

**Colonel Attila HONFI**

**Author's brochure of PhD dissertation about  
the connections between military discipline and committed crime  
(military and legal) in the Hungarian Defence Forces  
from 01<sup>st</sup> Januar 1991 to 31<sup>st</sup> December 1999.**

**2004.**

## **I. THE SUMMARY AND GOAL OF THE ASSUMED RESEARCH TASK**

### **The summary of the researching goal**

The problems of the discipline of military units and the committed crimes of there might be explained in many conceptional systems. Many experts and researchers think it is a mass of an unapproachable, incomprehensible, insoluble phenomena. It is considered like one of the vital questions of military force, a sign of adaptation problem or - in simply - this is an apperance of the deviant behaviours from the external sociaty in special surroundings. The goal of the military disciplinal researh is the prevention, the elaboration and the execution of condition and resource system. The goals of research is to reveal the causes and the contributed factors. The role of the defence disciplinal law and its improvement opportunities – on directly or covertly but continuously way – stands in the centre of discussion concerning defence system. The discipline, what mainly depends on the military force preparation and training, is the military striking power and combat effectiveness crucial element. The discussions about the military striking power and its reality can not ignore the valuation of the destructive effects of the training nor military disciplinal system on the readiness sufficient level determination.

If the basic question is approached from an other side, one of the most characteristic element of the relevant constraints of military living condition is the commander's disciplinal law. It has significant consequence of constitutional and human right in the same way the order and effectivness of the disciplinal legal practice influence directly social acceptance of the military force. That is way it is not coincidence that new laws, (published in the 1990' years) what has a considerable influence to the development of the form and content of the military service relation, basicly touched on the institutions of disciplinal law and its method of enforcement. After all always the experience is what forms its own opinion about the applied institutional legal solutions.

But the military requirements of the medium and long term developments demand the fact that it should be created the strong institutions and obvious progress of the realisation of laws and obligations on the basis of theoretical analysis, evaluation and qualification of the acknowledged problems by the experience.

My **goals** are the followings:

- To show the complicated matter of the military discipline on the basis of tendencies of the committed crimes in the Hungarian Defence Forces in the 1991-1999 period. To reach the conclusion by the results of research what can promote the improvement of the discipline of the Hungarian Defence Forces in the future.
- To clarify the general discipline and the special military discipline, their conceptional system, the research of their components and the analysis of external and internal effects.
- To demonstrate conceptional system of the violations (crimes, contraventions, violations of discipline) considering the occurred events and their danger in the Hungarian Defence Forces in the term of research.
- To perform the contents of the commander's disciplinal right. To specify the fulfilment and control tasks of the commander's disciplinal right, within that, to analyse the commander's tasks in the fields of perpetration and prevention of crime.

In my **hypothesis of research** the starting points are the following premises:

- In Hungary the 1990s the social, economical, political and cultural effect of the changes - to the military discipline and the committed crimes - occurred in an adequate way in the special circumstances of the Hungarian Defence Forces.
- The significant reduction of the personal strength and the changes in the personal categories and defence organs has had a negative impact to the crime situations in the different members, but from the aspect of the new social requirements, the disciplinal status of military force has not formed unfavourable up to the end of term of research.
- The decrease of conscripted members and the increase of of contracted members has been resulted an improvement in the disciplinal status.

I has applied the following **methods of research** for achieve the assumed goals:

- I has studied the domestic and foreign scientific literatures related to crime and military discipline, I has kept my eyes on the newest outcomes of this subjects of research.
- In my research I has applied from the general methods, system theoretical approach, observation, analysis, induction, deduction and adaptation methods because there is complex connection between the military discipline and the committed crime.

- I has analysed the available data by descriptive statistic method with the use of established database and I has accomplished one- binary- and quantic variable analysis.
- I has analysed and utilised my professional experiences as a field officer, disciplinal officer (more than one decade) and leader.
- I has presented - using my own data of reearch - the features of committed crimes between 1991-1999 years and made know the forming tendencies.

