orange

Figure 3. Canadian Windsor Hospital's emergency code (by Hospital Windsor –Emergency Codes–Canada. 2010.(URL16)

According to experts, color coding is important because the use of the word color is less likely to cause panic than a specific word for threat or emergency, such as the sound of a fire on the speakers. Several hospitals in the United States use this code system. In connection with a terrorist attack the U.S. Department of Homeland Security (DHS) has developed the color-coded

Homeland Security Advisory System to communicate with public safety officials (see 4 Figure.).

Alert Level		Description
Red	SEVERE	Severe risk of terrorist attack
Orange	HIGH	High risk of terrorist attack
Yellow	ELEVATED	Significant risk of terrorist attack
Blue	GUARDED	General risk of terrorist attack
Green	LOW	Low risk of terrorist attack

Figure 4. DHS Advisory System Alert Level (by U.S.-Homeland Security Review, 2007.30.)

These measures are intended as a guide, they are not requirements under any regulation and legislation. U.S. hospitals make their security plans using indicators. Example: imminent attack indicators, surveillance indicators, transactional and behavioural indicators etc. They made protective measures, which aim are to protect the facility against threats and to mitigate the effects of an attack. Protective measures are designed to meet one or more of the following objectives:

Devalue: lower the value of a facility for a terrorist, that is, make the facility less interesting as a target.

Detect: spot the presence of adversaries and/or dangerous materials and provide responders with information needed to mount an effective response.

Deter: make the facility more difficult to attack successfully.

Defend: respond to an attack to defeat adversaries, protect the facility, and mitigate any effects of an attack (URL6).

Summary

In my article I presented and insisted on the fact that it would be necessary for all hospitals to have a preparedness plan for terrorist attacks, whose effectiveness is demonstrated by the simulation trainings. They should collaborate with area hospitals and hospital associations to address the threat of a terrorist attack and how to minimize the threat and respond to possible terrorist attack, cooperate with local, state and federal officials to improve communication regarding the threat of a terrorist attack and to increase the funding needed to prevent such an attack. The hospital is a special institute with immobile patients; therefore, its evacuation needs special plans. Hospitals in Hungary have not created adequate plans to address terrorism beyond mass casualty events and are therefore vulnerable to direct attacks by terrorists. Hungarian hospitals should study the plans of Western hospitals and learn, get ideas and useful information from them.

We could see in the essay, that in many countries hospitals have been targets of terrorist attacks (mostly in conflict zones). Terrorism is highest level of violence and all the institutions within the critical infrastructure have to be prepared for the potential risk. Hospitals are soft targets, where it is very easy to cause mass panic, and to influence public opinion, what is the main purpose of terrorists.

I find it useful to use the colour codes used by foreign hospitals, even though, according to some experts, this would increase administrative work and cause more confusion in the institutes. I think using a color code system can help to avoid mass panic, as we know that in the case of a terrorist attack, panic is a dangerous factor and terrorists benefit from it. That hospital management carries out a good work, which thinks about secure future and protects the values of patients and of the staff in the institute. This includes continuous trainings for employees, testing of theoretical knowledge, simulation trainings, and preparation of precise action plans and scenarios.

References

- Besenyő, J. – Deák, G. (2010): *A biztonság új aspektusai: a kórházi személyzet biztonsága -A kórházi erőszakos cselekedetek megelőzése [New Aspects of Security: The hospital staff safety - The Prevention of Hospital Violence]*. Székesfehérvár: MH ÖHP Tudományos Tanácsának Kiadványa
- Besenyő, J. (2016): *Security preconditions: Understanding migratory routes*. Journal of Security and Sustainability Issues, 1, 5–26. DOI: 10.9770/jssi.2016.6.1(1)
- Code Orange Alert-Emergency Preparedness/disaster Response Plan-St.Thomas Elgin General Hospital- Canada 2011*. 15.(manuscript)
- Finucane, J. D. (2017): *Unhealthy complacency: The vulnerability of US hospitals to direct terrorist attacks*. American Society for Healthcare Risk Management of the American Hospital Association, 9, 6. DOI: <https://doi.org/10.1002/jhrm.21282>
- Deák, G. (2011): *Are Hungarian hospitals able to manage terror acts, bomb threats?* Tradecraft review, Periodical of the Scientific Board of Military Security Office Special issue, 1, 129-133.
- De Cauwer, H. (et.al.) (2016): *Hospitals: Soft Target for Terrorism?* Published online by Cambridge University Press, 94-100. DOI: <https://doi.org/10.1017/S1049023X16001217>
- John, E. N. (1983): *A Guide to Hospital Security*. Gower Publishing C.L. Aldershot, 10-18.
- Pascal, A. M. (1977): *Hospital Security and Safety*. Aspen System Corporation, Rockville, Maryland, 3, 111.
- Ráczkevy-Deák, G. (2013): *Görbe tükör: a magyar kórházak katasztrófavédelmi helyzete napjainkban [Curved Mirror: The recent Disaster Protection Situation of Hungarian Hospitals]*. Bolyai Szemle, 1, 177-180.

- Russel, L. C. (2010): *Hospital and Healthcare Security. Fifth Edition*. Boston: Butterworth-Heinemann, 10-15.
- Tálas, P. (2006): *A terrorizmus anatómiája [The anatomy of terrorism]*. Budapest: Zrínyi Kiadó, 66.

Online Links in This Article

- URL1: *Green Paper on a European Programme for Critical Infrastructure Protection*. <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52006DC0786&from=EN>
- URL2: 2080/2008. (VI. 30.) Kormány határozat a Kritikus Infrastruktúra Védelem Nemzeti Programjáról [Govern. Decree no. 2080/2008 on National Program of Critical Infrastructure Protection]. http://www.njt.hu/cgi_bin/njt_doc.cgi?docid=120562.173569
- URL3: *Terrorism 2002-2005*. <http://www.fbi.gov/stats-services/publications/terrorism-2002-2005>
- URL4: *United Nations: Measures to eliminate international terrorism*. <http://www.undemocracy.com/A-RES-49-60.pdf>
- URL5: John, E. (2016): *In the Crosshairs: Are Hospitals Targets for Terrorists Attacks?* <https://www.usconcealedcarry.com/blog/crosshairs-hospitals-targets-terrorists-attacks/>
- URL6: *U.S. Department of Homeland Security: Hospitals. Potential Indicators of Terrorist Activity, Common Vulnerabilities, and Protective Measures*. https://www.calhospitalprepare.org/sites/main/files/file-attachments/cvpijm_report_hospitals_2.pdf
- URL7: *Elfogták a bugyonnovszki csecsen támadás egy résztvevőjét [An accomplice of the Chechen attack in Budyonnovsk captured]*. <http://index.hu/kulfold/bugy9042/>
- URL8: *A kórház igazgatóját is felelősségre vonják a Mozdoki tragédia miatt [Also the director of the hospital is called to account because of the tragedy in Mozdok]*. <http://www.origo.hu/nagyvilag/20030802akorhaz.html>
- URL9: *The Sunday Times: 30 die in bomb attack on Iraq hospital*. <http://www.timesonline.co.uk/tol/news/world/iraq/article596165.ece>
- URL10: *Bomba robbant egy pakisztáni kórházban [Bomb explosion in a hospital in Pakistan]*. <http://hirek.myrss.hu/hir/243901/bomba-robbant-egy-pakisztani-korhazban.html>
- URL11: *Merénylet a kórház előtt [Attempt in front of the hospital]*. <http://hirek.myrss.hu/hir/292889/merenylet-a-korhaz-elott>
- URL12: *Pak tribune: Terrorists kill five in Lahore hospital attack*. <http://www.paktribune.com/news/index.shtml?228095>
- URL13: *A Cybersecurity Threat Model for a Combined Cyberattack against Hospitals and Terrorist Attack in Spain*. <http://www.fundacionasisa.org/documents/cybersecurity-threat-model.pdf>
- URL14: *The cyber threat against the Danish healthcare sector*. https://fe-ddis.dk/cfcs/publikationer/Documents/2018_Threat_Assessment_Cyber_Threat_Danish_Healthcare.pdf
- URL15: 29/2000. (X. 30.) EüM rendelet az egészségügyi intézmények katasztrófaterveinek tartalmi követelményeiről [Ministry of Healthcare decree 29/2000 (X.30.) on content require-

- ments of disaster protection plans in health institutions*]. http://njt.hu/cgi_bin/njt_doc.cgi?docid=48681.251927
- URL16: *Hospital Windsor Canada*. <https://www.wrh.on.ca/>
- URL17: *Hancock, Charles-Johnson, W. Chris (2005): Thinking the unthinkable. Exposing the Vulnerabilities in the NHS Response to coordinated terrorism actions*. http://www.dcs.gla.ac.uk/~johnson/papers/NHS_terrorism.pdf
- URL18: *Rogers, C. M.: The Rogers Law Firm Boston, MA: The Liability Risk of Hospitals as a Target of Terrorism*. http://www.ehcca.com/presentations/emsummit2/4_02.pdf
- URL19: *Nearly Half of the Norway Population Exposed in HealthCare Data Breach*. <https://thehackernews.com/2018/01/healthcare-data-breach.html>
- URL20: *UK hospital meltdown after ransomware worm uses NSA vuln to raid IT*. https://www.theregister.com/2017/05/12/nhs_hospital_shut_down_due_to_cyber_attack

Violetta Rottler – János Sallai

When changes went into effect: Hungarians from Transylvania permitted to cross the Western border from 1985

Abstract

In the final years of socialism, Hungarians in Transylvania were going through the fires of adversity. Their circumstances were also enhanced by the significant tension at the time between the Romanian and Hungarian parties and government authorities. The circumstances of the Hungarians living in Romania were to be relieved by the strictly confidential action that permitted those being in Hungary legally to secretly travel on to Austria or Yugoslavia.

Keywords: border, border check, border force, traffic checkpoint, Romanian, Hungarian, border guard, passport controller

It has been thirty years in 2019 that we brought down the iron curtain, made a breach on the Berlin Wall and we permitted East German refugees to leave. In the last thirty years we commemorated the events repetitively, and on a five-year basis sometimes boisterously. In the meantime, we seemed to forget that 5 years prior to the dismantlement of the iron curtain, Hungarian individuals from Romania legally arriving in Hungary were permitted to leave secretly by our authorities, without any further action. At the same time, Romania let Transylvanian Saxons go to German Federal Republic (GFR) for a flat rate. Written proof was hardly found yet that was top secret, however, more professionals seemed to be aware about the suspicious release, and that secret was only disclosed after 2017. The executors were given orders only in words and even the contributing authorities could not be informed on the release of the Romanian citizens of Hungarian nationality. The Hungarian border adjacent with Romania was repeatedly redrawn in the last two centuries, as it was determined in international

contracts in 1888 (Sallai János, 2003, 51, 62-72.), 1920¹, 1940² and 1947³. As the rights for ethnic minorities were always breached, it also had an effect on the bilateral relations between the two states after the ruling of the new borders⁴, and the measures of local border traffic going into effect after the Romanian-Hungarian border was set in 1888, played a significant role up until Hungary and Romania joined the EU (Sallai - Grónás, 2005, 5.). Romania was regarded as an enemy during the First World War because of its membership in Little Entente, then both countries became German allies, although it did not mean they became friends. After the Second World War both countries changed friends and allies, became parts of the Soviet zone of influence and built socialism. The issues with ethnic minorities and the border were taboo topics in public in both socialist countries. A bilateral agreement on the local border traffic was in effect⁵ and the citizens of the neighbouring countries could visit each other's states but the asynchronicity in the relations could be felt (Sallai, 2000, 14.). It remained a question why these two amicable, allied⁶ countries waited 20 years so that their citizens could cross the adjacent border more easily than between the two world wars⁷, starting from the cross-border agreement in 1988. From as early as the 60s most Hungarian citizens could get their passports, therefore permission to travel into countries with friendly relations on easier terms, while travelling to Hungary for citizens of Hungarian nationalities in Romania had stringent criteria. The development of the two countries showed significant differences, regardless of being under the same roof. The author visited Romania in 1980 for the first time where he encountered huge poverty, lack of food and petrol at all times and in all places. Nothing could be more revealing than the fact that the party leaders from the two countries hardly ever met during their reigns for decades. However, one of

