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Key Issues in the Higher Education of Civil Security and Property Protection

The definition of the field of science

The concept of policing in the Hungarian society has special interpretations. According to the Hungarian Academy of Science's Committee on Policing¹, law enforcement is an area of special administration. However, other aspects usually include public safety, law and order, protecting the assets of people and enterprises. So it is justifiable to classify police sciences as part of security science².

In trying to resolve the apparent contradiction in the statements above, the Hungarian Supreme Court held that police and security issues have an administrative nature³. This raises a number of other issues: if administrative, are state or municipal sub-systems involved, perhaps public bodies, or is there another alternative interpretation as well?

The usual scholarly definition of Community Policing includes communication with the society, possibility of joint action within an organizational and power-sharing system in which non-governmental organizations and their tasks can be found.

The rise of private security organizations

According to the White Paper issued by the European Union, the expansion of private security companies in the Member States can be traced back to various reasons. Among them are the blurring boundaries between private and public interests, the

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¹ The Committee on Policing was established in 2007 at Section IX of the Hungarian Academy of Science.

² Korinek, László (2007). A Magyar Rendészettudományi társaságról. In Garamvölgyi, László (ed) (2008), Rendőrség. Budapest, 33–34.

³ The Official Corpus of Supreme Court Decisions no. 1/1999.

overburdening of police, and state funding shortfalls. After the privatization in our country, community organizations through which the police could rely on the help of civil society ceased to exist. This includes primarily presence, guarding, receptions services, etc. After recognizing the lack of availability of these services on the market, private companies were formed. This fact proves that there has been a change in security surveillance, not only of power and administrative branches, but the private enterprises are to be taken seriously.

As a conclusion, we can say that there are differentiated areas in the management and security, in which experts have to have a new training curriculum that should prepare them for new types of versatile organization, management and service tasks. Both the administrative sector and the private (security) organizations need to acquire administration, marketing, and management knowledge, which leads to controllable and professional security services⁴.

The debate around the reformed concepts of dividing tasks between municipal and police authorities are yet to be settled. The debate rises from the fact that both branches handle nationwide database networks that require civilians with basic police knowledge background (registry offices, company registry). There are organizations that belong to community civil defence. Along the civil defence, these organizations include local security organisations entrusted with disaster coordination and other tasks. Under the lead of a properly educated leader, these organisations will be capable of working together with similar organisations across the EU. Proper education shall include administrative education (especially security and police organization), as well as management and other related social science disciplines (law, sociology, communication, psychology).

The Hungarian police – traditions of law enforcement administration

International literature prefers to recall the Anglo-Saxon roots of civil police, which the diverse American systems originate from. But more importantly for us, there is a centuries-old tradition of police administration in the Hungarian society.

The system of Hungarian counties was a specific form of administration. Together with each county's statute (which served as a comprehensive set of regulations and by-laws), the privileges of the noble class enabled the country to set up its own legislation, administration and judiciary. It was the duty of the vice-prefect, the chief constable, and the jury to maintain order at the Assembly and in the *Sedria* (county court). Besides these tasks, they were in charge of tax collection, search of stray cattle, theft, border disputes, etc. Besides them, village judges (aldermen) also took actions in some cases, e.g. when the shepherds or watchmen caught a thief, he was put in the stocks or punished otherwise. Besides the vice-prefect (*vice-ispán*), there were other prefects with specialized competencies. Among the special areas, the Kun (Cumanian), the Hajdú, the Székely people were led by such an *ispán*, called *captain* or *voivod*⁵.

⁴ Christján, László (2010). *Alternative Policing*. PhD dissertation.

⁵ Lácza, Magdolna (1981). A megyei önkormányzat a reformkori Szabolcs megyében. In: *Archive Review (Levéltári Szemle)* 1. 1981. 177–194.

Other leaders were also titled *ispán*. They were in charge of forestry, local border disputes, etc. In the cities, local magistrates and judges led the locals and so they promoted law and order on the local level. The cities often employed officers (called *poroszló* or *hajdú*) for law enforcement purposes.

Obviously, a fully detailed analysis of the Hungarian civil security and community law enforcement traditions is beyond the limits of this paper. However, a special Hungarian phenomenon, the “*parasztvármegye*” (lit: peasants’ county), is to be mentioned as a form of community policing in the areas under the Ottoman rule. This was organized in line with Hungarian legal customs, when noblemen left the Turkish-invaded areas. These organizations preserved the Hungarian legal traditions during the Ottoman era. Community-level administration and civil security organisations were able to adapt under the rule of the invaders. After the country had been reunited, self-government and organizations remained a key factor of Hungarian police and security issues until the 18th century.

The turn of the 18th and 19th centuries brought significant changes. The Austrian court sought to change the Empire’s administration. Under the reign of Maria Theresia they wanted to introduce more professional procedures. As a result of political deals, the counties preserved or even strengthened their positions.

National authorities were established, like the *Helytartótanács* (Locumtenentia, the Governor’ Council), but their activity was usually not beyond collecting reports from the counties that protected their own independence against centralization.

Besides the single tax system and centralized administration, Joseph II also tried to centralize the police forces. His mother, Maria Theresia, founded the central police, Joseph II created local offices. These offices, however, mainly served as secret service and political police and they could never be integrated into Hungarian society.

County independence strengthened. The counties continued to employ officers (*pandur*, *hajdú*, *gendarmes-zsandár*). These officers were limited to operate within county borders. According to a Hungarian saying, it was not impossible for a robber to turn into *pandur*. There are records proving that local criminals sometimes settled with local police forces.

