

Is the prostitution a threat/danger to a country's (national)security?

Dr. Kovács István PhD¹

Absztrakt:

Veszélyt jelent-e a prostitúció egy ország (nemzet)biztonságára? A tanulmányban a szerző két nézőpontot vizsgál: vannak-e a prostituáltaknak olyan kliensei, akik olyan információkkal rendelkeznek, amelyeknek kiszivároztatása egy ország biztonságát veszélyeztethetik, szuverenitását sérthetik, ezáltal a hatalmat lerombolhatják? De facto egy másik nézőpontból: alkalmasak lehetnek-e a prostituáltak arra, hogy a „hírszerzés eszközeként” egy adott állam hatalmi pozícióját nemzetközi viszonylatban gyengíthetnék vagy erősíthetnék? A tanulmány a szerző PhD kutatási munkájának részeredményeit dolgozza fel, különös tekintettel a prostituáltak kliensi körének meghatározására.

Kulcsszavak: prostitúció, nemzetbiztonság, hírszerzés, államhatalom, alkotmányos jogok

Abstract:

Two points of view were examined by the author in the study: are there information holder clients, who can endanger the country's security, violate the sovereignty, and destruct the authority? De facto an another view: can we use the prostitutes as “central intelligence tools”, can they weaken or strengthen the country's authority in the national field? The study is processing the author's PhD research partial results, particular the definition of the clients of the prostitution.

Keywords: prostitution, national security, central intelligence, state power, constitutional rights

¹ *Police Captain (Head of Department) at the BRFK. IX. District Police Station. ORCID: 0000-0002-7210-1981*

“Silence can be interpreted in many ways. For example, as a sign of intelligence: the more we listen, the more we hear.”²

Introduction

Due to the accelerated world – globalization, urbanization, etc. – the role of the intelligence activities, information management (collection, recording, organization, storage, processing, and recovery) and troubleshooting has become increasingly important. With all of this, countries can gain more favorable position in global economy/in world politics, they can enforce their interests. According to Várhalmi (2009), in the field of national security protection besides open diplomatic negotiations there are operative background activities as well, which can help enforcing the countries’ interests.³ Hungary’s geopolitical position, its internal and external political situation presumes an advantageous position. (Geopolitics has political importance by clarifying the tasks of governments, diplomats, and government agencies, which are destined for perpetuating and creating the future position of the country they are to serve in the world.)⁴

Hungary owes many advantages to its geographical location: for example in the past the Carpathians were for many centuries a natural border and protected the country, now the mountain is the transporting connection link between East & West, and North & South.⁵ Therefore the transit role of the country has many advantages and disadvantages too.⁶ This is Catch 22: by its traffic routes the state has one of the most determinative positions in Europe, but it is also in a vulnerable position as far as safety related risks and threats concerned. To define safety related risks and threats, I use Resperger’s (2013) study: *threat is a form of danger (including concrete action intentions), which aim is to influence the destination state’s behavior in order to enforce the interests of the country.*⁷ Risk can be interpreted in security dimensions. Therefore danger can be nothing

² Contribution from the Twin peaks series (<http://welcometotwinpeaks.com>) (downloaded: 25 October 2016)

³ VÁRHALMI Miklós: A hírszerzés-felderítés szerepe és jelentősége a XXI. századi Európai Unió számára. In: *Hadtudományi Szemle*, 2009. 2. évf. 1. sz. – p. 51-59.

⁴ KOMJÁTI-GARDÓ Simona: A geopolitika, mint tudomány haszna az államok számára. In: *Politikatudományi Tanulmányok*, 2014. – p. 87-97.

⁵ BÁRDOS-FÉLTORONYI Miklós: *Bevezetés a geopolitikába.* – Bp.: L’harmattan Kiadó, 2006.

⁶ HORVÁTH Attila: Magyarország megváltozott geopolitikai helyzete a közlekedés-földrajzi viszonyok tükrében az ezredfordulón. In: SZÓNOKYNE Ancsin Gabriella (szerk): *Határok és Euróégiók – Szeged: SZTTK*, 2007. – p.:205-215.