1 After the Treaty of Trianon.

2 After the second Vienna decision.

3 Act XVIII of 1947, in the subject of the enactment of the Paris peace treaty on 10 February 1947.

4 Decree Law 18 of 1964 of Presidential Council of the Hungarian People's Republic.

5 Decree Law 43 of 1969 of Presidential Council of the Hungarian People's Republic.

6 Both countries were founding members for the Warsaw Pact and Comecon.

7 By the Hungarian Government Regulation 7.934 M.E. in 1924 on the regulations signed with Romania on 16 April 1924 in Bucharest and its appendix (in Hungarian) „A kisebb határszéeli forgalom megkönnyítésére vonatkozó határozmányok” Main details: 1. The territorial scope is the same as it was discussed with the previous relations 2. The validity of the frontier card was 3 months which could have been extended 3. Settlements and administrative units that formed part of the Hungarian Border Districts were announced in 1927 by the P. Ü. M. Regulation 144.127/1927 4. Romanian administrative units were announced only in 1929 (The reason for the delay must have been the lack of agreement. It has to be noted here that no solution was found for solving the problems for those Hungarians living in deep Transylvania within the territorial scope. At the time visa regulations were in force between the two countries which was tackled flexibly by the Hungarian embassy of the time. 5. Similarly to the Czechoslovak relation, an individual regulation (115.941/1927 BM.) determined the rules of movement for the officials in charge at the joint border checkpoints.

the rare occasions were the meetings in Nagyvárad and Debrecen in 1977, they did not have any output. An amendment of the local border traffic agreement⁸ might have been resulted from the discussion as of both countries determined the application of the local border traffic agreement within 20 kilometres from the border. At the same time, citizens could make visits 12 times, each with a 6-day duration stay. A previous regulation of the Ministry of Interior⁹ excluded Szatmárnémeti and Nagyvárad. In the 1980s more and more Romanian citizens of Hungarian nationality made defection and left their fatherland or simply came over with valid local traffic permissions or passports and did not return because of being impoverished as it was to see clearly at the time. Due to the travelling of the citizens of both countries, the liaison between relatives and some news that rarely emerged in the media, it was straight forward in Hungary that the leadership of the Ceaușescu¹⁰-led party dictatorship was seceded from the working crowds of Romania, tension grew constantly between the Romanian state administration and the people, supply difficulties swept across our neighbouring country. Rationing of essential food and petrol was in force if those were available, power supply faltered, there were pre-announced power cuts in certain periods during daytime. Romanian citizens, mostly with Hungarian and German¹¹ nationalities ended up in migrating to or settling down in their mother countries, but some moved to Western Europe. The Hungarian minority living in Transylvania was weighed down by the discrimination applied against them and the elimination of villages, as part of Ceaușescu's politics. Nothing could be more significant, the supreme political body of that time the inimical NATO dealt with the situation of the Hungarian minority in Romania and Transylvania. They wrote: *'Hungarians mostly criticize the Romanization of education, as it will not just minimize the employment of Hungarians in high skilled jobs but endangers the presence of the Hungarian culture in Transylvania. President Ceaușescu's national policy is the outcome of the Romanian nationalism which forms the core of its foreign policy as well as its domestic policy aiming the establishment of a highly centralized national state'* (Benkei, A). In the 1960s US National Security Advisor Zbigniew Brzezinski was also deeply concerned with the two countries and the reason and source of the tensions between them (Brzezinski, 1968). The border relations between Hungary and Romania were constrained by

8 Decree Law 31 of 1977 of Presidential Council of the Hungarian People's Republic.

9 Interior Ministry Regulation 1 of 1970 (I.11.)

10 Nicolae Ceaușescu 26 January 1918, Târgoviște – 25 December 1989, General Secretary, the dictator of Romania from 1965 until his execution in 1989.

11 Romanian citizens with German (Saxon) nationality were bought by GFR on a flat rate therefore these people could travel to GFR to settle down. When the Saxon region was abandoned, Romanians could move in.

the previously accepted extradition agreement which stipulated that Romanian citizens crossing the border of Hungary illegally have to be returned to the Romanian border authorities and those people could anticipate imprisonment and flogging. The refusal of the Ceaușescu dictatorship is well illustrated as there were no illegal trespassers from Hungary to Romania but there were many from Romania to Hungary, not only Hungarians but Romanians as well who tried to cross the border, some of them at the crossing points. The legal border traffic between Romania and Hungary that time was showing a dynamic growth. Compared to the 1960s and 1970s, the Romanian-Hungarian border traffic grew by several millions. Likewise, the number of captured citizens of Romanian nationality crossing the border illegally also grew dynamically. While in the early 1980s it meant 2-300 detainees, this figure went up to nearly a thousand in 1987. In 1988 it exceeded seven thousand, of which a significant amount was captured at the Romanian-Hungarian border, while others were held captive either in the Western part of the country or at traffic check points (FEP in Hungarian)¹². The latter entered into Hungary legally but tried to travel on to Western Europe through Austria illegally. The relation between the political leaders of Hungary and Romania was uptight as they could only meet at national holidays and mandatory protocol visits, apart from the compulsory Comecon and Warsaw Pact top conferences. Measures (like the elimination of villages¹³) that deeply affected the Hungarians in Romania, was seriously noticed by the political leaders of Hungary. There was a very narrow chance to arrange the issue within the frameworks at the time, thus they decided not to check the territorial and temporal validity of passports for those who were heading for the West but let them go. *The leaders of the Hungarian Socialist Workers' Party were deeply concerned with the circumstances of Hungarians over the border but did not see any chance of raising pressure on the Romanian party to get any result* (Földes, 2007, 301.). A dissection about the interior affairs and foreign policy of Romania compiled by the Ministry of Foreign Affairs of Hungary in 1985 (same as above, 340.) marked a decline in the Hungarian-Romanian relations. That time it was publicly known that Romania had been forcefully and rapidly repaying its foreign debts with the consequences of decreasing standards of living, consumption was highly restricted which led to ever-growing tension in society. These were just added to the personality cult of the political leaders, Ceaușescu and his nationalist policy.¹⁴

12 FEP – in Hungarian – Traffic Control Point, today's border crossings.

13 Nicolae Ceaușescu head of party and state announced the formations of agricultural centres hence the elimination of villages commenced that hit the Hungarians settlements disproportionately.

14 'Romanian politics sees the Hungarian minority as they potentially endanger the territorial unity of the country. They are forcing the assimilation of the Hungarians, to confine the Hungarian consciousness.

The tension led to the increasing number of illegal border trespassing by citizens of Hungarian, Saxon and Romanian nationality. The situation was aggravated by the crisis at the Hungarian-Romanian border, therefore *Hungarian tourists were implicated in a stricter border check. This seriousness had already been unmistakable by 1984 when 2790 Hungarian citizens were forced to return back to Hungary between April and 1st December due to possessing unpermitted press materials, books, etc. In the first five months of 1985 this number went up to nearly 1500* (Földes, 2007, 354.). The number of people resettled in Hungary also showed a constant growth.¹⁵

The poor Romanian-Hungarian relation affected the internal affairs in Hungary. This was also supported by statements from some of the top party leaders. Patriotic People's Front leader, Imre Pozsgai¹⁶ also pointed out the absurdity of the ethnic minorities living in Romania and the theory of Roman continuity. Pál Losonczi raised his voice with more power in his election campaign of 1985 saying: *'we protest against the constant ripping up the old sores of the past, like we do against fantasy weaves and the falsification of history, clearly or impliedly* (Népszabadság, 31. May 1985). Losonczi highlighted the following at the end of his campaign speech regarding neighbourhood and policy on ethnic minorities: *'equal rights, native tongue, the protection of rights, equal financial and culture standards.'* (Földes, i.m. 346.) The circumstances of Hungarians living over the boarder became common in daily political conversations and it got apparent that the Hungarian political leaders did not sweep the questions under the rug, due to the pressure from the renascent opposition at the time. Confrontation, however, was avoided with Romania due to their belonging to the same camp, but the times were changing. Romania was then one of the remainders of the Stalin-like dictatorships among the countries in the Warsaw Pact and Comecon. At the same time in Europe, the spirit of perestroika and glasnost was taking over and their effects were obvious in everyday life and administration. A glaring example for this is the circular letter¹⁷, written in the spirit of changes in one copy only, qualified as *'Top secret, highly important'* by the Ministry of Interior, Border Force Headquarters, and which introduced a specific procedure for Romanian¹⁸ citizens from 15 July 1985 (Határőrségi iratok. XIX-B-10). The rules were different to the ones that were in effect for foreigners: *'certain*

15 1983: 540 persons; 1984: 887 persons; 1985: 1166 persons.

16 *'Hungary believes that only good neighbourship, the strengthening of the community with our brother nations has to be followed, not the self-justification certified by the falsification of history, casting up old grievance, be they old or believed'* Source (in Hungarian): Minutes titled Az MSZMP XIII. kongresszusának jegyzőkönyve (Budapest, 1985, 418.).

17 Circular letters were one of the written measures of military administration at the time.

18 The word Romanian had to be interpreted as Hungarian.

Romanian citizens’,¹⁹ travelling to Hungary with valid passports and intended to travel on via Ferihegy Checkpoint or West-South Checkpoints but did not have permission to enter in Yugoslavia, Austria or any other Western country, were checked according to the procedure in force and after the data entry they had to be permitted to leave Hungary by the passport control officer²⁰. Only the top leaders of particular districts of the country, the checkpoints and the reconnaissance were involved in to handle the progress and to avoid hitches. The passport control officers were only given the most essential information needed to perform their duties. Only personal data and passport numbers were collected from the Romanian citizens who were permitted to leave the country. After the data entry the passport control officer stamped ‘*Permitted to leave*’ on the data form and forwarded it to the officer in charge of the particular checkpoint. These forms were collected by the officer in charge and forwarded in a sealed envelope to the head of the reconnaissance of the district as of the internal regulations. From each district then were sent to the Head of the Department of Reconnaissance of the Border Forces who collected and stored them in a separated folder. This was not applicable to those Romanian citizens who were captured while carrying out non-permitted crossing as of the introduction (at the Western and Southern borders). Following their capture, they always had to be returned to the Romanian authorities, by the permission of the Head of the Department of Reconnaissance of the Border Forces, according to the practice in force, as soon as possible. The circular letter also contained the following instructions to follow: *‘the information on the Romanian citizens captured at the adjacent border for non-permitted crossing shall be forwarded to the Romanian border force authorities only if required and slowly* (Határőrségi iratok. XIX-B-10). At the same time (in opposition to the international agreement in force) no citizens of other socialist countries were involved in such process by the authorities of Hungary. Besides the illegal border crossing, there was the category of trespassing unintentionally. As the regulation in force reads²¹: *Those who cross the border unintentionally or beyond his or her control, have to be returned to the place of departure unless he or she, after crossing the border, committed a*

19 It had to be interpreted as Hungarians, as of oral command.

20 It has to be noted that in many cases some of these leavers were refused to enter Austria and was returned by the Austrian authorities then those were instructed to go rather down from the border and later tried to leave via the green border, for example north of Hegyeshalom, or to the south where the border was equipped with the electronic Security System.

21 Decree Law 18 of 1964 of Presidential Council of the Hungarian People’s Republic, on the announcement of the contract between the Government of the Hungarian People’s Republic and the Government of the Romanian People’s Republic on the operation and cooperation on border issues, signed on 13 June, 1963.

criminal act or offence that is ordered to be assessed and punished by the state where the perpetrator was captured.’ (Same as above, Article 44)

The above marked was confirmed by the Circular letter and instructed the district headquarters in Orosháza and Nyírbátor to return the citizens crossing the border unintentionally to the Romanian authorities at short notice. The situation demanded the staff in charge at border points to be highly accurate, tactful and discreet, as well as *‘not to create sensation’*, to show enhanced alertness and obtain information – at least with regards to Romania. All cases at the Romanian-Hungarian border that were accidentally out of the ordinary or agreements (like harassment of travellers on the way to Hungary) had to be reported over the telegram device. For carrying out the measures determined in the Circular letter and for the interest of the Romanian-Hungarian international relations, the duties *‘shall be executed with the strict application of confidentiality and conspiracy. The affected Romanian authorities and citizens must not be made aware or realize of any part of our procedure.’* (Határőrségi iratok. XIX-B-10). Information could have been stored and forwarded only in sealed envelope, with FAO addressing, as of the rules demanded. The circular letter was not allowed to be copied. The leaders of the particular department, the district commanders, chiefs of staff, the chief and the deputy of the reconnaissance department, checkpoint executives, the commanders and deputy commanders at checkpoints, checkpoint officials in charge and passport control officials were only aware of the above. The latter ones only in scope which was essential to carry out their duties as it was determined in paragraph I/1. of the Circular letter. The Circular letter had been in force for about a month when a Romanian citizen with Hungarian nationality in Budapest thought of attempting to leave Hungary through Austria. What happened next? Here is a reminiscence of an authentic participant who was able to get to Austria from Romania through Hegyeshalom:

‘I entered Hungary from Romania in my Trabant on 1st August 1985. I was accompanied by my mother who had become widow not long before. We had to get out from Romania as were being persecuted by Securitate.’