## **II. THE SUMMIRIZE OF ACCOMPLISHED RESEARCH AND ITS CONSLUSIONS**

The political and social control above the Hungarian Defence Forces maintain continuously the interest of public opinion in the military force. The military force is characterised hierarchical, closed, strict, disciplinal requirements, subordinate-superior relations and special feature of a total organisation but it is an integral part of the society. The change of political, social, cultural and other convention elements have an effect to the organisational order and the soldiers so the system of norm and value of the Hungarian Defence Forces have not moved away from the society. However the national public opinion considers the committed crimes and other legal violations by military personnel more critical way than a general civic undiscipline because the tensions inside the defence reflect a similar relation between the members of the force and the civilian society.

Obviously the strict military discipline is a functional feature of the military force which, in consequence of operational mechanism, has a significant role. The fulfilment of the basic functional task, the defence readiness, the combat effectiveness of personnel mainly depends on the leadership and the training.

Considering the military order, discipline like a system, the tasks related to detection and investigation of crimes, it must not be took out of that, and it has an impact to the moral status of personnel of the military unit day after day, as well as it fulfils a considerable role in the realisation of basic function. In other words the criminal case of a unit is a significant index what refer to how and what efficiency the unit is capable to carry out its tasks. An approaching from an other side, it should be seen one of the most characteristic element of the relevant constraints of military living condition is the commander's disciplinal law. That is

way it has a significant consequence of constitutional and human right in a similar way the order and effectiveness of the disciplinary legal practice and the acceptance of requirements, by the people, influence directly social acceptance of the armed forces.

The documents, the independent cases or the studies of the perpetrator's personality are not sufficient to determine the relatively the general and detailed features of many violations. Their legality, and their connection to the society and the current situation of the Hungarian Defence Forces, it might be studied successfully - among others – with statistic methods. Naturally, it is possible to characterise the phenomenon, the progress without numbers. At the same time, I emphasised the disciplinary status of a military unit – including the all Hungarian Defence Forces – it is not worth to value subjective impressions or just statistic data. It should be spoken about a disciplinary soldier on the basis of a successfully done drill inspection, exercise or a forming report. On the contrary, it should be spoken about a soldier his lack of obligation knowledge or a undisciplined unit on the basis of a delay or a untidy area. These phenomena are just impressions, feelings, it was just a single situation, it must not think that is a general status. The established knowledge and evaluation need more cases, repetition and processing, analysis and evaluation of the frequent data.

With the historical retrospect I has tried to demonstrate the impacts of legal changes to the legal practice of the personnel of military staff and the disciplinary situation of the all personnel.

The law, came into force at 15 May 1993 and changed the military procedure significantly, had a strong effect to the military service regulations what modified. Therefore the disciplinary jurisdiction solely limited to the judgement of disciplinary violation and it was not took into consideration the same law obliged to the commander the investigation of crime and the execution of process in the law of investigative authority.

Naturally, the practice justified my above statement unambiguously, because in the Hungarian Defence Forces does not exist a commander who has not dealt with a criminal case, and has not take its preventional tasks seriously. There is an other justification, it has not happen and unbelievable such disciplinary study, what not deal with that topic (like significantly effective factor). It is not sure, of course, that factor may be efficient and reassuring in such a organised and fixed hierarchical system.

The parliamentary codifiers took it into consideration and the crimes may be judged once more from 1st July 2003 – following on some limitations and adequate legal guarantees – in the commander's disciplinal jurisdiction. The interpretation, evaluation, forcing and application and their experiences of the renewed law is out of my subject (because of some periodical limits) but gives a good possibility to continue this activity of research.

*The chapters of my PhD dissertation is closely connected with certain researching terms and fields.* These reason is that more factors determine the development of disciplinal status, for example the restricted budget between 1991-1999 years, survival as a goal, the difficult tasks of the defence reorganisation, the simple or not task oriented cut-back and the burden of daily routine activities. It comes under the previous heading the personal material circumstances, the periodic rise of the sensation of precarious living, the requirements from NATO membership because all of these resulted jointly the demonstrated criminal status of the 90s' military force.

The internal crisis of the Hungarian Defence Forces in 1991-1999' term and the disciplinal status - from this and the social progress - just in that period was real, in spite of the term range of research was nine years and five years ago. At the same time it gives a possibility to support the understanding of the military activities in our days and it is acceptable as a standing point of a new researches.

### **III. CONCLUSIONS, PROPOSAL AND THE NEW SCIENTIFIC RESULTS**

#### **Conclusions:**

I has analysed the continuos connection between the system of unwritten law and the standings of law (it had been some contradictions in certain period) on the basis of the previous sources, documents and the contemporary experiences. The description reflects the hungarian defence and law history from a particular approach, so it may serve as a basis of a wider and deeper research.