⁷ RESPERGER István ezredes Dr.: *Biztonsági kihívások, kockázatok, fenyegetések és ezek hatása Magyarországra 2030-ig.* In: *Felderítő Szemle*, 2013. XII. évf. 3. sz. – p. 5.

else but the objective possibility of the conflict of interests (methods of the direct/indirect & positive/negative interests enforcement). (I have to explain what positive interests enforcement mean: positive interests enforcement is when there is a consensus between two states, however it has negative interests enforcement to a third party, see for example the Snowden case).⁸ Artificially created threats, risks and dangers, independent from geopolitics, are always devices to demonstrate a state's power and authority in order to gain the best position worldwide. The basic difference between power and authority is that power is related essentially to the personality of the individuals, while authority is always connected with social situations/positions and roles. The power marks of the state's authority are shown through a five-factor system by Dahrendorf (1976).⁹

1. The power relations are always connected to hierarchical relationships
2. It is socially expected, that the subordinate should be checked and influenced by the superordinate (boss)
3. the expectations are legitimate ones
4. authority/power applies to the individuals, and to the social sphere, within which the power-exercise is allowed
5. disobedience of the orders may be punished by the power-practitioner

The above mentioned characteristics of power marks and power position will be shown through the New York Convention of 1950 (by the United Nations).¹⁰

1. By signing the Convention a hierarchical relationship is generated;
2. Complying with the Convention – application and exercising of law – is controlled by the Council of the United Nations
3. expectations are legitimate
4. it can and should be applied to the individuals and to the social sphere
5. violation of the Convention entails sanctions.

⁸ GREENWALD Grenn: *A Snowden-ügy.* – Bp.: HVG Könyvek, 2014. (Edward Joseph Snowden (born June 21, 1983) is an American computer professional, former Central Intelligence Agency (CIA) employee, and former contractor for the United States government, who copied and leaked classified information from the National Security Agency (NSA) in 2013 without prior authorization.)

⁹ DAHRENDORF Ralph: *Class and Class Conflict in Industrial Society.* – London: Routledge, 1976.

¹⁰ 1950. évi New Yorki Egyezmény – az emberkereskedés és mások prostitúciója kihasználásának elnyomásának tiltása érdekében -, hatályba lépett: 1950 március 01-jén. (<http://prostitutio.hu/new.york-i.egyezmeny.php>) (downloaded: 25 October 2016)

Germany isn't a member of the Convention, but Hungary ratified the Convention in 1955.¹¹ While in Germany organized prostitution is allowed, thither in Hungary the institutionalized prostitution is prohibited. Therefore in Hungary the underworld is giving an impression of legitimacy to the prostitution with massage salons.

With this „legitimate girl-trafficking’ (Hungarian girls, Hungarian routes) we leave room to organized crimes, thus inducing the objective possibilities of threats between states. (Many organized criminal groups settle in Hungary in order to import Hungarian girls to Germany.) The boundary of the sovereignty of a state is always marked by the relation of international law to international judicial system which has primacy to national law. That is, a state is as sovereign as international law allows it.¹² Smugglers who traffic girls from Hungary do not violate German law – and since Germany did not ratify the Convention, they do not violate international law either –, therefore they cannot be punished. It is also not against the law to go to work abroad, so Hungarian girls can freely travel to Germany to offer sexual services, for which they cannot be punished. There is no contradiction here, since this isn't a human trafficking crime, it's an intermediation for legitimate work. De facto fight against organized crime is an objective risk for Hungary. Germany harms – directly/indirectly – the interests of Hungary, which can be punished by international law.

The report of the Hungarian Coordination Center against Organized Crime (SZEBEK) also underpins the above mentioned statements, as it says that organized crime is a significant threat to the state's internal security. However, in 2012 the evaluation report of the European Union Serious and Organized Crime Threat Assessment (EU SOCTA) did not mention prostitution and the sexual aimed human trafficking crime as the center of the crimes, neither can we find it among the profiles of criminal organizations.¹³ The European Commission published statistics about the victims of the sexually aimed human trafficking crime between 2010-2014. In the first 2 years of the survey (between 2010-2012)