I heard at home that nearly a week before two married couples had managed to leave Hungary through Austria, but no one knew how they did it. (Emphasis SJ). We were quite decided about it that we would set off and leave for good.

I was looking for opportunities, asking questions, contacted others abroad but unfortunately did not obtain any information on how we could ‘escape’. The ‘little window’ in our passports permitted us to enter Hungary-Czechoslovakia-GDR-Poland only.

Without any prior information, only following my instinct I turned left after Mosonmagyaróvár in the evening of 15 August 1985. The border officer with nearly five-six hundred metres before Hegyeshalom check point spotted us, ordered us to pull over as seeing the Romanian registration plate. He asked what we did there. We replied: 'We are lost, we were heading to Pozsony but ended up here.' 'You must turn back here, Rajka is over there.'

'Could not we visit Vienna by night, if we are here?' 'I see, so you wish to enter Austria?' 'Yes, as we ended up here, we would visit Vienna then we will return to Pozsony then we will continue towards GDR.'

The phone started to ring in the office behind. 'Comrade Lieutenant, I am reporting, nothing special. Well, yes, here are two Romanians, lost their way, would go to Pozsony but now they are asking if they could go over to Austria. Yes, yes, a family, or rather a mother and her son. Yes, they are speaking in Hungarian. Yes, I am letting them know...'

Then he turned to me saying yes, we shall go to the checkpoint. 'Who should we look for there?' 'You have already been being waited.'

We were instructed to use the diplomats' lane, two officials promptly appeared, one of them took our passports, and the other stayed with us till the end. 'Well, where to? Where to?' 'Look, we would have liked to go to Pozsony but we lost our way therefore I thought, as we are here, we would like to have a look at Vienna then after we will go back to Pozsony... 'Lady, tell me what is the destination of your trip? Pozsony, then GDR, then we are planning our return through Poland.' 'Lady, look into my eyes: the destination of your trip?'

I did not dare to say a word.

Won't it be Germany accidentally? Isn't it GFR?' 'Look, Sir, you are well aware of it, if you let us go now, of course we will end up there, in West Germany.' 'Well, now you are talking, a couple of minutes and you can leave.'

I think, I should not describe our excitement and state of mind...

In the meantime, he is looking at my newly renewed Trabant amazed, as I have built in a lot of gadgets. 'What are these buttons for? It turned out, he also has a Trabant...'

'Sir, can we really go over?' 'Yes, take it easy, we have also let another family from Transylvania go. Everything will be all right'. 'Sir, please write me down your name, address, I will gift you the Trabant.'

I was astounded by his response. 'No, lady, forget my face, forget that you were here, there will be no trace of it in your passport. You will need this Trabant even more there, especially in the beginning.'

This lasted for about ten minutes, while some other border officers were passing us by, saw the Romanian registration, they knew exactly what was going on.

*They were smiling at us, encouraging us. 'Well, you are going out, going out?' 'Get lucky in the new life!' 'We got our passports back, no stamp, and no sign of our visit there. Barrier up, we rolled into Austria.'*²²

The instructions set out in the Circular Letter were presumably applied as there was no sign of any event occurred by the measures either Romanian complaint or international list. Because of its top secret category, we still do not know as of today who and how many could cross the Border of Hungary, we have only estimated data that mentions 3.500 persons. We cannot know either if there were agents among them or any Romanian citizen without Hungarian background, because it was not only Hungarians who wanted to leave Romania. In terms of the data it can be annoying that among them, who were permitted to leave at the time, there might have been Saxons from Transylvania to settle down in GFR (Gyarmati, 2009, 39-63.). Parallel with the above, the number of Romanian citizens with Hungarian nationality to settle down increased, as well as the numbers of those people who entered Hungary legally but without willing to return to Romania. The increase must have been highly motivated by the growing tension on the side of the Romanian dictatorship, Hungarian TV and radio broadcasts, bilingual signs were terminated, and Hungarian book releases were withheld. However, the Romanian authorities did not report anything on the positive discrimination by the measures of the Hungarian authorities, but they experienced a constantly growing number of legal and illegal leavers as their deep border surveillance was strengthened near Hungary, installed different technical appliances and introduced a comprehensive check on the railway lines and roads. As it was experienced by the representatives of the Hungarian Border Forces, that the previous *'mild climate became more formal, the mandatory meetings did not help the Hungarian party in its work.'* (Szabó - Bakondi, 1993, 46.)

Following the circular letter entering into force, not only the number of the legally permitted incoming travellers increased continuously, but also of those who settled down in Hungary. According to a press conference held in the middle of 1988, the figures of 1986 were doubled in 1987, from 3284 to 6499. (In Hungarian: Magyar Hírlap, 29 January 1988) At the commanders' meeting of the Border Forces on 13 March 1987, Jenő Földesi deputy Interior Minister commented the current situation and anticipations. *'We can say, comrades, that there are calm breezes blowing from the North, a part of the East and the South. There is no such wind that would divert the attention of the Border Forces, either*

22 Excerpt from the interview with the Romanian citizen of Hungarian nationality who crossed the border under the mission.

would or could influence it. It has only been influenced by; comrades, progress, tendency, the growing traffic at the border, compared to the previous seasons.’ (Sallai, 2012, 40.) I believe, the then Interior Undersecretary pictured the winds of changes well and that determined the performance of the Border Forces in the time of the system change. It was all made possible by the policy of the new Soviet secretary general, Mikhail Gorbachev from 1985 that led to an individual decision in Hungary to dismantle the iron curtain. At the same time, the confidentiality of permissions of Hungarian nationals to leave had to be secured as it was not worth underestimating the alertness of the Romanian secret service (Bottoni - Stefano, 2013, 79–118.). The temporal scope of the ‘Circular letter’ was terminated by the revolution in Romania in December 1989²³ and subsequently Romanian citizens could travel more freely, hence those with Hungarian nationality and there were no need for further positive discriminative measures to perform. At the same time the progress pictured above, the situation of the Hungarians living in Romania, their escaping to Hungary catalysed the preparations for Hungary to join the Geneva Conventions in 1989.

These lines are not a summary: ‘Leaking out of the Romanian citizens was a highly organized, top secret and centralized operation about which all knew who were affected but only to that extent which was necessary. Border force officials, soldiers were all aware of what was happening, they acknowledged the importance of the operation and complied with the conspiracy fully. During my research I spoke to several border force officials who told that nobody had seen any written orders, they followed only oral commands. The significance and the conspiracy for the operations were so imprinting that nobody would like to talk about it, even today.’²⁴

References

Benkei, A.: *A magyar kisebbség helyzete Romániában: újabb megpróbáltatások [The situation of the Hungarian minority in Romania: newer exertions]*. The presentation by András Benkei on the NATO-report, 1 June 1978 BM KI miniszteri iratok. In: Révész, B. (2009): *A magyar — román viszony probléma történetéből az 1980-as években [About the problem history of the Hungarian-Romanian relationship in the 1980th]*. Acta Universitatis Szegediensis, 72, 1-22.

23 This revolution terminated Ceaușescu’s unlimited power and dictatorship.

24 Excerpt from the interview with the Romanian citizen of Hungarian nationality who crossed the border under the mission.

- Brzezinski, Z. (1968): *A megosztottság alternatívája [The alternative of devidedness]*. Budapest: Kossuth Kiadó
- Bottoni, S. (2013): *Vonakodó kémek, A magyar állambiztonság és Románia, 1975–1989 [Reluctant spies, The Hungarian state security and Romania]*. Történelmi Szemle, 1, 79-118.
- Földes, Gy. (2007): *Magyarország, Románia és a nemzeti kérdés 1956-1989 [Hungary, Romania and the national question]*. Budapest: Napvilág Kiadó, 301.
- Gyarmati, Gy. (2009): *A vasfüggöny és az állambiztonsági szervek alkonya Magyarországon 1989-ben [Doom of the iron curtain and of the state security organs in Hungary in 1989]*. Múltunk, 4, 39-63.
- Sallai, J. (2003): *Az 1888-as magyar-román határszerződés [The Hungarian-Romanian border pact in 1888]*. Belügyi Szemle, 6, 62-72.
- Sallai, J. – Grónás, J. (2005): *Kishatárforgalom története és jövője az EU-ban [History and the future of small border traffic in the EU]*. Hadtudomány, 15, 5.
- Sallai, J. (2005): *A schengeni folyamat és a magyar-ukrán, magyar-román államhatár jövője [The Schengen process and the future of the Hungarian-Ukrainian and the Hungarian-Romanian state border]*. In: Baranyi, B. (szerk.) *Közelítések: A határon átnyúló kapcsolatok kilátásai és a mezőgazdaság regionális kérdései az EU keleti peremén*. Debrecen, Magyarország: MTA Regionális Kutatások Központja, 59-70.
- Sallai, J. (2000): *A schengeni rendszer és a kishatárforgalom [The Schengen system and the small border traffic]*. In: Tóth, Judit (szerk.) *Schengen: A magyar-magyar kapcsolatok és az uniós vízumrendszer árnyékában*. Budapest: Lucidus Kiadó, 49-62.
- Sallai, J. (2012): *Egy idejét múlt korszak lenyomata. (A vasfüggöny története) [Imprint of an out of date era (The history of the iron curtain)]* Budapest: Hanns Seidel, 40.
- Szabó, J. – Bakondi, Gy. – Sándor, V. (szerk.) (1993): *A Magyar Határőrség a rendszerváltás folyamatában [Hungarian Border Guarding in the process of the system change]*. Budapest: BM Kiadó Budapest, 46.
- Magyar Hírlap*. 29 January 1988.
- Népszabadság*. 31 May 1985.
- In Hungarian: Circular letter of the Border Force Headquarters of the Ministry of Interior No. 0001/1985 for the procedures with Romanian citizens, Budapest, 9 July 1985, Magyar Nemzeti Levéltár. Határőrségi iratok. XIX-B-10.



András László Szabó

Scientific methods of public administration in migration research

Abstract

In my study, I list the directions of migration research, all from the point of view of public administration science. The emergence of migration research as an independent field is necessitated by the growth of migration. Researchers are researching the phenomenon of migration from their own field. Public administration uses a multidisciplinary, i.e. methodological approach of several disciplines, all of which is determined by the knowledge and nature of the subject of the given research. In the following, I review and evaluate the methodological directions of the research, which can provide an answer to a segment of the phenomenon of migration. The study gives an insight into research methods for migration research. It is not intended to present specific examples and procedures. At the end of the study, in possible directions, beyond the science of public administration, I list the organizations and faculties that are able to use the methodology of migration research.

Keywords: scientific research, migration, public administration, methods, development

Researchers have not addressed the phenomenon of migration comprehensively so far. They have always been looking for only the current solutions. Terrorism has been studied from the point of view of labor force, legal interpretation of the market situation, demographic influence, crime, social habits, integration of religion or security. In other words, the relations among them have not been reviewed. The most relevant organisational system in terms with the phenomenon of migration is the state and public administration system. That is why I have chosen this area to examine the phenomenon. The research methodology of public administration allows a wide range of solutions and applications,

since the relation between the state and the people and also the administration is the case. The methodology of every science appears in public administration. It uses interdisciplinary and diverse fields of science that is why it is multidisciplinary methodology. Or, as it is named by politics, it is hybrid methodology. This feature of it will be derived from my own methodological overview of my research on the phenomenon of migration, from empirical understanding, through the international comparison method, to the possible evolution of research methods and thus till the methodology of public administration. In case of researching any phenomenon, it is essential to explain and know them conceptually. Migration has multiple definitions or notions in the academic world. For me, the following definition covers the phenomenon the most. Migration is a process in which the persons change residence and society in a manner that such change either becomes temporary or permanent (Póczik, 2011). I have included both legal (legal and illegal refugees, asylum seekers, protected persons) and non-legal (economic refugee, climate refugee) categories in the concept of migration. The next step is the process of legal background. From the point of view of public administration, the phenomenon and the legislator's answers give the basis for examining the organizations and procedures. Finally, we have to decide what, where and by which method to be examined. Hungary is not a destination for immigration to the same extent as, for example, Germany, and fortunately terrorism also avoids our country. But it is influenced especially by the happenings in the countries of the European Union, mainly in the area of border protection and law enforcement bodies of security of the citizens. Responding to this effect, the emergence and identification of risk, the appearance and types of conflicts are the primary determinants of my research. The second level is determining the expectation system of the state and the government. The citizens' expectations appear on the voter wants on local and national level, it is clearly visible on international level such as Great British Brexit deciding on quitting the European Union, it will also play an important role in the Austrian and the Hungarian election campaign as well. It divides and makes both the everyday and the scientific world on international and national level. A typical case of population movement is the labour force migration that has been taking place for centuries. In addition to the intention to work, several other factors increase willingness to migrate. Religious, ethnic, and political migration also dates back to hundreds or thousands of years. Recently, the combination of political and economic factors can be more and more observed in migratory motivation.