According to a modern approaching, - the discipline is not only obedience, passive carrying out of order, but in fact consciousness, valuation, acceptance and activity - I has clarified the

features of general citizen discipline and special military discipline, determined the category of the disciplinal law and draw attention some practical problems of the commander's disciplinal practice and the necessity, possibilities and tasks of the control.

I has justified the military order, discipline as a organic system, it must not cut out the tasks related to the criminal detection and investigation, because these affect to the moral status of the military personnel day after day, and have a significant role in the formation of the disciplinal status. Therefore, the criminal case is an important index about a unit how and how efficiency can fulfil its tasks form the key mission.

I has demonstrated the structure and the need of operation of a well operated information system. Inside it I has presented the importance of the disciplinal information subsystem, determined the place and role of the disciplinal basic documents and their requirements. At the same time I has emphasised that the commanders did not hand the values adequately what related to the enforcement and support of the analytical activity for the improvement of the disciplinal activity. In connection with that I has drawn attention the necessity of a courselike disciplinal analyser, evaluative basic and intermediate training too.

I has justified in Hungary following the change of regime, the social, economic, political and cultural changes - considerably and unfortunately in a negative way- had effected to the formation of the hungarian total criminal status. I has emphasised - as the basic reason of this problem - the social value and living crises and the increase of the repetition of crime.

Considering to the committed general and military crimes in the 1991-1999 period, I has analysed overall the features of the disciplinal status of the Hungarian Defence Forces. I has justified the effects of economical, political, cultural changes in Hungary had occurred – not the same time but similar way - one year earlier in this special field.

I has stated, in the term of research, the inner correlations of the military force broke down, became confused step by step and the commanders became unsettled from the cause of scales of value and living. The system of the Hungarian Defence Forces behaved more or less contradictorily in its order, disaggregated in consequence similar to the social progress – but different way and time – the negative phenomena had appeared, increased in a medium term, and their effect decreased just slowly. The solving of the inner crisis and consolidation began

in 1998-1999 years with the forcing of the relevant laws and the formation of the real – strength and task proportional - military reform.

I has justified the vast cut-back of a serviceman and the changes of strength proportion had a effect to the criminal case of different category of personnel. As a positive factor, in my term of research, it was being decreased the legal crimes and the number of become-know military perpetrators, however unfavourable way the decreasing dynamics of the personal strength was being exceeded the previous factors, as its effect the personal categorical frequency of crime was being increased.

I has carried on an additional research, following that, I has justified the diminishing conscripted and the growing contracted strengths had not improved as expected in the disciplinal status of the Hungarian Defence Forces. The disciplinal features of the contracted members in the commander post converged toward the military professionals however the disciplinal features of the soldiers (without rank) converged toward the conscripted personnel.

I has demonstrated the vast majority of the commanders of the Hungarian Defence Forces have a convinced knowledg, the personnel can execute - in just case - their basic tasks in the expecting level if they have strong disciplinal status.

### **Proposals, recommendations:**

1. The analysis but particularly the evaluations and the classifications related to this theme is not known at all for the public but neither enough for the leading military commanders and scientific researchers in such overall term. The demonstration and social and statistical analysis in the first decade of the change of regime, from the aspect of criminal and disciplinal status of the Hungarian Defence Forces is a specific historical documents and an opportunity for exploration of their unpublished correlations. *The execution of the utilisation of the experiences in the inner communication system of the Hungarian Defence Forces is been recommendable and expedient.*

2. The results of research serves as a conceptional basis:

*for The Ministry of Defence and The Defence Staff*



- to increase the efficiency of the strategical analysis
- to realise the long term system of the criminal prevention

*for the institutions of defence university, college*

- to increase the discipline of the prospective officers, to build up their skills in the disciplinal education work
- to educate the social, legal-administrational and statistic knowledge

3. The interpretation of tasks, the statistic analysis and conclusion of method help the unit commanders and the legal, administrational and disciplinal officer.

- gathering, systematisation, processing, analysis, evaluation of data and classification of disciplinal status
- elaboration the preventive opportunities and measures from the conclusion
- planning, conducting and controlling of the practical implementation
- influencing in a more effective way the personal activities

4. The analysis and the conclusions of the connections between military discipline and committed crime in the Hungarian Defence Forces demonstrate the period of 01st Januar 1991 to 31st December 1999, so it might be capable and served as a basis of the research in a wider and deeper way.

