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A SIDE NOTE TO AN INVESTIGATION

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As a liaison officer at the National Police Headquarters I have been dealing, as part of my job, with issues deriving from the relationship between Hungarian Roma/Gypsies¹ and the police between 2003 and 2009.

In line with the cooperation agreement between the Police and the Roma, my task was to keep contact with Roma organizations, to analyze conflicts between Roma and the police, to attract Roma youth to the police forces and, on the basis of the cooperation agreement, to manage local and regional police authorities.

During my studies at the defence and security policy major of the Zrínyi Miklós National Defence University (ZMNE), I got aware that it would be worth examining the situation of the Roma ethnicity within the European Union, and particularly in Hungary, as well as to study in details its security policy and law enforcement implications. I set the objective to research and scientifically study this topic within my doctoral studies at the Military Science PhD School of the ZMNE. This article is part of this effort.

One of the basic tasks of a modern State is to guarantee social integration, i. e. to contribute to a civilized resolution of social conflicts. Therefore if a conflict situation is created by the dysfunctionality of a State organ's operation, this has to be considered as serious perturbation of the State's functioning. One of the most typical examples of this phenomenon was the anti-Gypsy attitude manifested on the internal webpage of the Police.²

INTRODUCTION

The shift of the system brought deep changes in all fields of life, such as in economy, politics, but also in relations among social, so to say, groups. The earlier social balance was fundamentally destroyed and the consolidation of the new social structure is even today in many cases doubtful, changes resulted in tensions and sources of conflict.

The situation of certain groups in society changed dramatically, incorporated by frustration and loss of confidence of its members. They unwillingly tend to identify possible solutions to the – according to their interpretation - negative change of their situation and conflicts deriving from it in factors reaching beyond themselves.

The intensity of the negative attitude in front of the “scapegoat” found this way becomes more intensive and mutual, if the scapegoat happens to be another minority (although from a completely different approach, but on the basis of certain components, I stress) group. This social integration disturbance is especially dangerous, if the opposition appears as a conflict in the execution of State power.

In 2007, one of the leading news in Hungarian media was the fact that policemen made anti-Gypsy comments on the so-called Holdudvar (“Moon dog”), an internal police website.

In October 2006, the chair of the Social and Cultural Foundation for Gypsies of Döbrököz asked the chief of the national police to help him to publish a CD entitled “We will be many Roma at the police”. At the same time, the editor-in-chief of Radio C sent an e-mail to the Head of the Spokesperson's Office of the National Police Headquarters, asking for a reaction by the police concerning the content of the CD sent them by the board of trustees³.

¹ Gypsies have been more and more frequently referred to in specialist literature as well as in everyday life as “Roma minority” or “Roma population”. In this study, I use both the “Roma” and the “Gypsy” terms.

² Into the investigation of which I was personally involved.

³ http://www.police.hu/print/friss/orf_070119_01.html

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The disk contained a set of sometimes sarcastic, degrading denominations offending the Gypsy, collected from the forum "Holdudvar" run by the police on an internal forum, such as "Szekely from the shore of the Ganges, Indo-Hungarian, stud gorilla, inhabitant of a mound, black, genetic waste".⁴

Taking all this into account, the chief of the national police immediately ordered to stop the activity of the Holdudvar and to start an investigation which was carried out by the Disciplinary Unit of the Human Management Department of the National Police Headquarters.

INVESTIGATION

An internal police forum where policemen exchange their views and ask for assistance has run since 2002. At this forum, almost all topics were discussed including family problems, cars and motorbikes, leisure activities, sport, work related issues and others impossible to list them all.

Unfortunately, the forums where Roma/Gypsies were somehow discussed were very popular. These topics either started by stating Roma/Gypsy or the topic proposed quickly became "ethnicised" with Roma/Gypsies being evoked.

The forum analyzed relations and conflicts between policemen and Gypsies, the "strange" habits of Gypsies and also "analyzed" their criminal propensity. Contributors of the forum discussed these topics often expressing their opinion by mentioning their real life experience. The majority made moderate declarations concerning this issue, however generalization and in many cases mocking, cruel, degrading statements offending the Gypsies appeared.