The science base methodology

Everyone knows or has heard about something about migration, or they have their opinion about it. The following question arises: how can a phenomenon which has no indirect appearance be examined? It is undeniable that mass migration in Hungary in 2015 served as a tangible experience, but only for a specified period of time and at limited geographical areas. In other words, in my opinion, the unambiguous answer for the effect does not come from the researches done among refugees and migrants, though it may be a completion to it. But it is the research on the citizens and the communities of different ages and different expectations. Public administration research has serious tradition. The interdisciplinary approach indicated in the introduction had already appeared in the fundamental literature of Zoltán Magyary's research titled Fact finding methods in public administration (1939), in the book of Administration and people. A so-called multidisciplinary methodology was used in this research. Thus, the method of induction is still essential for understanding the function of the state. Research today has a so-called holistic view. That means, regardless of the input, it examines and analyzes all the connections, relationships and effects. The results are not representative, but general conclusions and correlations can be drawn from them. They can mark the route for further research; determine the location and the method of intervention. The research is of an applied nature, as it suggests a solution and also scientific because it does not exclude the research of further questions. According to my view, the evolution of methods, the increased number of elements, the extension of the studied area, the technical, computer analysis have become more modern. In point of methodological principles the research should be the fundamental reading for every researcher who deals with the science of public administration.

The concept of cognition

The phenomena appear on the researcher's field of vision as research problems. This may be due to the lack of information about the phenomenon, learning about the problem might require a deeper knowledge. Cognition can be casual and scientific. The concept of cognition: *“The activity in which objective reality is reflected [...] starts from practice as the source of cognition, and after sensual knowledge it returns to the knowledge and practice of the established knowledge. Information is a fact that we have not owned before the process of learning about. The information from which we know a particular fact is*

also known as data. “ (Hornycsek, 2014, 33.) In other phrasing, the scientific cognition is the conscious, deliberate, pre-planned, regular and systematic exploration of reality, but we can not forget about unintended, unintentional scientific discoveries. Some branches of science focus on knowing a particular area of reality by examining a particular phenomenon with a distinctive set of terms and methods. Each discipline has its own specific methodology, with the help of which the examined can be understood the most easily. One of the criteria of the scientific knowledge is to be repeatable by anyone (other scholars) (Sztárayné, 2013). Common cognition is the public opinion which can not influence scientific knowledge. Researcher attitudes and autonomy require an invaluable value judgment. Subjectivity can not be fully excluded, but one must strive for it. This is how the three principles of scientific research, i.e. the generalization, reliability and validity can be achieved. It is reliable if other researchers repeat the research with the applied methods, at different time and get the same results. It is valid if the area is relevant and researchable, the applied methods are suitable for the scientific cognition of the area and we really measured what we wanted. And I can note everything is affected by the margin of error. There is no research without error. The size of the error indicates the effectiveness of the research. So, we have a research problem, we have processed the literature, defined concepts. Let’s have a look at which public administration-science methods can be applied in research.

Research Methodologies

Research should be planned. For this, it is essential to know the relevant scientific researches and to define our own possibilities and limits. We should take less but more accurately. The next step is determining the research from the point of view of time and location. As for time, this can be a historical throwback or a snapshot. As for the region, the subjects of the research are mainly Hungarians and Hungarians beyond the border, including the effects on the occupants in the country which are caused by the Hungarian citizens working or living abroad. The subjects are individuals, communities and institutions. This is a comparative methodology between Hungary and selected European Union countries. The research focuses on mainly domestic circumstances. Then it will be extended to other countries by processing and analyzing data. So, after we have determined the research problem and the research questions, we have to assign the goals and methods to be achieved. In the following, I examine the two largest research methods, the quantitative and qualitative methodology.

Quantitative methodology

If we are to separate the quantitative and qualitative methodology from each other, the easiest way is to imagine a scale at the one end of which there is the survey and at the other one, the life cycle of unstructured interviews.

Quantitative methodology: As its name also shows, this works with numbers. It supposes that the human behavior can be measured and analyzed. Its purpose is to break down this measurable data into numbers. Typically, statistical data and large databases are the so-called Big Data Analysis. Slowly all events of our life occur in the virtual space. A large amount of data is accumulated that can be broken down to researchable and interpretable data with the help of appropriate computer programmes. It has the advantage that many interpretations can be deduced from it. It is more objective and more scientific than the qualitative method. This means that the subjectivity of the researcher is presented in a lesser extent in the interpretation of the results. It can be relatively quickly conducted. Its further advantage is that it is relatively inexpensive. The program must be purchased once and can be applied for other databases as well. If we intend to know something about the social perception of migration, we can already create and send a questionnaire online. Those data which have been recorded will not need to be added again. They should only be properly interpreted. With newer programmes we can get new results and conclusions. These are the so-called secondary research data, statistical surveys in European and Hungarian databases e.g. EUROBAROMETER, EUROSTAT, KSI, ENYÜBS, TARKI. In the research written by Zoltán Magyary, which has already been mentioned in the introduction, for the necessity of detachment and the application of statistical data, provided in the publications of the Central Statistical Office issued by the Tata district county branch office is served as the source. The method uses the interpretation of deductivity. So, it goes from the general to the individual. It is suitable for proving or disproving scientific theories. This is a methodology dealing with the so-called hard data.

The applicability of the method in terms of the migration phenomenon

It is a clearly workable method. The large number of elements allows the research to be representative. The number of refugees and migrants can be examined with the help of it. Also, the below one can be subject of examination: The percentage of the distribution in the host country. Costs that they spend

on housing, language learning, education and the economic benefits and revenues generated by them. Their participation in the labor market or among the unemployed. Their number and their distribution in crime. Their geographical distribution in the country. The number of recipients and applicants. The distribution of gender, age, originating region, country, Their impact on functioning of the state and administration.

The country's public opinion and attitude

We can gain a lot of useful information from using this method. Cause-effect relations can be recognized, and theories can be formed. The basic question is why it happens. That is, we are looking for the cause.

Qualitative methodology

Qualitative methodology. They are the primary research data. The qualitative interview. It is a significant difference that in a traditional interview we want to introduce someone, to make interesting for viewers, listeners, that is to say, basically an interview form which is related to journalism. However, in this methodology, we want to know what the person thinks about a given issue, their opinion is important in a scientific topic. This can be an expert interview and range from structured interview to deep-case case studies. By the qualitative field research, we can even better understand the way of thinking of a given community and individual. This method requires a great deal of empathy and it takes a lot of time until we own an adequate number of elements or knowledge. Necessarily, the researcher's individuality, sensitivity and communication are very important for the successful research. It is a focus group method. Methodologically it lags with the method of induction, which generalises from the individual. Induction: *"The induction, in which we move from the individual towards the general: we do observations, look for relations between our observations, and then get to our conclusions, that is, the theory. In experimental scientific researches, research activity takes place in an empirical cycle: the accepted items and the hypotheses derived from them are indispensable (deduction), just like hypothesis-based and generalization (induction) based on observations"* (Babbie, 2003, 39.). It is a so-called soft data methodology.

The applicability of the method in terms of the migration phenomenon

It is a clearly workable method. The interviews and focus groups make it possible to capture intelligent and generalizable data on individual and group level of understanding. The advantage of the qualitative methodology is the same as its disadvantage, i.e. the interpretive approach, according to which social relations cannot be scientifically examined, as the focus of the research is the person, who owns sense of mind and free will. We can understand how people relate to the phenomenon of migration as individuals.

Legislative methodology

The correct interpretation of the law is indispensable to the cultivation of science and research in public administration conditions. *“I see the main function of a law interpretation is that it allows me to describe and analyze an aspect of judicial (or jurisprudence) practices by creating a suitable conceptual framework and methodology.”* (Blutman, 2007, 3.) The administrative rules and laws, regulations and decisions provide the framework for the function of administration. *“... public administration can not be conceived without law, which regulates it and which uses as a tool in its functions, and the law researches which are to reveal inner inevitabilities are essential for the development of state administration.”* (Madarász, 1987, 9.) As Zoltán Hautzinger puts it: *“The application of law is not homogenous in the Hungarian judicial system either. The legal consequences of illegal immigration (entry, residence) may result from norms outside of criminal law, but they can also be found amongst the provisions of the same. The law of immigration policing can come into play primarily owing to its efficiency, and especially the primacy of the social interest in the earliest possible elimination of the circumstances resulting from illegal entry or residence.”* (Hautzinger, 2016, 16.) He also adds the following: *“The immigration policing proceeding with the ordering of expulsion, and, if necessary the application of deportation (not including the asylum proceeding), eliminates illegal residence regardless of the possibility of applying any further sanctions otherwise resulting from the penalty originating from the immigration policing sanction.”* (Hautzinger, 2016, 17.)

Applicability of the method for migration phenomenon

The method is suitable for getting familiar with the phenomenon of migration. It is important to do research on the basis of laws which are currently in force. The phenomenon of migration to immigration is the reception of refugees as a formal legal procedure. This is the basis for all migration-related science work.

Historical Comparative Methodology

In other words, comparative theory: “*Historical comparison is an explicit and systematic confrontation of two or more past societies of different contexts in order to either define and explain their similarities and differences, or in addition to create hypotheses about the development of societies and examining the validity of scientific theories*” (Tomka, 2005, 20.) It has more and more reasons: “*A comparative approach can offer an alternative to the traditional, nation-oriented conceptualization.*” (Varga, 2014, 453.) Four possible types of historical comparative methodology are known by the literature: Descriptive, Analytic, Heuristic, Paradigmatic. When using this method, first you need to clarify what is compared to what. That is, the two phenomena must be comparable. Then the appropriate method can be selected from the above four types. The comparative method of historical law also belongs to here, which means how legislation and laws have changed, developed, and what differences they show in case of a breakdown for example by country.

The applicability of the method in terms of the migration phenomenon

The method can be used well. It is essential to know the different nature and interpretation of migration in relation to nation states, regions, communities and individuals. The procedures here are basically administrative procedures and the operation of organizations are in the context of migration and immigration. The comparison of international laws and governmental regulations help a lot interpreting the phenomenon and in learning about the effects.

Anthropological methodology

With the anthropological fieldwork, or with other term, the stationing fieldwork has focused on the study and research of remote peoples and cultures for a long time. We can state that by today we can hardly find new landscapes and people to be discovered. Quite on the contrary, the world has become an intense movement due to globalization. This opens new areas for the use of anthropological methods. The world comes closer, cultures mix or collide. There has never been such a huge need for the methods examining the cohabitation of people from different cultures as there is it today. A great phrase for anthropological fieldwork: *“Frankly, similarly to any other scientific enterprise, the legitimacy of field work is not the extent to which the individual serves the common good, but much rather its contribution to his personal build-up. Scientific research, just like monastic life, is in fact about improving man’s own soul”* (Barley, 2006, 11.) It defines the essence of the method as follows: *“At every level, all kinds of interpretations have to be taken into account if one wanted to remain faithful to their thinking.”* (Barley, 2006, 12.)

The applicability of the method in terms of the migration phenomenon

The anthropological methodology is called as village research method in the study of Zoltán Magyary, which has been mentioned several times. Obviously, ethnographic (son etnográf) and anthropological methods are different from each other but it is clear that this approach played an important role in the method of public administration science by getting to know people and the region. The disadvantage of the method is the same as its advantage that is being time-consuming. Migration is changing so fast that, according to my view, today's large-scale, long-term anthropological researches can no longer be used properly. Or they need to take a really long time, several years because then the intermediate changes can be observed as well.