¹¹ 1955. évi 34. törvényerejű rendelet - Az emberkereskedés és mások prostitúciója kihasználásának elnyomása tárgyában New Yorkban, 1950. évi március hó 21. napján kelt nemzetközi egyezmény kihirdetéséről -, hatályba lépett: 1955. év május 01-jén. (http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=95500034.TVR) (downloaded: 25 October 2016)

¹² KARDOS Gábor: *Nemzetközi jog a hidegháború után*. In: RADA Péter (szerk.): *Új világrend? – Bp.: Grotius, 2007. – p.: 37-40.*

¹³ KENEDLI Tamás Dr.: *Magyarország nemzeti biztonsági stratégiája és a belőle származtatható nemzetbiztonsági feladatok*. In: DOBÁK Imre Dr. (szerk.): *A nemzetbiztonság általános elmélete – Budapest: NKE-NBI, 2014. – p.: 88-92.*

more than 30.000 persons were registered in the 28 member-states.¹⁴ The data concerns the 28 member-states in Europe, and more importantly, only the registered victims. If in the one fourth of Europe so many victims were registered over two years, how many persons are there all over the world whose wretched fate we do not know anything about?

This is just one particular problem which has to be faced by Hungary. Nowadays challenges are complicated, they affect many scopes, and their effects are increasingly difficult to be predicted. It is the duty and responsibility of the government to interfere, and to guarantee the safety and protection of the country, of the nation, of the communities living in the country, of their values. The army, the police and the national security agencies have to solve this problem. The intervention, aptitude and creativity of the defensive agencies can solve the problems, they can ensure – with the help of intelligence activities, and the information management – the most important resources of the 21. Century: the future success and viability of the international federation of nation states.

Intelligence

Crime is as old as humanity, it cannot be eliminated. However, it is worth thinking about how we can take an advantage of this fact. For example: we are able to prevent crimes with the information-using which are given by prostitutes (maybe on the field of national security), even though that the prostitution is somewhere a criminal offense. There is a strong parallel between the two: both are one of the oldest professions, both are going back to the root of humanity. Both are surrounded by mystery originated from their intrinsic features, and from the lack of, or distorted information for a layman. There is no generally accepted international or national definition of intelligence.¹⁵ However, there are some common features of the different interpretations: intelligence is closely related to data, information and research, inquiry. Its basic function is to protect the country's values and interests and to support enforcing interests. Its main activity is to collect, analyze and interpret information. This paper analyses the elements of intelligence (collection, recording, organization, storage, processing, and recovery) within the theoretical framework of my hypothesis, from the point of view of subtasks performed concerning prostitution. These can be the information collecting tasks. This does not mean that prostitutes will be trained as spies, though they can be used as the human resources of secret information collection. The hypotheses can be criticized for stating that in the age

¹⁴ CERCONE Michel: *Trafficking in human beings 2010-2014*. – In.: *Press release of victims, 2014*. 1. sz. – p.: 1-3.

¹⁵ BÉRES János Dr.: *A hírszerzés feladatrendszere*. In. DOBÁK Imre Dr. (szerk.): *A nemzetbiztonság általános elmélete – Budapest: NKE-NBI, 2014*. – p.: 117-118.

of advanced technology data acquisition is more accurate, faster and professional, but the fact that technique cannot read behaviors, thoughts, and intentions of the groups of individuals, make us think that human resources can be the only helpful thing. As I have mentioned, it is not spies or covert agents we need. All we want is to have someone transmit the obtained information to the appropriate location where data are rated and analyzed. I would have intended to compare my hypothesis with another authors' works, but I didn't find anything concerning the connection between prostitution and secret information collection.

Betlen (2007) recalls his personal memories from the year 1970: there was a prostitute who, as she told, worked under the control of the Ministry of the Interior. She had to give information gathered from influential clients to the Ministry, and in exchange the Ministry helped her to get out from prostitution.¹⁶ Personal experiences could be true, but they are wrecking in the world of sciences without support. I could access foreign-language works due to technical development, but unfortunately, they are passing the subject only tangential. A similar case was raised by Raymond (2012): in her publication "an another US scandal is swelling". She said, that the American intelligence (civil-, and military) have used prostitutes in Columbia to collect secret data. (According to General Dempsey, "Americans were being confused for Columbia, but they weren't sure what exactly was happening".) Although human smuggling (human trafficking) is a serious crime in the USA, however, the supplied data proved that the deployed soldiers took part in exploiting women living by prostitution. This could be linked with the club called "Club Play" (in Cartagena) where US officials spent several nights, and bought food, drink and women through soldiers. This may confirm Senator Collins' (Officer of the Homeland Security and Governmental Affairs Committee) worry, whether the leaked information might endanger the country's safety and the president's security.¹⁷ The problem, critics may say, is that if the information collection is secret, than there can hardly be any literature dealing with the topic. In my view, however, practical use, or the current operation is far from drawing up theoretical background and experience summation. The aim of the present paper is to draw up the theoretical background of possible practical use.