Out of the many Reform Age acts, the 1840: IX ordered to set up a nationwide police with one section enacting the role of a special police force with functions such as maintaining security of gardens, fields, forests, pastures, and of the apiaries. Local laws governed the specifics of such organizations which usually employed locals.

During the glorious period of Hungarian history, the 1848 revolution, the National Guard was spontaneously formed in all counties. The National Guard had two main functions, local security and defence. Part of the National Guard has turned into the Hungarian army, whilst the other acted as police. Roots of civil defence are also found in this era⁶. According to Act 1848: XII, the people are responsible for maintaining personal and local security.

For those who know Hungarian history it is a well-known fact that the Bach-government, after the fall of the 1848 revolution, was not popular at all. On the other hand, professional and organized police administration was started during those years.

⁶ Lácza, Magdolna (1999). The Social Structure of the Nobility in Szabolcs in the First Half of the 19th Century. (A szabolcsi nemesség társadalmi tagozódása a XIX. század első felében). Candidate dissertation.

The system was civilian and slowly many organizational features from the Monarchy were integrated.

Between the World Wars, the police became more and more centralized, laws were enacted to precisely define powers and duties of the *Rendőrség* (Police) and the *Csendőrség* (Gendarmes).

Civil and community organizations gradually lost their importance.

After World War II, the Hungarian police and law enforcement was unable to establish or continue the democratization, as the Government wanted a centralized and militarized organization maintaining strict military order in the country. On the other hand, in 1954 the Police received an administrative task: to issue ID documents. Until the regime change, the police tasks belonged to ministries (Internal Affairs, Defence, Finance, and Judiciary), but significant change was not made.

International outlook in brief

The definition of police and policing has a great deal of variation in the international context. The reason is that it is hard to point out even the criteria for such a definition. One of the most widely used distinctions is to make a difference between the centralized continental and the de-centralized Anglo-Saxon models.

The British model originates from different legal traditions, a de-centralized administrative model, and last but not least, from the emergence of large industrial cities, in which the increased crime required locally organized “self defence” measures. The United Kingdom still has a plethora of different police forces despite the recent efforts for centralization.

The USA has gone through a similar development. For an outsider it is hard to understand which officer belongs to local, municipal or federal police, who has and what kind of jurisdiction. The US police systems have almost no effect on Hungarian systems, so this paper will not give a further analysis on them. However, it has to be mentioned that most of their policing forces are locally organized and governed bodies.

Continental systems also show variety, but all of them are under the rule of written law and constitutional principles.

Law enforcement hierarchy is usually aligned with that of the police. The relations between the organizations show variety. The different organizations have been created by top-to-down differentiation. Further differences within the EU stem from different Eastern and Western traditions. There is variation within the continental model. For example, Italy has five different police forces. All of them are centralized, regular organizations, not local or municipal ones.

Among the EU member states, Germany has the most experience. Both the police forces and the administrative branch were organized on a federal base in West Germany. Police was run on the local level, whilst the DDR had a centralized military-like police force. The two models are now forged into a single police force.

Besides the different traditions and educational models, the EU policy is a key factor. It originates from the UN Declaration of Human Rights and the Covenant on Civil and Political Rights, which initiated a debate on police reform.

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Under the Lisbon treaty, “The Union shall constitute an area of freedom, security and justice with respect for fundamental rights and the different legal systems and traditions of the Member States.”

There is also common defence and security policy. It supports training, virtual colleges (*European Security and Defence College*), but it is mainly military and police-related. Although it also refers to civil organizations, this is not within the scope of this paper⁷.

EU institutions, however, are worth analysing The former 3rd Pillar, the Police and Judicial Co-operation in Criminal Matters, contained non-commissioned education like the Community Helpers in England.

An example of Community Police in Eastern Europe is the Tirgu Mures Community Police. Earlier riots justified the creation of such an organization. A resolution in 2004 created the local police force that reports to the Mayor. Its duties include ensuring public order and silence, the enforcement of local laws and regulations. They are also involved in sanitary and public health measures. Their work is carried out by using some coercive means, such as handcuffs, baton, digital camera, etc. The organization was created and run with the help of the PHARE funds.

There is, however, no complex curriculum for policing education. One of the rare exceptions is the Education for Defence and Security in Krakow (set up in 2007) that works within the scope of the Common Security and Defence Policy, but also extends its efforts to find out the areas in which professionals need more education in their member states (Poland, Czech Republic, Slovakia, Hungary and the Ukraine). The goal is to train professionals who can align the security and police organization with EU requirements and can foster regional cooperation. The extending of the curriculum is the joint effort of the members. In order to reach its goals, the society is active in research, publications, preparation of model curricula and cooperation with those active in secondary education. The society's Presidency and operating headquarters are located at the Andrzej Frycz Modreowski University in Krakow.

A different initiative was started in Burgenland, as a result of which law enforcement officers can receive entrepreneurial degrees.

As a conclusion, diversity is still considerable within the EU. Member states take the advantage of the subsidiarity principle, whilst there is also a need for joint European police efforts. In Hungary, there is no need for more specialized law enforcement agencies, but there shall be police tasks exercised on a civilian-community level. To attain this goal, professionals with comprehensive education in both administration and in police and security basics shall be trained. These professional should know both economic and administrative issues and foster cooperation between different police forces also on an inter-regional level.

⁷ http://www.initiativeforpeacebuilding.eu/resources/EU_Concept_for_ESDP_support_to_Security_Sector_Reform.pdf.