European-international research methodology

The international literature about Europisation is very small. It has no specific, developed methodology. The methodology of European Union and the International Research was defined by scientists based on a specific research as per

the following “.. *during examining political institutions and actors, document analysis (electoral and government programs), interviews (diplomats, judges, politicians) and the methods of exploring the literature could be applied. In regards the European identity, Eurobarometer data have been used for secondary analysis.*” (Arató-Koller, 2014, 378.) In other words, the researcher basically works with documents and secondary statistics. This allows quick access, interpretation, and publishing.

The applicability of the method in terms of the migration phenomenon:

It is a methodology, which can be applied properly. Documents of international organizations are available, and many analyzes have been made in terms of migration. They can be linked to statistical information but can also be linked to universities.

Research ethical issues

Prior to research, ethical issues related to the research are defined in the spirit of the relevant legislation, linked to the research goal and social utility. The researcher should not only comply with legislation, but also with ethical standards in the research. Research discovers new knowledge, supports decision-making, and helps solving social problems at the same time, that is why all research work is also an intervention in social processes. (Héra – Ligeti, 2014). Those dealing with public administration should be particularly sensitive to ethical issues as they do researches for public interest, in favour of the public, for supporting the operation of them. Their findings should be based on information taken from serious scientific methodologies.

Possible directions of development of the research methodology of public administration

As it has already been mentioned at the beginning of this study, the research methodology of public administration uses interdisciplinary methodology and interpretation of several disciplines. From the science of law, through economics, till sociology, psychology, anthropological and political methodology are

all presented in this research. The phenomenon of migration has been more and more often dealt with. This is how it can be defined: The ever-expanding range of migration theories have resulted in the topic becoming one of the most popular empirical research areas of today's social sciences. One direction of the researches examines the social macro level relations, while the other one focuses on the individual, micro level issues (Csepeli-Örkény, 2017) It is clear that the topic is examined from two points of view: one focusing on immigrants, the other one is concentrating on their experienced, recipient's or with other words, majority answers. In the contrary, the research methodology of public administration or state science focuses on the organizations of public administration itself, on the impact that affects them. This is also true for international administration and the organizations of the European Union. Hungary is mainly a transit country in terms of migration. That means that, in general, the effect reflects the phenomena experienced indirectly in other countries. But it is not true for the public administration where the officers are in daily contact with migration and immigrants. Its methodology differs from other social sciences because of this research topic, so of the way of thinking that is focusing on the state. In most of the researches, public administration appears only subsidiarily or does not appear at all. This area has been unknown for researchers. Public administration activity appearing in different researches is of considerable importance when researching the phenomenon of migration.

The organizations and faculties that are able to use the methodology of migration research

What are the organizations that can utilize the results of migration research? Primarily public organizations, such as the Civil Service Organization. *“Public service bodies are organizations with actual operational functions, organized along the principle of fitness-for-purpose that operate actively and implement processes that typically do not produce value. Public service organizations include public administration, state defense and law enforcement bodies.”* (Czuprák-Kovács, 2017, 79.) As an administrative office, citizenship matters are handled by Government Offices. The Directorate-General for Aliens Policing, as part of the police, conducts asylum procedures. The Hungarian Police, as defined in the Fundamental Law of Hungary, *“Article 46 (1) The core duties of the police shall be the prevention and investigation of criminal offences, and the protection of public safety, public order, and the order of state borders. The police shall participate in preventing illegal immigration”*. The Hungari-

an Armed Forces also has a constitutional obligation Article „45 (1) *Hungary's armed forces shall be the Hungarian Defence Forces. The core duties of the Hungarian Defence Forces shall be the military defence of the independence, territorial integrity and borders of Hungary...*” The Counter-Terrorism Center and the Office of National Security are involved in detecting illegal and irregular migration-related acts. These government organizations highlight and use from the reviewed research methodologies what is important for their activities. Complementary policing such as the Municipal Police, the Civil Guard Association and the Private Security industry also use the appropriate of the methodologies from their own perspectives.

Special mention should be made of migration research at university faculties, especially at the Faculty of Law Enforcement of the National Public Service University. The university conducts high-level research. With my present study, I focus on the methodological help and foundation of this research. Researchers and students should be able to choose the appropriate method to conduct their scientific research. This is also important because of the public service organizations, the law enforcement organization, which are related to migration on a daily basis, and it is important to research and learn about the processes affecting the activity and the tendencies of migration.

Conclusion

The methods by which the phenomenon of migration can be examined have been examined and interpreted in my study. These methods are the same as those of the public administration research. It can be stated that the research methodology of society, and also of natural sciences are available and can be successfully applied to the scientific knowledge of migration. Because migration will be part of our lives, political and public talk for a long time. It regulates and pervades our way of thinking. Conflicts have appeared and are present at individual, community, national and international level. They influence politics, affect on functioning of the public administration and the state. They create tasks, drive the activities of professionals to creation and interpretation of law. It is of utmost importance for the scientific world to strive to interpret and understand the phenomenon, to monitor and complement the scientific results of others. A phenomenon can never be fully understood from a particular point of view. In my study, the methods have been examined in terms of applicability as well. My goal is to support scientists in the field of choosing the right method. The formulation of the methodological basis of my own research has

also been my goal. It is far from being discussed about migration as a familiar phenomenon, but we do have to examine and research it on daily basis, while it changes, transforms and dynamically grows or decreases temporarily. But it can be stated that the pressure on Europe, and thus, on Hungary can temporarily ease, but undoubtedly, its effects are and will be presented in daily thinking.

References

- Arató, K – Koller, B. (2014): *Magyarország és az Európai Unió [Hungary and the European Union]*. In: Körösné, A. (szerk.): *A magyar politikai rendszer - negyedszázad után [The Hungarian political system after a quarter of a century]*. Budapest: Osiris Kiadó, 378.
- Babbie, E. (2008): *A társadalomtudományi kutatás módszertana [The Practice of Social Research]*. Budapest: Balassi Kiadó, 39.
- Barley, N. (2006): *Egy zöldfülű antropológus kalandjai [The Innocent Anthropologist]*. Budapest: Typotex, 11, 12.
- Blutman, L. (2007): *Egy empirikus jogértelmezéstan szükségessége [The need for an empirical jurisprudence]*. Budapest: Jogtudományi Közlöny, 3.
- Csepeli, Gy. – Örkény, A. (2017): *Nemzet és migráció [Nation and migration]*. Budapest: ELTE TÁTK Kisebbségsszociológiai Tanszék, 160.
- Czuprák, O. – Kovács, G. (2017): *A szervezetezés elmélete. A közszolgálati szervezetek vezetésének elméleti alapjai [The Theoretical Basis of the Organisational Leadership of Public Service Organisations]*. Budapest: Dialóg Campus Kiadó, 79.
- Hautzinger, Z. (2016): *Szemelvények a migráció szabályozásáról [Excerpts on the Regulation of Migration]*. Pécs: AndAnn Kft, 16.
- Héra, G. – Ligeti, Gy. (2014): *Módszertan. A társadalmi jelenségek kutatása [Methodology. Research on social phenomena]*. Budapest: Osiris Kiadó.
- Hornycsek, J. (2014): *A tudományos kutatás elmélete és módszertana [Theory and methodology of scientific research]*. Budapest Budapest: Nemzeti Közszolgálati Egyetem, 33.
- Magyary, Z. (1939): *A ténymegállapító módszer a közigazgatásban [The fact-finding method in public administration]*. In: Magyary, Z. – Kiss, I. (szerk.): *A közigazgatás és az emberek [The fact - finding method in public administration]*. Budapest: Közigazgatástudományi Intézet Budapest, 11-26.
- Madarász, T. (1987): *A közigazgatás és a jog [Administration and law]*. Budapest: Közgazdasági és Jogi Könyvkiadó, 9.
- Szabó, L. A. (2017): *Migráció és fenntartható közigazgatás [Migration and sustainable public administration]*. In: Keresztes, G. (szerk.): *Tavaszi Szél 2017 [tanulmánykötet] 2, 570. [Migration and sustainable administration]*. Budapest: Doktoranduszok Országos Szövetsége

- Sztárayné, Kézdy É. (2013): *Kutatásmódszertan és prezentációkészítés [Research methodology and presentation]*. Budapest: Károli Gáspár Református Egyetem
- Tomka, B. (2005): *Az összehasonlító módszer a történetírásban – eredmények és kihasználatlan lehetőségek [The comparative method in historiography - results and untapped opportunities.]*. Szeged: Aetas, 20.
- Varga, Zs. (2014): *Az összehasonlító kutatások térhódítása az Európai agrártörténet-Írásban [The prevalence of comparative research in European Agricultural History Writing]*. Budapest *Historica Critica*, 453.

Used Legislation

The Fundamental Law Of Hungary. https://www.kormany.hu/download/f/3e/61000/TheFundamentalLawofHungary_20180629_FIN.pdf

Tamás Tóth

New challenges of recruiting personnel for the national security services in light of the information society

Abstract

For members of society, cyberspace has become an indispensable scene of their communication and everyday interaction, thus contributing to the emergence and functioning of the global information society. Depending on the stage of their lives in which the members of each generation have encountered ICT tools, different qualities, skills, abilities and expectations can be observed in them. The members of the Y, the Z, and now the alpha generation have a completely different set of values and adaptability than their predecessors. From the point of view of the national security services, it is important to examine the main characteristics of these generations and social groups, since among other things, the newly recruited members of the national security services are members of society. In order to ensure the operation of effective national security services based on traditional values, knowledge and age specifics, it is necessary to optimize recruitment systems that meet the needs of the next generation and are able to attract their attention and measure their suitability. The aim of this publication is to identify the main groups of challenges and to formulate possible solutions that can support the efficiency of both selection and recruitment activities for each national security service.

Keywords: national security service, information society, selection of personnel, recruitment, knowledge-based

Introduction

Thanks to the information society that evolved in the 21st century, cyberspace completely permeates the citizens' everyday lives. It is here where people keep

in touch with each other, it is the main scene of their interactions. Due to the vast amount of information available, which is difficult to process, and to the expectations of fast response and learning, members of the Y, Z and now the alpha generations have an entirely different set of values, and adaptation skills than those before them. The reason for generational change is emerging as a new kind of challenge in national security services.¹ The general behavior, skills, abilities, expectations and competences of each generation have different characteristics from their predecessors. It is noticeable that the stage of life in which members of the society get acquainted with various means of ICT (information and communication technologies) and, through them, with the virtual information space, plays a significant role in the change of the former criteria. From the point of view of the national security services, it is necessary to monitor the specific features of each generation of society from 3 aspects, as the society includes groups protected by the national security services, groups affected by their operations and the layer forming their recruitment pool. The aim of this publication is to examine the difficulties and challenges that the services have to face in the field of recruiting newer generations as a result of the development of the information society. Setting up a kind of scientific taxonomy in the article, updating my earlier research results, I wish to identify the main groups of these challenges, and present some solutions for resolving them, possibly producing positive results even now, that may be suitable for optimizing the selection system and recruitment activities of the national security services. It can be noted that the importance of knowledge-based security services in Hungary is going to be increasingly valued in the future, and its main pillar will be a staff of professionals combining interdisciplinary knowledge, which is essential for overcoming future security challenges in a preventive and effective manner. This publication, in addition to its main subject, while creating a sense of unity of thought, intends to draw attention to the utmost importance of knowledge-based security services that will function as key elements of the efficiency of future national security activities.

1 Within the scope of national security services, this publication uses the term only in relation to the following in relation to civil national security services: Office for Constitutional Protection, Information Office, National Security Technical Service. The National Military Security Service intends to recruit its staff mainly from the ranks of the Hungarian Defense Force, while the Counter Terrorism Information and Crime Analysis Center has a staff of seconded officers working on a long TDY (temporary duty assignment) basis, thus these two organizations do not ensure recruitment of most of their personnel from the classic, open labor market.