### **New scientific results**

On the basis of the aforementioned, I has considered scientific results the followings:

1. The description from a special aspect of the continuity of development and consolidation of the hungarian military crime, criminally and disciplinal law as well as the general military and legal history results of research.

2. The overall and modern interpretation the civic and military disciplinal problems and expansion of conceptional system and fields furthermore methods of research, first of all in the following fields:

- the definition of the responsibility of personnel and military units

- the standardisation and sorting of general and specific obligations on the basis of responsibility
- the inspectional method of the commander disciplinal practice

3. The criminal data statistic analysis and its results in the Hungarian Defence Forces between 1991-1999, accordingly

- the effects of social changes in Hungary had occurred – not the same time but similar way - one year earlier in military field
- the disciplinal features of the contracted members in the commander post possess the military professionals however the disciplinal features of the soldiers possess the conscripted personnel.

**PUBLISHED PUBLICATIONS AND REMARKABLE DEMONSTRATIONS IN THE SUBJECT OF THE DISSERTATION:**

1. The evolution of disciplinal status and the changes of analytical activity. (*Új Honvédségi Szemle* -New Defence Journal published 1995/5. page 13.)
2. The correlations of military discipline and the military crimes. (*Új Honvédségi Szemle* - New Defence Journal published 1994/4., pages 1-18.)
3. The features of disciplinal status of the Hungarian Defence Forces particularly related to the behaviour what do not reach to criminal level (MK KBH *Szakmai Szemle* – Professional Journal published 1999/II., page 23., N52861)
4. The disciplinal status of the non commissioned and warrant officers, 1994-1998 (*Új Honvédségi Szemle* -New Defence Journal published 1999/12. pages 85-93., HU ISSN 1585-4167)
5. The correlations of military discipline and the military crimes. (*Hadtudományi tájékoztató* – Military Science Reference published 1999/1, pages 1-148.)
6. The features of the disciplinal status of the Hungarian Defence Forces on the basis of acknowledgement and punishing in the term of 1994-1998. (*Társadalom és Honvédelem* – Society and Defence published 2000/1. pages 47-72.)
7. The effect of the inner relation of military force and the social factors to the recruiting of the military professionals (Seminarian essay of research, form military sociology, ZMNE Faculty of Sociology, Publication, publish 2000. pages 1-22.)
8. The features of the disciplinal status of the Hungarian Defence Forces on the basis of acknowledgement and punishing in the term of 1994-1998. (Essay of grace form military sociology; ZMNE Faculty of Sociology; Publication, published 2000., pages 1-13.)
9. Deviant behaviours in the Hungarian Defence Forces particularly considering the forming of committed crimes. (*Társadalom és Honvédelem* – Society and Defence published 2000/X. pages 30.)
10. Deviant behaviours in the Hungarian Defence Forces particularly considering the forming of committed crimes. (20. October 2000.; Essay of terminal examination from philosophy; ZMNE Faculty of Philosophy and Cultural History; pages 1-22.)
11. Deviant behaviours in the Hungarian Defence Forces particularly considering the forming of committed crimes. (Presentation; ZMNE 08. November 2000. The day of hungarian science)
12. The superior's disciplinal law (Presentation; Balatonkenese, 09. May 2001.; in-service training for the leaders of the MH legal service)
13. Presentation disciplinal training for the front guard (Siófok, 09.00-10.00 hrs 16. May 2001.)
14. The acknowledgement for the soldiers. (Disciplinal handbook, Chapter V., pages 77-96, MH SZKKNY, Budapest, 2001.)
15. The definition and classification of legal violation. (Disciplinal handbook, Chapter VI., pages 97-220, MH SZKKNY, Budapest, 2001.)
16. The superior's disciplinal law. (Disciplinal handbook, Chapter VII., pages 221-237, MH SZKKNY, Budapest, 2001.)
17. The disciplinal information system of the Hungarian Defence Forces and the requirements of its operation. (Disciplinal handbook, Chapter IX., pages 377-386, MH SZKKNY, Budapest, 2001.)
18. Collection of the measures and the sample of documents (Disciplinal handbook, Chapter III., pages 387-561, MH SZKKNY, Budapest, 2001.)