The research

The present paper is based on the results, and their interpretations, achieved through the combined use of qualitative and quantitative techniques exploring the social representations of the phenomena scrutinized in conjunction with

¹⁶ BETLEN Anna: *A férfi ősi jussa*. – In. *Ezredvég*, 2007. 17. évf. 3. sz. – p.:1-28.

¹⁷ RAYMOND Janice: *The Secret Service Prostitution Scandal: It's About More Than National Security* – In. *Coalition*, 2012. – p.: 1-3.

prostitution, relating to the scientific domain of psychology, based on my empirical research efforts. Due to the latency of this phenomenon, I had to conduct my research amongst hidden, hardly accessible populations (i.e. police officers, and prostitutes in particular), and therefore, I applied the so-called snowball method to be used for hardly accessible populations for devising the samples. I conducted semi-structured interviews with the persons involved. I analyzed the body of the text with the help of the sequential-transformative model of content analysis. (The essence of the model is that quantitative, 'scalable' variables are identified via encoding the components of topical texts carrying identical meanings.) The encoding also extended to specifying the logical relationships of "part of something" between each of the text components, on the basis of which I identified hierarchies of meanings. With the help of a non-frequency analytical approach (a nonparametric procedure), mathematical and statistical processing was ensured through McNemar tests (relative significance of components conveying meanings within a group).¹⁸ By using chi-squared tests, I explored the significance of components conveying identical meanings between test groups. (A detailed analysis of the qualitative and quantitative research method I applied is included in the chapter containing the description of the research.)

Results

To verify my hypothesis, first it was necessary to check that the client notion can be found in the interviews of police officers and prostitutes. Clients are defined as those people, who use sexual services for financial reward. The client representation was illustrated by the interview texts.

**"All kinds come, from top leaders to small polski-guy. Everyone turns around."
„From workers to fathers, from business men to taxi drivers."
"From the lower layer to the upper."**

The hierarchy of the tested groups was built up from the client's status main code group, and from the civil clients', and police clients' codes. The codes were integrated under the main code group. Those are illustrated by the I. table.

¹⁸ EHMANN Bea: *A szöveg mélyén: A pszichológiai tartalomelemzés.* – Bp.: Új Mandátum, 2002.

I. table: Profession of the client

The components of the code system
the clients' profession (main code)
Civil client (code)
Police client (code)

The only common element of the two reality interpretation was that the clientele was created by men working in the civil area. The common code in the code's layer was only the „civil” code. I have to mention that the law enforcements working groups were bumped up in the clients' circle. Policemen weren't represented, as clients („civil client” 52/94% vs. „police client” 14/6%) in any of the groups. Those are illustrated by the II. and III. table.

II. table: The client's status

	Police	Prostitute		
Common main codes	Frequency (%)	Frequency (%)	Worth of Khi²	Level of significance
Clients' status	60	94	16,318	p < 0,01

The McNemar values were given by the mathematical calculations below, which are illustrated by the I. diagram:

I. diagram: The clients' Khi2 worth's:

Khi-négyzet-próba (df = 1): $\chi^2 = 16.318^{}$**

III. table: The results of the clients' status

	Police	Prostitute		
Significant common codes	Frequency (%)	Frequency (%)	Worth of χ^2	Level of significance
Civil	52	94	22,374	$p < 0,01$

The McNemar values were given by the mathematical calculations below, which are illustrated by the II. Diagram:

II. diagram: The clients' χ^2 worth's:

Khi-négyszet-próba (df = 1): $\chi^2 = 22.374^{}$**

The results of the data above prove the hypothesis that prostitutes have a chance to contact with interred people from the private sector and public administration. Among the economic interest enforcement to the public interest enforcement, there are people, who use prostitutes. Ad absurdum the opportunity, that the information leak, can be possible. (It depends much on the conspiracy, but the opportunity is given.) To check my hypothesis concerning secret information collection I used the code group hierarchy of the police. The code of secret information collection contains all contents which expressed that the studied subject, as part of his police tasks, recruits the prostitute as an informant to obtain information. The secret information collection code is illustrated by the help of the delivered data texts.