Identifying the various groups of challenges in the light of information society

Information-gathering organizations, including the national security services, are affected by certain external factors which can be divided into direct and indirect effects of influence. Considering human resources, mainly individual direct effects prevail and within them, changes in the social and technological environment are of special importance (read more in: Tóth, 2020/a). These have a significant impact on the personality, abilities, knowledge base and integration skills of individuals applying to national security services. Those born between 1995 and 2009, i.e. members of Generation Z, have already socialized in the global information space, living their daily lives in cyberspace created by ICT tools, the information flowing through them and the users of them. Members of Alpha Generation, born after 2010, i.e. children now attending school, despite their early age seemingly put adults to shame when it comes to their confidence in using ICT tools. (Pintér, 2016, 27.) *'Large-scale spreading of info-communication tools also change the nature of communication.'* (Kováts, 2006, 20.)

Individuals communicate with each other mainly in the info-communication space, during their socialization it has become a basic scene of their communication, so it is part of their comfort zone, therefore direct communication between persons can be detected as a factor threatening their individual security. With regard to the Alpha Generation, it is almost only the virtual space that can meet their needs, so in many cases their personal relationships are pushed into the background to a greater degree than before. They will have an extremely low level of communication conducted in real life (Pálinkás-Purgel, 2019, 30.). They will perceive such situations as stress, so applicants coming from the generation in question have a lower level of conflict management and temper management skills. In contrast to this, thanks to the information space, advanced problem-solving skills, performance of versatile tasks, and pragmatism have become their basic skills (Zalai, 2016, 36-37.). *'The information society is characterized by the use of electronic info-communication tools for storing, processing, transmitting knowledge, creating new knowledge, as well as information saturation, overload, which changes people's attitude to information and knowledge, selective memory and thinking. It requires information management at the individual level as well.'* (Tóth, 2019a, 103.) A further distinctive feature of the period is the dynamic environment that presents constant opportunities, but risks and threats as well. On the one hand, it is constantly changing the information needs of the members of society, and it requires permanent and consistent adaptation to new knowledge. (Kováts, 2006, 21.) People's lifestyle is

characterized by intensive information processing and the ability to quickly adapt to changes, which in their choice of a career, results in being ready to change jobs instantly, even at the cost of reducing their own sense of comfort. Another challenge is that an increasing proportion of members of Generation Z try and occasionally use designer drugs, which, after certain quantitative limits, is also a reason to exclude them from the recruitment process of the national security services.

The above demonstrates that the integration skills of the generation born after 1995 show a declining trend, although it is one of the main expectations for the active duty personnel, as well as for all public service employees. The majority of applicants from these generations primarily look for a job motivated by curiosity, and a desire for adventure or self-discovery, rather than finding a lifelong commitment to public service, without which public service (professional and civil servants) cannot be pursued responsibly. The main motivation for them is to fulfill their individual desires, which they place before organizational interests, so it is difficult for them to function as an integral part of an integrity-focused organization. This also inherently poses a security risk for the national security services, because rapid acquisition of new work procedures is a basic requirement for the personnel, for which access to classified data, and to means and methods of covert information gathering is indispensable. In case an applicant admitted to the services handles this kind of information without the appropriate security-consciousness and allows an unauthorized person to have access to it, they are guilty of the crime of misusing of classified information (Section 265, Act C of 2012 /Criminal Code/). In addition, it may seriously endanger the national security of Hungary, the interests of crime prevention and detection, as well as a range of public interests that can be protected by other types of classification. It can be seen that there can be limited common ground of expectations for traditional national security services based on traditional values and for the younger generations of the information society. On the part of the services, the requirement of common sense, stable values, innovation, knowledge and reliability has increased. Unfortunately, professional humility can be considered as a disappearing virtue, therefore a sufficient degree of inclusiveness, openness and adaptability are important aspects in the selection procedures. Based on trends currently observed, a lack of loyalty, sense of vocation and innovation skills - i.e. a tendency to integrate - can be seen among new recruits (Zalai, 2012, 98.). In addition to deficiencies in integrity, a serious problem is that current applicants from Generation Z have limited psychological and physical fitness, therefore they are less able to meet the requirements of the national security services. There are no data on the Alpha Generation yet,

due to their young age. This phenomenon may be explained by some characteristic features of the generations, as members of Generation Z spend less time on real physical activity or personal interactions, since they spend a significant portion of their time in cyberspace. Their interactions in cyberspace, however, can also pose a security risk, as counter-interested secret services or criminal organizations hidden behind fake user profiles may pursue their illegal activities, by way of conducting social engineering, for example (Tóth, 2020b, 87-110.).

The contrast between the increased demand for information by members of the information society and the confidentiality typical for the operations of the national security services, also generate further significant challenges. Unlike in the case of other law enforcement agencies, the specific responsibilities of the services, and the means and methods used by them are less visible to the public eye, their activities are mainly covered by fantasies in the public mind. As a result, applicants have a lack of knowledge about the profile of the organizations and the jobs they are required to undertake. The system of tasks and self-image of the national security organizations was also associated with a negative image for historical reasons, the overcoming of which posed a real challenge for democratically functioning national security services. Today, however, great successes have been achieved in this area, thanks to the additional information flowing through the information space. Nevertheless, there are still some people among certain social strata, who, due to a lack of appropriate information, mistakenly identify the national security activities with the activities aimed at protecting the former one-party state and identify affiliation to national security services as a moral issue. Nowadays, the number of people with this way of thinking is diminishing, but it is still difficult for applicants to adapt the expectations of the national security sector to their own self-image, as this differs significantly from the standards and norms customary in civil society. For example, agencies authorized by Act CXXXV of 1995 on National Security Services are authorized to limit the constitutional rights of individuals subject to such activities, such as they are restricted in their rights to the privacy of their homes and correspondence for purposes of national security, criminal prosecution and criminal intelligence, naturally in proportion to the objective to be attained, along with professionalism and legitimacy (Horváth, 2018, 173.). According to Ferenc Horváth, *'It is important that this morally tinged inner conflict is quickly understood and effectively dissolved. Since, belief in the positive moral content of the work done has great motivational potential.'* (Horváth, 2015, 86-87.)

When conducting national security activities, it can be seen that optimal responses to the challenges of the future can only be ensured in possession of a

personnel with interdisciplinary knowledge and of innovative, sustainable technologies, including their sufficiently integrated application. Examining the aspect of knowledge base, the brain-drain effect of the private sector can be observed regarding the highly qualified technical, ICT etc. professionals, one of the most crucial reasons of which, in my opinion, is the extent of salaries. Wage tensions do not even occur mainly among career starters, since, if we examine the average salary of a new IT programmer and development engineer with a higher education degree in 2020, it can be ascertained that it is about HUF 300.000 – 350.000 net /month (URL2, URL3, URL4). According to the regulations in force² in the national security services, a fresh recruit with a higher education degree in the active duty personnel also has a starting salary of HUF 300,000 - 350,000 net, not including other fringe benefits, of course. The difference is already more significant for development engineers with more than 10 years of professional experience, as the net salary in this category in the private sector is approximately HUF 700.000 – 750.000 HUF (URL2, URL3, URL4), while in the case of a national security employee with 10 years of service and the highest subordinate officer position, the basic salary is approximately HUF 400.000 - HUF 450.000 net, also without other fringe benefits. From this tendency, it can be seen that the wage gap relative to years of professional experience, among those with higher education is expanding between the private sector and the national security. This is a serious problem for knowledge-based national security services, as the existence of experience and human resources with high professional and related knowledge is vital. This problem is, of course, a factor affecting the whole administration, but its analysis is not the subject of this publication. Based on my previous research, the conclusion that the factors, complicating the selection of personnel as an outcome of the evolution of the information society, can be divided into four major groups is valid, but based on the above- mentioned new research, a fifth group can also be identified. Within the four factors, the lack of physical and psychological fitness is in the first place, dynamically followed by a low tendency to individual integrity among applicants and new entrants, after that a lack of security-awareness and finally the tension caused by the conflict between secrecy and information needs (Tóth, 2019b, 65.). Based on my conclusions, the fifth group of challenges can be identified as the higher - market-conform - wage demand of highly qualified human resources, which is not a shortcoming, but

2 Base pay (Section 154 (2) of Act XLII of 2015) = position allowance (Annex 8 to Act XLII of 2015) professional allowance (13/2015 (VI.19.) MOI instruction appendices 2 and 3) + time in service allowance (Act XLII of 2015, appendix 10)

a feature of an information society based on a free market economy. After all, human resources are capital goods in market economy, which are subject to supply and demand, the value of which is determined by the productivity indicators achieved by their work (Bartus - Szalay, 2014, 364.). However, my theoretical thesis with the title of *'National Security Services As Profit-Oriented Producer Organizations'* will be the main topic of another publication.

Some recommendations for the optimization of the selection and recruitment system

Meeting the criteria of physical and psychological suitability remains a basic requirement for selection procedures, as the required qualities and competences are essential for the professional and safe execution of national security tasks. Before 2005, most of the applicants joined the national security service after having completed their military service, so they already had a certain mental and physical preparedness, they already knew the system of norms for active duty service, thanks to which they had the required physical and psychological qualities. However, after the abolition of compulsory military service (MOD Decree 16/2004 (VI. 29)) the democratically functioning security services, apart from other public service organizations, could only turn to the open labor market for recruitment. As a result, a significant number of totally civilian applicants, with no prior military training entered the recruitment process, which greatly increased the rate of those unfit for service. In my view, positions related to active duty legal status, the requirement of a prior law enforcement training can be justified, because it can function as a kind of pre-filter for the applicants in terms of physical and psychological competences, but currently it is only possible in the case of active-duty or reactivated former members of partner agencies e.g. law enforcement, armed forces. Furthermore, a transformation of the selection systems that allows for testing the applicants' skills based on complex, competence-based examinations can have a positive effect. The existing selection procedures should be optimized for generational specificities. It would be appropriate to introduce practical tasks examining the reactions, abilities and skills of candidates in specific situations. The introduction of the Evaluation/Development Center (AC/DC), which has been used to achieve significant results in the home affairs leadership selection system, may be suitable for a broader examination of competences during recruitment procedures (Zalai, 2014, 31-39.). During the successful execution of tasks, high stress tolerance also plays an important role, measuring of that would also be appropriate. Cer-

tain previous research supports that the ability of cognitive flexibility is related to the change in cortisol-level following stress effects, thus measuring the salivary cortisol levels could be used to infer the applicants' stress-tolerance capability (Papp, 2018, 25-40.). Taking the different systems of requirements in certain positions into account, the introduction of specific, functional tasks may also be justified in the recruitment procedures, since the more individual-specific and complex the selection system is, the higher the admitted applicants' success rate is (Tóth, 2019/a, 107.). The operation and development of integrity-based organizational structures are extremely important for national security services, as only a staff with a strict system of values and a high level of professionalism can perform their public service tasks professionally.

In order to ensure the continuous supply of human resources, it is worth introducing new values in the organizational culture that meet the expectations of the next generation, of course in accordance with the basic values of the organization, and not by pushing them into the background. Emphasis can be placed on increasing creativity, the willingness to innovate, the continuous development of individual competences, and the integration of the need for knowledge and learning into the organizational values. Of course, the reform cannot be one-sided, the applicants must have a high degree of adaptability, as they must first conform to organizational values, expectations and norms. The planning, development and implementation of these processes is only possible during proper integrity management, to which for example, the National Security Service and the Office for the Protection of the Constitution also pay special attention (Horváth, 2016, 61-62.). In the course of ensuring that the scientific activity is carried out, exploiting the potential of a scientifically oriented human force with a research talent may be appropriate to enhance the individual integrity skills, for example. On the one hand, it has a positive effect for the individual on the development of his researcher's attitude, and on the other hand it represents added value for the organization, as, in my opinion, the implementation of individual research results into organizational processes is one of the most important cornerstones of future efficiency. This model fully reflects the positive impact mechanism of the individual and organizational integrity operating in a closed system. The efficiency of the national security work of the future lies in the knowledge-based structure. This statement is supported by Mrs. László Hazai, PhD. *'We believe that the scientific approach and scientific work are investment in the future, and that the increase of knowledge, professional work with scientific standards, assessment analysis, research in line with the strategic goals and the development of their effectiveness are the pillars of high quality service.'* (Hungarian, 2018, 282-283.) Furthermore, the support for

