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THE PRESENTATION OF CRIME FREQUENCY AMONG THE GYPSY POPULATION OF HAJDÚ-BIHAR COUNTY VIA THE PARTICULAR MAIN GROUPS OF CRIME

Theoretical introduction

It is a really sensitive issue to talk about gypsy crime nowadays because on the one hand officially it does not exist in Hungary¹, which is clearly stated by several minority leaders, politicians and researchers², on the other hand a lot of people avoid using even the word gypsy and use Romany instead³. However, it is obvious for both the broader public and the laymen that gypsy crime does not mean that the whole gypsy population of Hungary leads a criminal way of life (while mentioning Italian mafia we do not relate to all Italian people as mafia people) it simply means, which has been pointed out by several researchers, that a criminal layer, who commit crimes as a way of life, can be sharply separated from the gypsy population (Tonhauser, L. 1999, Póczik, Sz. 1999).

You can often hear that those unlawful activities which are committed by the gypsy population can be grouped into the „livelihood crime” category. In Pál Simku’s⁴ opinion „livelihood crime as a legal definition does not exist. People, who are in difficult social status, are not entitled to commit crimes, and this disadvantage cannot emerge as a mitigating circumstance in the case of legal calling to account.” (Simku, P. 2010) In my opinion this standpoint is the one which in the long run can guarantee legal security in this country and does not offend the sense of justice of the majority society.

I would like to start by saying that the aim of this paper is not to put a negative construction on the gypsy population and I have not established any preconceptions beforehand. During my research I just tried to give an answer in a criminalgeographical aspect to the correlations between the statistical data and the criminological regularities. My only aim was to examine the criminal activities of the Hajdú-Bihar county gypsies and its expected evolvement.

The results of the survey about the gypsy crime in Hajdú-Bihar county

Given the fact that currently there is no statistical record in our country which registers the ethnicity of the offenders⁵, I collected data at the Municipal court of Debrecen and the Court of Hajdú-Bihar county the following way; in 2010 for 20 days I wrote down the type of crime and the name of the offender from the day’s trial manifest then from the name and external race signs (skin colour, hair colour etc.) of the people waiting outside the courtroom I tried to

¹ The word gypsy crime before 1989 was part of the police lingo but after the change of system on the so-called official level they avoid using this expression.

² In Zsolt Németh’s opinion the concept of gypsy crime has no place in science and criminology but it has in the social discourse (2008) (Zsolt Németh ret. Police general, criminologist, Head of Department of the Police Academy)

³ Considering the fact that one of the main advocacy groups of the national gypsy community Országos Cigány Önkormányzat uses gypsy in its name, in my opinion the use of the word gypsy cannot be insulting in the present paper.

⁴ Dr. Pál Simku University professor, department attorney of the Chief Prosecutor’s Office of the Hungarian Republic

⁵ The police had records about criminals from the gypsy ethnicity between 1971-1988 and there were studies about this as well (prospectus of the Chief Prosecutor’s office) but it was cancelled after the change of system. The records connected to ethnicity are not possible now because of the rules of the data protection system because data connected to the ethnicity are deemed to be *special personal data* (1992. LXIII. Regulation) any referring data can be published or recorded only with the written consent of the person concerned.

establish their ethnicity. ⁶ I made personal conversations with some of the people waiting outside the courtroom from whom several declared their ethnicity thus making the results of the research more specific.

Naturally, I am aware that the result of my measure cannot give an exact value, and the fact itself that somebody takes part in a court hearing as a suspect does not necessarily mean that he/she is an offender but the main tendencies and the structure of crimes and offenders can be illustrated. This result despite its obvious mistakes and weak points can be considered representative in terms of Hajdú-Bihar county because all the people present at the court trials were included in the cluster of the people examined. The result which I received during the research does not characterize only crime and offender structures of Debrecen but also those settlements which belong to the jurisdiction of the Municipal court of Debrecen and the County court of Hajdú-Bihar county. 40 settlements belong to the former one and all settlements in Hajdú-Bihar belong to the latter. The county numbers can be distorted by a few percent in those cases which because of bias were moved here from another county but the same can happen the other way around, too.