## CURRICULUM VITAE

Name: Attila Honfi  
 Place, date of birth: Budapest, 08. July 1954.  
 Mother's maiden name: Ilona Tokai

### Advancement in duty:

31.07.1973 - 20.08.1977 Máté Zalka Military Technical College,  
 Faculty of Home Air Defence Missile; student  
 20. 08. 1977. enlisting to military professional; MH 0400/1977  
 1977-1979. 11/12 home air defence missile subunit (Szigethalom);  
 technician  
 1980-1983. 104. home air defence missile regiment, cultural institutor  
 1983-1986. Miklós Zrínyi Military Academy; student  
 1986-1997. 11. home air defence missile brigade command; chief institutor  
 01.01.-30.11. 1988. Miklós Zrínyi Military Academy, lecturer  
 01.12.1988. – 31.01.1990. Training Directorate; chief officer  
 01.02.1990. – 01.10.1990. Educational and Social-political Directorate, education chief  
 officer  
 09.10.1990. – 01.02.1992. Training Directorate; disciplinal analyser chief officer  
 01.02.1992. – 31.07.1994. Defence Staff Secretariat Legal and Disciplinal Analysis  
 Department, disciplinal chief officer  
 01.02.1992. – 31.07.1994. Defence Staff Secretariat Disciplinal Analysis Department,  
 deputy head of department  
 01.03.1997. – 31.10.1997. MHP Legal and Administrative Office Disciplinal Analysis  
 Department, deputy head of department  
 31.10.1997. – 01.12.2000. Defence Staff Legal and Administrative Office Disciplinal  
 Department, primary disciplinal chief officer, deputy head of  
 department  
 01.12.2000. – 01.10.2001. Defence Staff Legal and Administrative Department, primary  
 disciplinal chief officer, deputy head of department  
 01.10.2001. – 28.02.2003. Ministry of Defence Staff Human Directorate, Disciplinal  
 Department, deputy head of department  
 01.03.2003. - Ministry of Defence Control Directorate, head of control  
 department

### Advancement in rank:

20.08.1977. Second Lieutenant (first officer rank HM 0400/1977.)  
 20.08.1981. Lieutenant (promotion: Pol. 034/1981.)  
 20.08.1986. Captain (promotion; Pol 029/1986.)  
 01.02.1990. Major (accelerated promotion; Szü. 0216/1990.)  
 15.03.1993. Lieutenant Colonel (accelerated promotion, VKF 8/1993.)  
 01.03.2003. Colonel (.../2003 HM decree)

**Medals, acknowledgements:**

Home Serving Medal (bronze class)	HM 0228/1982. order
Eminent Youth Leader	.../1983.
Duty Medal (10 years)	HM 0791/1987. order
Home Serving Medal (silver class)	HM 0972/1987. order
2nd class Serving Medal (merit)	HM 1113/1995.05.21. decree
Officer Serving Medal 2nd class (25 years)	HM1326/1998.08.20. decree
1st class Serving Medal (merit)	HM ../2002.03.15. decree
Reward (watch with own name)	HM HVK SZÜCSF 01.03.2003.
Officer Serving Medal 1st class (30 years)	HM 1422/2003.08.20.
Reward (Dress sword, for 50th birthday)	HM 2004.07.08.

Beyond the above, I has received 45 acknowledgements in my service career.

**Education, service career, qualification**

1973-1977.	Máté Zalka Military Technical College BSc military degree: air defence artillerist, air defence missile complex operator BSc civilian degree: instrument and operation technical graduate engineer (Number and classification of degree: 22/1977. "good")
1983-1986.	Miklós Zrínyi Military Academy MSc degree: higher qualified home air defence all arms officer (Number and classification of degree: 330/83-167. "good")
11.12.1995.	State intermediate language exam with military specification in russian language (Number of document: 758/2880/1995. ZMKA)
25.06.1996.	State intermediate language exam with military specification in german language (Number of document: 875/518/1996. ZMKA)
01.09.1999.-31.08.2001.	Miklós Zrínyi Military Academy, PhD education, theme: The connections between military discipline and committed crime (military and legal) in the Hungarian Defence Forces from 01 <sup>st</sup> Januar 1991 to 31 <sup>st</sup> December 1999.
15.09.2001.	Absolutorium
02.12.2004.	Professional discussion