scientific activities can be a solution for the integration of expertise into the organization, since if establishing the integrity of the individual is successful, and along this they acquire useful knowledge for the national security service, the organization can have a loyal, highly qualified professional in the service's own staff. Highly knowledgeable national security professionals trained along such a principle are less affected by the brain-drain effect of the private sector due to overrated wages, as existing individual integrity commits a highly qualified national security human resource to the civil service. In my opinion, a knowledge-based national security service can be established by building on such human resources, at organizational or sectoral level alike. The staff of the national security services, both in their official duties and in their private lives, must pay special attention to appropriate security-conscious behavior, as almost all the knowledge arising from national security activities includes classified data. It can be defined as a serious risk, for example, if applicants do not have adequate knowledge, for example in the field of electronic information security, as this may lead to inadvertent access to protected information by unauthorized persons. The absence of security awareness is not a specifically law enforcement-specific problem, but a global social issue which is one of the major challenges of information societies (Horváth, 2013, 7.). According to the Impact Assessment published by the European Commission in 2017 (see European Commission, 2017), the end-users of ICT devices do not have a sufficient degree of security awareness in the field of their use, which contributes to the growth of information asymmetry. In my view, the solution of this problem is extremely important, because the use of ICT tools is wide-spread among the members of society, and the potential risks of certain assets during the development of the Internet of Things (IoT) are soon to become network-wide anomalies due to connectivity (Tóth, 2019c, 107.). With regard to the recruitment procedures of the national security services, the measurement of security-conscious behavior during the national security audit can be a solution, as well as its continuous improvement in relation to the personnel already recruited. The existence of social awareness campaigns, which have been carried out by the National Institute for Cyber Defense in Hungary, for example, for several years now, have also produced significant added value. On the one hand, their effectiveness can also be measured in the selection system of national security services, as applicants come from all walks of life. As perceived by society as a whole, a kind of enhanced information protection is present in connection with the activities related to national security services, which hinders meeting the potential job seekers' extremely high demand for information. Job seekers must become aware of the existence of the national security services, introducing the

organization, scope of activities, expectations and opportunities to make them attractive to them. However, it is very difficult to find the balance between meeting the secrecy requirement of the organization and providing sufficient information about itself suitable for arousing the interest of latent applicants. A kind of information asymmetry - lack of knowledge and orientation – occurs in jobseekers, which should be reduced to the optimal level for the given service according to the principle of secrecy. This challenge causes serious difficulties not only in the field of human resources but also in the research and development activities of national security services. After all, cooperation between external research sites and internal research activities of the organizations are also an extremely sensitive point of compliance with the principle of confidentiality. According to Imre Dobák, information gathering organizations *'have special goals and professional needs due to their task systems, which can result in unique development directions. There is a high degree of conspiracy connected to their operation, and thus to some of their device systems, which is important not only during the period of application, but also during developments.* (Dobák, 2013, 66.) Returning to the topic of human resources, jobseekers may have additional motivations in their choice if their salaries and fringe benefits are presented, the opportunities offered by a predictable career model are described (New Civil Service Career, 2014), and the privileges and benefits of belonging to the staff of services are emphasized. Further results in the increase in the number of applicants can be achieved by a broader expansion of recruitment activities in the digital space. The demand for higher, market-conform salaries of highly skilled human resources is a completely natural need in societies based on a free market economy, but on the part of national security services it can be identified as a kind of challenge in ensuring their human supply. The challenge is very strong here, as applicants with high professional experience relevant to the services should be included in the selection systems. Answering this challenge is perhaps the most difficult of all the others. It is extremely difficult to find an optimal solution, because if the regulatory environment would allow the employees of certain priority fields (e.g. technical, ICT, etc.) to find a salary that corresponds to the market level but much higher than the salary paid in other areas within the organization, it would create a wage tension in the national security organization system that would seriously jeopardize the existence of integrity with employees with much lower salaries. In my opinion, the method already explained could be expedient. According to it, lower-skilled, career starting employees should be integrated into the organization first, and their organizational integrity should be established, as a result of which they will be loyal to the organization and

feel an internal motivation for self-education, as only in this way will they be able to perform their duties in the highest quality expected of them. In this model, it is very important to create a wage level that still ensures the existential conditions of the employee and is already high enough to withstand the brain-drain effect of the private sector. Another solution is coded into the market economy system which economics identifies as a job loss risk. Basically, this indicator can be used to quantify the existential risk that significantly influences the development of wages in the labor market. Based on Bence Papp's previously proven research findings, it is the private sector that shows higher rates and extreme volatility of job losses during crises. Thus, wages in the private sector may be higher, but the existence of job opportunities is much more crisis-sensitive than in the public sector. The public sector is much less sensitive to economic crises, as, for example, during the first two years of the economic crisis started in 2008, the job loss rate did not really shift (Papp, 2015, 25-40.). This is also supported by economic mechanisms of action caused by the current corona virus pandemic. It can be well seen that while the micro actors of the national economy laid off their employees or sent their employees on unpaid leaves, the macro-economic actors, the public sector, did not move in this direction. It can be concluded that compared to the private sector, national security services are proving to be stable workplaces, which may provide better benefits in the long run for maintaining the existential security of employees than higher wages in the private sector with significantly worse job loss rates. In my opinion, there is also a kind of information asymmetry in this case among jobseekers. To eliminate this, giving information can offer a solution that is, the public sector job loss rate could be featured more prominently in publications for the community and thus bring additional value for national security services with stable jobs, as opposed to the private sector with extremely high and volatile job loss indicators.

Conclusions

In my paper, I managed to examine comprehensively the new challenges of human supply of the national security organization system in the light of the information society. By performing an analysis affecting many areas of social sciences, certain challenges appearing in the selection system of the national security services were identified. The major groups of challenges can be identified as lack of meeting the physical criteria, the low propensity for integrity, lack of security awareness, the contrast between confidentiality of information and de-

mand for information, and the applicants' 'market-conform' wage demands. A solution to these can be found either by optimizing the recruitment procedure systems or by rethinking the organizational expectations and the organizational identity, of course only while preserving the traditional values. Along with some factors affecting national security services, it can be concluded that only a knowledge-based system of national security organizations will be able to provide appropriate answers to the challenges of the future. This requires an convenient basis of a professional staff with high professional knowledge, which is motivated to operate an efficient, knowledge-based, innovative, easily adaptable and constantly evolving system of national security institutions, responsive to all challenges. This type of personnel can effectively contribute to the maintenance of complex security, as *'the basic task of the national security services is to protect Hungary's independence and legal order, and to enforce its national security interests.'* (Basic Law of Hungary, 2011, Article 46.) The main pillar of the knowledge-based national security service is the highly qualified staff, which can be solved by the process of integrating career starters in the relevant field of national security – as there is not yet such a brain-drain effect of the private sector due to its more advantageous wage conditions. Thereafter, in addition to taking individual and organizational interests into account, it is necessary for the integrity management system to develop the optimal level of individual integrity of the employee. Exploiting scientific and technical attitudes can be a good approach to do this, as it has a positive effect on both the individual and the organization, for example in the implementation of the achieved research results in work processes. As a result of the organizationally controlled support of individual efforts, the national security service can acquire a loyal, highly qualified and widely knowledgeable specialist in its own staff. After this, it is necessary to ensure the optimal level of salary that makes the loyal, highly qualified employees with significant work experience stay in the staff of the given organization, resisting the wage-based brain-drain effect of the competitive sector, which produces an increased job loss rate. In my view, such a 'bottom-up' approach to personnel based on loyalty, integrity and a high level of expertise, can provide a knowledge-based, efficient and sustainable national security service capable of responding to future challenges.

References

- Bartus, G. – Szalai, Á. (2014): *Környezet, jog, gazdaságtan - Környezetpolitikai eszközök, környezet-gazdaságtani modellek és joggazdaságtani magyarázatok [Environment, law, economics – Means of environmental politics, environmental-economical models and law-economical interpretations]*. Pázmány Press
- Dobák, I. (2013): *Technológiai fejlődés – titkosszolgálatok [Technological development – secret services]*. In: Fekete, K. (szerk.): *Kommunikáció 2013 Konferencia*. Budapest: Nemzeti Közszerzői Társaság
- Zalai, N. (2016) *Új típusú kihívások: generációváltás a nemzetbiztonsági szolgálatoknál. [New challenges: change of generation at the national safety services]* *Nemzetbiztonsági Szemle*, 1, 34-44.
- Hazai, L. (2018): *Gondolatok, Tudományos tevékenység 2010–2014 [Thoughts, Scientific activity 2010-2014]*. In: Dobák, I. – Hautzinger, Z. (szerk.): *Szakmaiság, szerénység, szorgalom [Professionalism, modesty, diligence]*. Budapest: Dialóg Campus Kiadó, 281-288.
- Horváth, F. (2016): *Egy korszerű integritásmenedzsment-rendszer kiépítésének lehetőségei az NBSZ-nél [Opportunities to set up a modern integrity-management system at the National Safety Service]*. *Nemzetbiztonsági Szemle*, 2, 33-64.
- Horváth, F. (2015): *A pályaszocializáció pszichológiai kérdései a Nemzetbiztonsági Szakszolgálatnál [Psychologic questions of career socialisation at the National Safety Service]*. *Nemzetbiztonsági Szemle*, 1, 82-113.
- Horváth, F. (2018): *A titkosszolgálati etika elméleti és gyakorlati kérdései a Nemzetbiztonsági Szakszolgálatnál [Theoretical and practical questions of secret service ethics at the National Safety Service]*. Doktori (PhD) értekezés. Budapest: NKE Hadtudományi Doktori Iskola
- Horváth, G. K. (2013): *Közérthetően (nem csak) az IT biztonságról, IT brosúra [Generally intelligible (not only) about IT safety, IT brochure]*. Budapest: Kormányzati Informatikai Fejlesztési Ügynökség
- Kováts, I. (2006): *Információs társadalom, emberi tényező, civil társadalom, média – Adalékok a magyarországi digitális műsorszórás előrejelzéséhez [Information society, human factor, civil society, media – Contributions to the forecast of digital broadcast in Hungary]*. *Jel-kép*, 2, 19-36.
- Pálinkás – Purgel, Zs. (2019): *Alfa generáció – a „digitális bábik” kora [Alfa generation – the era of ‘digital babies’]*. *Új Köznevelés*, 1-2, 30-31.
- Papp, B. (2015): *A munkaerő-piaci bizonytalanság hatása a közszféra és a versenyszféra közötti bérkülönbségekre [Influence of the uncertainty on the manpower market to wage differences between public and competitive sector]*. *Közgazdasági Szemle*, 5, 473-501.
- Papp, K. (2018): *Fejlődépszichológiai műhelymunka, Viselkedéselemző Portfólió [Development psychological workshop. Portfolio of behaviour analysis]*. Budapest: ELTE Pedagógiai és Pszichológiai Kar
- Pintér, M. (2016): *Milyen tapasztalatokkal kerül az alfa-generáció az iskolába? [Experiences of the alpha-generation at starting school.]* *Új Köznevelés*, 8, 27-29.

- New Civil Service Career*. Budapest: Belügyminisztérium
<http://bmprojektek.kormany.hu/uj-kozszoigalati-eletpalya>
- Tóth, T. (2019a): *A digitális alapú, integritás centrikus közszolgálati szervezetek személyi integritását sértő tényezőinek kialakulása, valamint kihívásaik az információs társadalom tükrében [Development of factors violationg personal integrity in digitally based and integrity-centred public service organisations, and their challeges as reflected in the information society]*. Rendvédelem, 1, 50-132.
- Tóth, T. (2019b): *A Nemzetbiztonsági Szakszolgálat felvételi eljárási rendszere [Recruitment proceeding system of the National Safety Service]*. Belügyi Szemle, 1, 53-67. DOI: 10.38146/BSZ.2019.1.4
- Tóth, T. (2019c): *Az Európai Unió tervezett kibervédelmi tanúsítási keretrendszere [The scheduled frame system for conformation about cyber-protection of the European Union]*. Szakmai Szemle, 1, 97-115.
- Tóth, T. (2020a): *A mobilhálózatok technológiai fejlődéstörténete - Az analóg hangátviteltől az 5G hálózatokig [Technological development history of mobile networks – From analog voice broadcast to 5G networks]*. Nemzetbiztonsági Szemle, 7, 4. DOI: 10.32561/nsz.2019.4.4
- Tóth, T. (2020b): *Az egyes social engineering eszközök elhatárolása és rendszerezése [Distinction and systematisation of particular social engineering tools]*. Szakmai Szemle, 1, 87-110.
- Zalai, N. (2012): *A pályaalkalmasság vizsgálatának elemei és alkalmazható kiválasztási, szakmai felkészítési modellek a Nemzetbiztonsági Szakszolgálatnál [Elements and applicable selection and professional training models for occupational fitness investigation at the National Safety Service]*. Doktori (PhD) értekezés. Budapest: NKE Hadtudományi Doktori Iskola
- Zalai, N. (2014): *A vezető-kiválasztás jelenlegi gyakorlata a polgári nemzetbiztonsági szolgálatoknál, a Terrorelhárítási Központnál és a külföldi nemzetbiztonsági szolgálatoknál [Present practice of leader selection at civil national safety services, at the Counter-Terrorism Centre and at foreign national safety services]*. In: Hegedűs, J. (szerk.): *Tanulmánykötet a belügyi-vezetői kiválasztási eljárásról [Volume of studies on selection procedure for leaders of the interior]*. Budapest: Belügyminisztérium, 31-39.