“I know that a prostitute collaborated with us, she has called us and helped the police’s work...”

„My personal experience was that I met with an old, retired lieutenant-colonel, who told me that we should try using prostitutes and taxi drivers as informants.”

By the hierarchy of the tested groups the secret information collection code was integrated under the police work main code group. Those are illustrated by the IV. table.

IV. table: The police work

The components of the code system
Police work
Higher instructional task (code)
statistics (code)
burden (code)
Secret information collection (code)

We may think that the above results would affect the measure culture, and the prostitutes' relationships, so we have to examine, whether the secret information collection can be a dominant component of the police reality or not.

III. diagram: The secret information's Khi2 worth's:

McNemar-féle szimmetria-próba a 'teher4' és 'titkos4' változó eloszlásának összehasonlítására: $\chi^2(1) = 6.259^*$

V. table: Results of the secret information collection

The components of the code system	Worth of Z^2 : $\cong 9,86$	Level of significance	Is a social representation or not
	Worth of Khi^2		
Secret information collection	6,259	n.sz.	✓

Based on the results, it was determined, that the “secret information collection” code is an element of police reality in the examined group (even if only in low numbers).

In connection with these results it can be stated that the recruitment of prostitutes as informants is regarded by the police as an optional alternative. The chance that interred validation national security information can be given to the prostitutes by the clients, is proved. How can the police use this to our interest? I am trying to give now a few proposals.

Proposals

The first legislation of secret reconnaissance in Hungary was the X. law from the year 1990.¹⁹ Afterwards operative work was regulated independently by several acts. Thus came the definition of secret information collection and secret data acquisition. The XXXIV. law from the year 1994., the CXXV. law from the year 1995., provides for secret information collection, and the XIX. law from the year 1998 provides for secret data acquisition.^{20, 21, 22} In their essence they are similar: the laws provide a framework within which it is possible to use human resources as means of secret information collection; but the limitations are filled by internal instructions. In my opinion within legal frameworks nothing impedes this type of utilization of human resources. As for practical use and usability the acquisition of some qualification may become adequate. Therefore, potential candidates should be trained (theoretically and practically) in accordance with the task. The person responsible for the implementation of the training should be a member of the given body. Following the theoretical training and successful exam human resources could be deployable. As to what task should be given to the recruited person, the decision is up to the special division of the competent authorities.

¹⁹ 1990. évi X. törvény – a különleges titkosszolgálati eszközök és módszerek engedélyezésének átmeneti szabályozásáról -, hatályba lépett: 1990.02.11-én, (<http://mkoqy.jogtar.hu/?page=show&docid=99000010.TV>), (download: 25 October 2016)

²⁰ 1994. évi XXIV. törvény – A rendőrségről -, hatályba lépett: 1994.05.01-jén, (http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99400034.TV), (download time: 2016. október 25.)

²¹ 1995. évi CXXV. törvény - a nemzetbiztonsági szolgálatokról -, hatályba lépett: 1995.12.28-án, (http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99500125.TV), (download time: 2016. október 25.)

²² 1998. évi XIX. törvény – a büntetőeljárásról -, hatályba lépett: 2003.07.01-jén, (http://net.jogtar.hu/jr/gen/hjegy_doc.cgi?docid=99800019.TV), (download time: 2016. október 25.)

The implementation would be ensured by creating specialized units within the body. However prior impact assessment and subsequent assessment is essential. The assessments must be carried out in all cases, first to calculate the promised result, than to evaluate the expedient percentage. If the results of the prior and subsequent impact assessments are coherent, further measures, law-additions/modifications needed, for using operative human resources in a wider sense.

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