When examining the origin of the comments it was established that the full logging of the "Holdudvar" intranet forum began in May 2004, therefore the identification of the so-called nicknames is in some cases uncertain or not possible. Following the investigation and the identification of the nicknames, at first 33 persons concerned were identified country-wide, some of them making comments on several occasions. Data during verification showed that, due to erroneous identification and termination of duties, 30 out of the primarily identified 33 persons were actually in cause.

Most of the persons making insulting comments were:

- Policemen aged between 30 and 40 with a service period between 10 and 20 years.

By rank:

- Warrant officer 4 persons,
- ensign 9 persons,
- officer or senior officer 17 persons;

By position:

- leaders 4 persons,
- subordinates 26 persons;

By service branch, speciality:

- 15 persons criminal,
- 11 persons defence of public order, traffic,
- 2 persons duty,
- 2 persons economic;

Persons with factual authority power (in direct connection with citizens):

- 22 persons,
- Carrying out other specialised tasks: 8 persons.

After the identification of persons, their comments were examined with regard to what kind of legal procedure or other punishment the offending remarks can be the basis of and whether they may be the origin of a criminal, administrative or

⁴ <http://www.origo.hu/itthon/20070119treningre.html>

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disciplinary action. After the overview of the related legal background and other positions with legal force, the investigation concluded that there was suspicion of breach of law or motivated suspicion of committing forms of crime examined (violence against members of a national, racial or religious group, incitement against the community). The result of the police's investigation was sent to the Investigative Prosecutor's Office of Budapest for resolution. The Office treated the police documents as a denunciation and rejected it in lack of a crime, making reference to point (1) a.) of Para. 174 of the Act Nr. 109 of 1998 on Criminal Procedure (*"the act is not a crime"*).

OPINIONS

László Bene, Chief of the National Police

„The police condemn the anti-Gypsy declarations made in the forum. The police chief also stated that beforehand, there were no claims linked with a suspicion of racism against the 30 policemen in cause. One of them was even decorated because he saved the life of a Roma child from the river Tisza by risking his own life. The police chief decided that the forum called “Holdudvar” will be kept, but comments will be moderated more strictly so that such cases will not repeat.”⁵

Jenő Kaltenbach, ombudsman for minority rights

„It is important the there is no racism present at a law enforcement state organ. Kaltenbach added: the investigation of the National Police Headquarters made it clear that police do not tolerate thinking with prejudices. The ombudsman agreed with the punishment imposed, i. e. to oblige the 30 policemen to participate at a training organised by the Police College and the Wesley János College for Pastoral Education.”⁶

Head of the training

„15 policemen started the training which means that policemen have prejudices, but they are not racists.”⁷

National Association of Roma Policemen

The Association established in 2005 expressed its opinion on the offensive expressions appeared on the Holdudvar, which was also handed out to the national police chief. *“We believe that the impeachment within the police of persons under investigation, unknown to us – policemen, public servants – has unwished effects on Roma policemen, both inside and outside he police, that have to be avoided. In our opinion, the author of the CD was not aware that by publishing the data collected, he will not diminish discrimination ind rpejudices, but will generate the strengthening of negative impacts. Other ways of impeachment has to be searched for. And this is nothing else than education, group therapy, confrontation and peaceful influencing of negative moral judgments.”*⁸

CONCLUSION

The investigation was a good example of how within an armed force groups emphasizing similar views and stigmatizing others with offensive remarks can be formed.

⁵ <http://www.origo.hu/itthon/20070119trendingre.html>

⁶ <http://www.origo.hu/itthon/20070119trendingre.html>

⁷ <http://www.origo.hu/itthon/20070119trendingre.html>

⁸ http://www.roma-police.hu/2007_hirek/2006_01_15_cd_allasfolalas.doc

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Everyone shall decide for himself whether policemen despising and stigmatizing others – who thought their views remain hidden to public – will always be able to overcome their emotions and to act impartially and without prejudice against those whom they called names offensively.

Given that it was an internal forum, the interpretation of the freedom of speech “prevailed” upon the legal principle of prohibition of negative discrimination. No one had the interest to disagree with it.

The identity of the policemen concerned remained unknown, their mandatory training was implemented by the Institute for Law Enforcement and Crime Prevention of the Ministry of Justice and Law Enforcement. The trainers were mostly police officers with official status. We will never know how much more efficient it would have been to organise a training on an external spot, without the participation of police officer trainers. I can only hope that the policemen concerned really started thinking about what the profession they chose means in real life.