Legislation used

- Basic Law of Hungary (25 April 2011)
1995. évi CXXV. törvény a Nemzetbiztonsági Szolgálatokról [Act CXXV of 1995 on National Safety Services]
- 16/2004. (VI. 29.) HM rendelet a 2004. évi sorállományváltás végrehajtásának rendjéről [Ministry of Defence Decree no. 16/2004 on implementing the change of the enlisted men in 2004]
2012. évi C. törvény a Büntető törvénykönyvről [Law C of 2012 on Criminal Code]

2015. évi XLII. törvény a rendvédelmi feladatokat ellátó szervek hivatásos állományának szolgálati viszonyáról [Law XLII of 2015 on employment of the official staff at organisations providing law enforcement tasks]

13/2015. (VI.19.) BM utasítás az Alkotmányvédelmi Hivatal és a Nemzetbiztonsági Szakszolgálat hivatásos szolgálati beosztásairól és a betöltésükhöz szükséges követelményekről, valamint az idegennyelv-tudási pótlék és az egyéb pótlékok szabályairól [Ministry of Interior decree no. 13/2015 on official service dispositions at the Office for Protection of the Constitution and at the National Safety Service and on requirements to fill them, and on regulation of foreign language allowance and other allowances]

European Commission (2017): Commission Staff Working Document Impact Assessment, Accompanying the document proposal for a regulation of the European Parliament and of the Council on ENISA, the 'EU Cybersecurity Agency', and repealing Regulation (EU) 526/2013, and on Information and Communication Technology cybersecurity certification (Cybersecurity Act), Part 4/6, Brüssel

Online Links in This Article

URL1: *IT biztonsági tanácsok [IT safety advices]*. <https://nki.gov.hu/it-biztonsag/tanacsok/>

URL2: *Pozíciók listája [List of positions]*. <https://www.fizetesek.hu/fizetesek>

URL3: *Bérránytű – Fizetése, bérek [Wage compass – salaries and wages]*. <https://www.profession.hu/kalkulatorok/beriranytu>

URL4: *Hasonlítsa össze fizetését [Compare your salary]*. <https://www.randstad.hu/allaskeresoknek/berkalkulator/>



BOOK REVIEW

Viktor Németh

COVID-19 The pandemic that never should have happened, and how to stop the next one

Abstract

Debora Mackenzie guides the reader through the virus Covid-19 from the first moments of happening in Wuhan December of 2019 till the preparation to the next wave of the pandemic. Her book is well structured and comprehensive, at the same time it explains the recent pandemic situation within the limits of clarity. Helps to dispel misconceptions about the coronavirus and makes clear its relationship to various types of the flu. And the concluding part of the book contains conclusions on the first wave of Covid-19, and hints and predictions how to prepare for the next pandemic at social and governmental organisations level.

Keywords: Covid-19, WHO, pandemic, governmental activities, global crisis, rumour-mongering

The author Deborah Mackenzie is a former biochemical researcher, key expert on the field of public health. She has written for New Scientist Magazine for thirty-six years and belongs to the world-renowned leading science journalists. Although she had to write her first book within a tight deadline, it is well-structured and written in a highly accessible style in which the author interprets the SARS Covid-19 virus. SARS means: Severe Acute Respiratory Syndrome (URL1). The names of Covid-19 are derived from the following abbreviations: Co for corona, vi for virus, d for disease, and 19 means the years of appearing. Mackenzie analyses clearly and authoritatively all the significant aspect of this pandemic step by step. The book consists of 304 pages covering eight chapters which in chronological order explains the history and background of this pan-

demical and describes how it spread, what are the most significant differences with former similar types of viruses just like Lyme, SARS, MERS, Ebola, Bird flu, Swine flu, Zika, etc.

In 2017 Shi Zhengli the Wuhan Institute of virology found the SARS in nature: *'They found segments with all the exact gene sequences required to build the original SARS virus in bats from the one cave near Kunming and evidence that the viruses were actively recombining gene segments. After 14 years, the long search was over: they knew for sure where SARS came from.'* (Mackenzie, 2020). Therefore it is crystal clear for the WHO and the whole science world, that the bats are a potential threat because they are SARS virus carriers and are also immune to the virus. These (horseshoe) bats found on all populated continents, but a direct connection is required to catch the virus from them. *'In April 2020, the executive secretary of the UN Convention on Biological Diversity called on China to shut down wildlife markets, like the one in Wuhan linked to Covid-19'* (Mackenzie, 2020).

It is essential to understand the spread and behaviours of influenza to understand those of Covid-19. Both viruses are transmitted in the droplets we exhale. Both viruses cause a pandemic. The flu remains year after year. But in the case of influenza, the human immune system provides an effective defensive response. Even if the flu virus mutates year after year, virologists come together twice a year for a meeting at World Health Organisation's headquarters in Geneva to create the vaccine to be developed for the new mutation. Therefore, the virologists try to produce sufficient quantity of the new vaccine every year. In the case of Covid-19, the human body has no established response system, and the virus is unfamiliar to the body. And the development of the vaccine is in an attempted phase - as is undoubtedly known. *'And although the flu is the one virus for which we have effective antiviral drugs, it isn't clear we have enough of those either. If we're unready for the pandemic, we can see coming, how can we be ready for the ones we don't?'* (Mackenzie, 2020).

In view of the future, the author enumerates a number of urgent things to be done. It is of paramount importance that the world's leading major powers and developed countries come together and start closed cooperation. The joint work should involve international epidemiological research institutes and health organisations. The author's second suggestion is: It is key to develop our virus monitor and signalling systems. Thus, we can detect and respond promptly when we attain the critical level. Mackenzie's next advice is to acquire enough personal protective equipment. And the experts should then have more protective equipment, which should be developed by the experts more reliably. In her further advices, she discusses the details of the preparation for the next wave of

Covid-19, from different point of views. The author also constantly emphasises the importance of public intervention. The governmental organisations must be the leaders in this fight. Deborah Mackenzie composed the book according to a completely logical perspective, providing an objective assessment. And in doing so, it allows representatives from several disciplines to provide meaningful use of some of the book's details. It additionally provides a wealth of background material and information to those involved in public sector like health, social, operational and organisational management. It supports us, to understand the context of public and leadership engagements for the future. Which, according to the book, proves to be considerably bigger and more important than before.

References

Mackenzie, D. (2020): *COVID-19 The pandemic that never should have happened, and how to stop the next one*. New York: Hachette Books, 304.

Online links in this article

URL 1: *Severe Acute Respiratory Syndrome (SARS)-multi-country outbreak - Update 53*. https://www.who.int/csr/don/2003_05_12/en/



INTERNATIONAL OVERVIEW

Sonia Schachter

About SELEC

Abstract

The Southeast European Law Enforcement Center (SELEC) is the only law enforcement organization in Southeast Europe fighting transborder serious and organized crime, established in 1999 by 11 Member States, Hungary being one of the founding countries.

Keywords: law enforcement, fighting organized crime, operational

During the 20 years since its establishment, the Southeast European Law Enforcement Center (SELEC), the law enforcement organization of Southeast Europe, has become a key player in the fight against transborder serious and organized crime, its operational activities have gradually developed, while the Center continued to remain the most reliable and cost-effective cooperation platform for its 11 Member States and 25 Partners (countries and organizations) and, in general for the region. SELEC is focused on operational matters, offering the platform for the real-time exchange of information and requests of assistance, supporting and coordinating joint investigations and regional operations, developing analytical reports, contributing to the capacity building of its Member States and Partners through trainings, expert missions, secure connection through the new Operational Center Unit, organizing regional conferences, Task Force meetings, workshops and study visits, facilitating networking, and others. The exchange of information is done by the Liaison Officers from Police and Customs authorities of the Member States and Operational Partners posted at SELEC Headquarters in Bucharest/ Romania, supported by the National Focal Points established in each of the Member States. Complementing the work of Police and Customs, under SELEC's auspices, has been functioning since 2003,

the Southeast European Prosecutors Advisory Group (SEEPAG), its mission being to facilitate judicial cooperation in significant transborder crime investigations and cases. The Member States of SELEC are: Republic of Albania, Bosnia and Herzegovina, Republic of Bulgaria, Greece, Hungary, Republic of Moldova, Montenegro, Republic of North Macedonia, Romania, Republic of Serbia, and Republic of Turkey. Cooperation with SELEC is available to any state or international organization/body which has an interest in law enforcement cooperation in the Southeast European region. Thus, presently, 25 partner countries and organizations are SELEC's partners, namely Interpol, Italy, Kingdom of Saudi Arabia, United Kingdom and USA are Operational Partners, and the observer countries and organizations are: Austria, Belgium, Belarus, Criminal Information Center to Combat Drugs (GCC), Czech Republic, European Union Border Assistance Mission to Moldova and Ukraine (EUBAM), France, Georgia, Germany, International Organization for Migration (IOM), Israel, Japan, The Netherlands, Slovakia, Spain, Switzerland, Ukraine, United Nations Office on Drugs and Crime (UNODC), United Nations Mission in Kosovo (UN-MiK), and World Customs Organization (WCO).

Operational Center Unit

In an effort to increase constantly the support provided to the Member States in countering transborder serious and organized crime in Southeast Europe, SELEC has recently added to its operational capacities a new state-of-the-art, highly secured Operational Center Unit (OCU). The new Operational Center Unit supports SELEC, the only law enforcement organization in Southeast Europe since 1999, in enhancing the cooperation and coordination among its 11 Member States and 25 countries and organizations that are Operational Partners and Observers to SELEC. The hardware architecture is flexible, scalable and provides high data security. It includes the integration and communication with the National Focal Points of the Member States with voice and video communication solutions. The mobile communication is also secured through VPN. A crisis steering committee room is integrated into the Operational Center Unit, with fully encrypted voice, data and video communication. The Operational Center Unit is based on a high-reliability infrastructure capable of delivering 24/7 fast service.

SELEC has also implemented presently the customized SELEC Intelligence Reporting Application Tool (S.I.R.A.T), an IT solution that comprises an operational platform including Geographic Information System (GIS), real-time



situation awareness, incident management, reporting, Data Analytics Law Enforcement Intelligence Application, Collection Information Tool and a Document Management System. The customized S.I.R.A.T application ensures a fast collection, analysis and exchange of strategic and operational information among Case Officers, National Focal Points, SELEC Liaison Officers and SELEC analysts.

Based on the above-mentioned components for a swift collection and reporting of data, the SELEC analysts elaborate operational and strategic reports in



complex cases in order to better understand the criminal organizations and their modus operandi.

Virtual reality-based trainings

Starting this year, SELEC introduced a new modern model of training, namely a new platform and curricula based on Virtual Reality. The trainees enter a virtual environment, which replicates a border crossing point, and have to inspect a vehicle suspected of smuggled cigarettes transport. This mission tests their attention and perspicacity, completely immersing them in the virtual environment. This fresh set of training resources include also a collection of multimedia course activities based on interactive scenarios. Each of these activities is built around realistic vehicles and ships inspections in search of smuggled goods. Apart from smuggling, they also address other types of cross border crimes which are frequently encountered in the daily activities of the partner institutions from the Member States. These new training resources and activities make the training program more appealing, offering the trainer team the opportunity to implement modern training strategies, in step with the ever-changing challenges law enforcement institutions have to face every day.



More information about the activities conducted by SELEC can be found on www.selec.org, as well as on Facebook and LinkedIn at #selecbucharest.

Source of the pictures: SELEC photo archive
Source of the text: www.selec.org

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Belügyi Szemle accepts and publishes scientific messages with outstanding alignment to the control and organisational system of the Ministry of Interior, first of all in the topics law enforcement, public order, public safety, safety policy, self-government affairs, social deviances, and further analyses and evaluates the questions of law enforcement from criminological, criminal sociological, criminal legal and policing aspects.

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