While analysing the collected data I received the following results: during the 20 days of trial 697 trials took place at which 1329 identified people were present as suspect; in those cases where besides the suspect's name it was written „and others” I only took one person into consideration. Because of the problem above on the basis of the trial manifests 221 people could not be identified, so the total number of gender-specified offenders in the researched period was 1108.

85.11% were male and 15.16% were juvenile. 46.02% of the offenders were gypsies according to my criteria and 9.01% of the total offenders were juvenile gypsies. This number is 19.59% if we relate it to the gypsy offenders which means that every fifth gypsy offender is a juvenile. 14.06% of gypsy offenders were women which is 5.51% when relate it to the total number. 28.41% of the cases recorded by me involved at least one gypsy ethnicity suspect. During the research it was not possible to gather enough data about the suspects' age, presence at the crime scene, education, marital status, previous sentences and other factors affecting the crime (e.g. alcohol, drug) which can be statistically comprehensible.

The 697 cases are spread into the following main groups of crime in the following way: 42.9% of the cases were crimes against property, 18.65% against public policy, 14.63% against person, 9.33% traffic crimes, 5.02% against marriage, family, youth and decency, 4.45% economic crimes and 3.01% against public administration, jurisdiction and cleanliness of public life. In the researched period there were no crimes against state and mankind and military obligations. During the research I put the military crimes in a separate category which were committed by people considered soldiers during their time of service. This made up 2.01% of all cases.

The percentage distribution of the main groups divert from the main trends because in the present research only 1 piece of crime could be recorded from the trial manifest which does not reveal which counts is the given crime and besides the basic crime in several cases the title „other crimes” also appeared on which the type of the other delict could not be identified. As mentioned above in reality we need to count with a higher number of offenders because the „companions” title we cannot establish the actual number of the suspects.

⁶ It causes problem to identify who we consider gypsy or belonging to the gypsy community. On a linguistic basis the majority of gypsies cannot be distinguished from the Hungarians because most of them do not speak any of the gypsy languages. The ethnic self-definition is also highly problematic (we should consider gypsies those who identify themselves as gypsy) because a lot consider themselves not belonging to the gypsy community (though in their lifestyles they belong there) or they do not want to give an answer about that. Regarding the above written the special literature dealing with the gypsy community consider gypsy that person who is considered gypsy by their surrounding (KERTESI, G.-KÉZDI, G. 1998, 467., KOCSIS, K., KOVÁCS, Z. 1999, 13-20., CSALOG, ZS. 1973, 38-44., TÓTH, A. 2007, 250.).

The crime structure

The biggest proportion of gypsies among the main groups of crime was in the group of crimes against property. 48.78% of the suspects were of gypsy origin and 11.11% were of juvenile gypsy origin. This figure among the gypsies is 22.78% which means that its regularity is more than every fifth gypsy suspect is under 18. When examining the different types of criminal activities we can say that in the case of *theft* in more than half of the cases (51.04%) there was at least one suspect with gypsy origin. 64.88% of the men at delict are of gypsy origin which can be mainly explained by the fact that in the majority of cases we talk about collective perpetration. The number of juvenile offenders is really high among the known 59 people 44 were of gypsy origin. In the case of women we can see a balance, I recognized 12-12 people who are of gypsy and Hungarian origin. In the case of *theft* we can recognise the dominance of gypsy males who gave 24% of all offenders this number was 46.67% among Hungarian males. 59.26% of *robbery* concerned people with gypsy origin where a strong male dominance can be observed both among Hungarians and gypsies. Out of the 42 offenders, whose gender can be identified, 38.1% were under 18 when they committed the crime and 68.75% of these were of gypsy origin which means that more than 2/3 of the juvenile robbers belong to the gypsy ethnicity.

In the main group of economic crimes 16.33% of the suspects were of gypsy origin which is a relatively high number and can be explained by the high number of gypsies committing *tax fraud*. During the period examined gypsy people were not related to any other economic crime.

The next group with crimes against public administration, jurisdiction and cleanliness of public life has 30.77% of the suspects from the gypsy ethnicity who committed the following crimes: *defiance of lawful authority, violence against a person fulfilling public duty, giving false defence*.

40.32% of the crimes against public policy were of gypsy origin which is a quite high number and can be related to the criminal offence of *ruffianism*. The juvenile gypsy offenders make up 6.05% of the suspects and 15.05% of the gypsy suspects which number can be also related to ruffianism. In more than third of the cases (91-32) there was a gypsy suspect and on the basis of the number of the offenders the number of Hungarian and gypsy offenders is practically the same. This can be explained by the fact that in the case of *so-called collective ruffianism* there is a significant number when both parties are made up by gypsy people.

In the main group of crimes against marriage, family, youth and decency 41.03% of the suspects were gypsy offenders which is due to the crime type of *endangering of a minor* because in this case I identified a gypsy suspect in 7 out of the 9 cases which means 77.78% of this crime type. Several researches have highlighted that among gypsy people the ratio of crime against decency is considerably high. During my research there were 2 cases of rape and 3 assaults against decency which can further underline the previous researches but because of the low case numbers I decided not to analyse them.

In the group of crime against person 27.48% of the suspects were of gypsy origin which is in connection with the high number of *assaults* (both assault and battery and aggravated assault). (In the case of assaults I found that 28.57% of the offenders were from the gypsy ethnicity). In the main group, 19.44% of the gypsy offenders were juvenile just in this delict. 90% of the suspected women were gypsies and 35% were juvenile gypsies. In the case of *homicide*, which receives the biggest attention, only 1 out of the 7 cases was a gypsy offender.

In crimes against traffic laws the ratio of gypsy offenders was 10%, and in the case of military crimes there were no gypsy offenders.

Final thoughts about the criminal activities of the gypsy ethnicity

In my opinion there is an obvious correlation between certain crimes and the population of gypsy people. In order to solve this acute problem we need to see on the basis of official statistical data (police, prosecutor, judicial, law enforcement) the ratio of gypsy and Hungarian offenders in the different crimes. Only after this can we draw the right and established consequences on how to move on in the future. In my view it is not discriminative at all if they store the ethnical background of offenders, to which we can see several international examples in developed, democratic countries, where it does not cause any problems.

Before 1989 a special investigation group existed at the Budapest Police HQ which led investigations only in connection with gypsy offenders which meant that they acquired significant personal and professional knowledge, which after the cessation of the group it drifted into oblivion. The leader of this so-called *gypsy crime line* for years was Colonel László Tonhauser who made the following remark about their work; „If an ethnicity emerges as an offender and it is contributed by special, unique types of methods then law enforcement has to specialise as well. Doing successful surveillance without special knowledge is impossible.” (Tonhauser L, 1999). My firm conviction is that in order to be more successful against this group of offenders with peculiar characteristics we need to establish a national police unit which possess this special knowledge, who would only take part in the investigation of cases committed by this group of people.

Summary

In the introductory part of my paper I outlined those problems which the researchers of the local gypsy population have to face. These problems multiply if somebody does research about the relationship between gypsies and crime because a lot of people assume that the researcher is led by preconception.

Presently there is not any database in Hungary which examines the criminal inclination and figures of gypsies, there are only prison evaluations and estimations which lack any scientific basis.

The author of the paper used a method, which even he considers to be assailable, to measure gypsy crime which despite its obvious mistakes is a pioneer work which is suitable to show the main tendencies, the offender and crime structures. This method is based on the data collection from the trial manifests put out at courts. From the public registries posted on the court door we can determine crime information and from the external race signs of the people waiting outside the courtrooms we can identify on a high probability the ethnicity of the offenders.

The backbone of the paper is to show the crime structure received from the research from which we can establish that in case of certain delicts the frequency index of the ethnicity is considerably higher than the majority society, while in other crimes their share is below the average.

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